

S.197

An act relating to prohibiting discrimination based on genetic information

It is hereby enacted by the General Assembly of the State of Vermont:

* * * Genetic Information and Testing * * *

Sec. 1. 18 V.S.A. § 9331 is amended to read:

§ 9331. DEFINITIONS

~~For purposes of~~ As used in this chapter:

* * *

(6) “Genetic information” means:

(A) the results of genetic testing related to an individual or a family member of the individual contained in any report, interpretation, evaluation, or other record ~~thereof; or~~

(B) the manifestation of a disease or disorder in a family member of the individual.

* * *

Sec. 2. 18 V.S.A. § 9333 is amended to read:

§ 9333. GENETIC TESTING; EMPLOYMENT; MEMBERSHIP IN A
LABOR ORGANIZATION; PROFESSIONAL LICENSURE

(a) No person shall, directly or indirectly, do any of the following as a condition of, or to affect the terms, conditions, or privileges of employment, of membership in a labor organization, or of professional licensure, certification, or registration:

* * *

(2) use genetic testing results or genetic information from ~~a person~~ an individual or a member of ~~a person's~~ the individual's family;

(3) use the diagnosis of a genetic disease derived from a clinical interview and examination, but not derived from the results of a genetic test; or

(4) require genetic testing.

(b) As used in this section, "employment" includes an application for employment, ~~provided that subject to the underwriting limitations of section 9334 of this title, this subsection shall not prohibit use of genetic testing results or genetic information in connection with life, disability income, or long term care insurance provided under an employee benefit plan.~~

* * *

Sec. 3. 18 V.S.A. § 9334 is amended to read:

§ 9334. GENETIC TESTING AS A CONDITION OF INSURANCE

COVERAGE

(a) No policy of insurance offered for delivery or issued in this State shall be underwritten or conditioned on the basis of:

(1) any requirement or agreement of the individual to undergo genetic testing; ~~or~~

(2) genetic information of the individual that may be associated with a potential genetic condition in that individual but that has not resulted in a diagnosed condition in the individual; or

(3) the results of genetic testing of genetic information of a member of the individual's family.

* * *

* * * Insurance * * *

Sec. 4. 8 V.S.A. § 3702 is amended to read:

§ 3702. OTHER PROHIBITED PRACTICES

A life insurance company doing business in the State or an agent thereof shall not do any of the following:

(1) ~~issue~~ Issue a policy of insurance or make an agreement other than that plainly expressed in the policy issued to the insured;

(2) ~~pay~~ Pay or allow, or offer to pay or allow, as an inducement to insurance, a rebate or premium payable on the policy;

(3) ~~grant~~ Grant a special favor or advantage in the dividends or other benefits to accrue thereon;

(4) ~~provide~~ Provide any valuable consideration or inducement not specified in the policy.

(5)(A) Condition insurance rates, the provision or renewal of insurance coverage or benefits, or other conditions of insurance for any individual on:

(i) any requirement or agreement of the individual to undergo genetic testing;

(ii) genetic information of the individual that may be associated with a potential genetic condition in that individual but that has not resulted in a diagnosed condition in the individual; or

(iii) the genetic information of a member of the individual's family.

(B) As used in this subdivision (5), "genetic testing" and "genetic information" have the same meaning as in 18 V.S.A. § 9331.

(C) Notwithstanding subdivisions (A) and (B) of this subdivision (5), a life insurance company or its agent may condition insurance rates, the provision or renewal of insurance coverage or benefits, or other conditions of insurance for an individual on the individual's family medical history, including the manifestation of a disease or disorder in one or more family members of the individual, provided that there is a relationship between the individual's family medical history and the cost of the insurance risk that the insurer would assume by insuring the individual. In demonstrating the relationship, the insurer can rely on actual or reasonably anticipated experience.

(6) Request, require, purchase, or use information obtained from an entity providing direct-to-consumer genetic testing without the informed written consent of the individual who has been tested.

Sec. 5. 8 V.S.A. § 4724 is amended to read:

§ 4724. UNFAIR METHODS OF COMPETITION OR UNFAIR OR
DECEPTIVE ACTS OR PRACTICES DEFINED

The following are hereby defined as unfair methods of competition or unfair or deceptive acts or practices in the business of insurance:

* * *

(7) Unfair discrimination; arbitrary underwriting action.

* * *

(D) Making or permitting any unfair discrimination against any individual by conditioning insurance rates, the provision or renewal of insurance coverage, or other conditions of insurance based on medical information, ~~including the results of genetic testing~~, where there is not a relationship between the medical information and the cost of the insurance risk that the insurer would assume by insuring the proposed insured. In demonstrating the relationship, the insurer can rely on actual or reasonably anticipated experience. ~~As used in this subdivision, "genetic testing" shall be defined as the term is defined in 18 V.S.A. § 9331(7).~~

* * *

(F)(i) Making or permitting any unfair discrimination against any individual by conditioning insurance rates, the provision or renewal of insurance coverage, or other conditions of insurance on:

(I) any requirement or agreement of the individual to undergo genetic testing;

(II) genetic information of the individual that may be associated with a potential genetic condition in that individual, but which has not resulted in a diagnosed condition in the individual; or

(III) the genetic information of a member of the individual's family.

(ii) As used in this subdivision (7)(F), “genetic testing” and “genetic information” have the same meaning as in 18 V.S.A. § 9331.

* * *

(22) Genetic testing.

(A) Conditioning insurance rates, the provision or renewal of insurance coverage or benefits, or other conditions of insurance for any individual on:

(i) any requirement or agreement of the individual to undergo genetic testing; or

(ii) genetic information of the individual that may be associated with a potential genetic condition in that individual but that has not resulted in a diagnosed condition in the individual; or

(iii) ~~the results of genetic testing~~ genetic information of a member of the individual's family ~~unless the results are contained in the individual's medical record.~~

(B) As used in this subdivision (22), "genetic testing" ~~shall be defined as the term is defined~~ and "genetic information" have the same meaning as in 18 V.S.A. § 9331(7) 9331.

Sec. 6. 8 V.S.A. § 5115 is amended to read:

§ 5115. DUTY OF NONPROFIT HEALTH MAINTENANCE

ORGANIZATIONS

(a) Any nonprofit health maintenance organization subject to this chapter shall offer nongroup plans to individuals in accordance with section 4080b of this title without discrimination based on age, gender, industry, genetic information, and medical history, except as allowed ~~by subdivisions 4080a(h)(2)(B) and 4080b(h)(2)(B) of this title pursuant to 33 V.S.A. § 1811(f)(2)(A).~~

(b) As used in this section, "genetic information" has the same meaning as in 18 V.S.A. § 9331.

Sec. 7. 8 V.S.A. § 8086 is amended to read:

§ 8086. PREEXISTING CONDITIONS; GENETIC TESTING

* * *

(b)(1) No long-term care insurance policy or certificate may exclude coverage for a loss or confinement which is the result of a preexisting condition, unless such loss or confinement begins within six months following the effective date of coverage of an insured person.

(2)(A) No long-term care insurance policy or certificate may condition insurance rates, the provision or renewal of insurance coverage or benefits, or other conditions of insurance for any individual on:

(i) any requirement or agreement of the individual to undergo genetic testing;

(ii) genetic information of the individual that may be associated with a potential genetic condition in that individual but that has not resulted in a diagnosed condition in the individual; or

(iii) the genetic information of a member of the individual's family.

(B) As used in this subdivision, "genetic testing" and "genetic information" have the same meaning as in 18 V.S.A. § 9331.

* * *

* * * Employment * * *

Sec. 8. 21 V.S.A. § 495 is amended to read:

§ 495. UNLAWFUL EMPLOYMENT PRACTICE

(a) It shall be unlawful employment practice, except where a bona fide occupational qualification requires persons of a particular race, color, religion, national origin, sex, sexual orientation, gender identity, ancestry, place of birth, age, crime victim status, ~~or~~ physical or mental condition, or with particular genetic information:

(1) For any employer, employment agency, or labor organization to discriminate against any individual because of race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity, place of birth, crime victim status, genetic information, or age or against a qualified individual with a disability;

(2) For any person seeking employees or for any employment agency or labor organization to cause to be printed, published, or circulated any notice or advertisement relating to employment or membership indicating any preference, limitation, specification, or discrimination based upon race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity, place of birth, crime victim status, genetic information, age, or disability;

(3) For any employment agency to fail or refuse to classify properly or refer for employment or to otherwise discriminate against any individual

because of race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity, place of birth, crime victim status, genetic information, or age or against a qualified individual with a disability;

(4) For any labor organization, because of race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity, place of birth, crime victim status, genetic information, or age to discriminate against any individual or against a qualified individual with a disability or to limit, segregate, or qualify its membership;

* * *

Sec. 9. 21 V.S.A. § 495d is amended to read:

§ 495d. DEFINITIONS

As used in this subchapter:

* * *

(16) “Genetic information” has the same meaning as in 18 V.S.A.

§ 9331.

* * * Labor Relations * * *

Sec. 10. 3 V.S.A. § 902 is amended to read:

§ 902. DEFINITIONS

As used in this chapter:

* * *

(13) “Genetic information” has the same meaning as in 18 V.S.A. § 9331.

* * *

Sec. 11. 3 V.S.A. § 904 is amended to read:

§ 904. SUBJECTS FOR BARGAINING

(a) All matters relating to the relationship between the employer and employees shall be the subject of collective bargaining except those matters that are prescribed or controlled by statute. The matters appropriate for collective bargaining to the extent they are not prescribed or controlled by statute include:

* * *

(9) rules for personnel administration, except the following: rules relating to persons exempt from the classified service under section 311 of this title and rules relating to applicants for employment in State service and employees in an initial probationary status, including any extension or extensions thereof, provided the rules are not discriminatory by reason of an applicant’s race, color, creed, sex, national origin, sexual orientation, gender identity, ancestry, place of birth, age, genetic information, or physical or mental condition; and

* * *

Sec. 12. 3 V.S.A. § 961 is amended to read:

§ 961. EMPLOYERS

It shall be an unfair labor practice for an employer:

* * *

(6) to discriminate against an employee on account of race, color, creed, religion, age, disability, sex, sexual orientation, gender identity, genetic information, or national origin;

* * *

Sec. 13. 3 V.S.A. § 963 is amended to read:

§ 963. MEMBERSHIP; EMPLOYEES' RIGHTS

An employee organization entering into an agreement shall not:

(1) discriminate against a person seeking or holding membership ~~therein~~ in the organization on account of race, color, creed, religion, age, disability, sex, sexual orientation, gender identity, genetic information, or national origin;

* * *

Sec. 14. 3 V.S.A. § 1001 is amended to read:

§ 1001. GRIEVANCES; APPLICANTS AND EXCLUDED PERSONNEL

(a) Persons who are applicants for State employment in the classified service and classified employees in their initial probationary period and any extension or extensions thereof may appeal to the State Labor Relations Board if they believe themselves discriminated against on account of their race, color,

creed, religion, disability, sex, sexual orientation, gender identity, age, genetic information, or national origin.

* * *

Sec. 15. 3 V.S.A. § 1011 is amended to read:

§ 1011. DEFINITIONS

As used in this chapter:

* * *

(18) “Genetic information” has the same meaning as in 18 V.S.A.

§ 9331.

Sec. 16. 3 V.S.A. § 1013 is amended to read:

§ 1013. SUBJECTS FOR BARGAINING

All matters relating to the relationship between the employer and employees are subject to collective bargaining, to the extent those matters are not prescribed or controlled by law, including:

* * *

(9) rules for personnel administration of employees provided the rules are not discriminatory in regard to an applicant’s race, color, creed, sex, sexual orientation, gender identity, age, national origin, religion, genetic information, or disability;

* * *

Sec. 17. 3 V.S.A. § 1026 is amended to read:

§ 1026. EMPLOYERS

It shall be an unfair labor practice for an employer:

* * *

(6) to discriminate against an employee on account of race, color, creed, sex, sexual orientation, gender identity, national origin, age, religion, genetic information, or disability;

* * *

Sec. 18. 3 V.S.A. § 1028 is amended to read:

§ 1028. MEMBERSHIP; EMPLOYEE RIGHTS

An employee organization entering into an agreement shall not:

(1) discriminate against a member or applicant for membership on account of race, color, creed, sex, sexual orientation, gender identity, national origin, age, religion, genetic information, or disability;

* * *

Sec. 19. 3 V.S.A. § 1041 is amended to read:

§ 1041. GRIEVANCES; APPLICANTS AND EXCLUDED PERSONNEL

(a) An applicant for employment in a position included in the bargaining unit and employees who are in the initial or extended probationary period may appeal to the Board if they believe they were discriminated against on account

of race, color, creed, sex, sexual orientation, gender identity, age, national origin, religion, genetic information, or disability.

* * *

Sec. 20. 21 V.S.A. § 1502 is amended to read:

§ 1502. DEFINITIONS

As used in this chapter:

* * *

(15) “Genetic information” has the same meaning as in 18 V.S.A.

§ 9331.

Sec. 21. 21 V.S.A. § 1621 is amended to read:

§ 1621. UNFAIR LABOR PRACTICES

(a) It shall be an unfair labor practice for an employer:

* * *

(7) To discriminate against an employee on account of race, color, creed, religion, sex, sexual orientation, gender identity, national origin, age, genetic information, or disability.

* * *

(b) It shall be an unfair labor practice for a labor organization or its agents:

* * *

(8) ~~Compulsory membership; employees’ rights. A~~ To, where the labor organization ~~entering~~ has entered into an agreement requiring a person’s

membership ~~therein~~ in the labor organization as a condition of employment by the employer ~~shall not~~:

(A) discriminate against a person seeking or holding membership ~~therein~~ in the labor organization on account of race, color, disability, religion, creed, sex, sexual orientation, gender identity, age, genetic information, or national origin;

* * *

Sec. 22. 21 V.S.A. § 1631 is amended to read:

§ 1631. DEFINITIONS

As used in this chapter:

* * *

(5) “Genetic information” has the same meaning as in 18 V.S.A. § 9331.

(6) “Grievance” means the exclusive representative’s formal written complaint regarding the improper application of one or more terms of the collective bargaining agreement, the failure to abide by any agreement reached, or the discriminatory application of a rule or regulation, which has not been resolved to a satisfactory result through informal discussion with the State.

~~(6)~~(7) “Independent direct support provider” means any individual who provides home- and community-based services to a service recipient and is employed by the service recipient, shared living provider, or surrogate.

~~(7)~~(8) “Labor organization” means an organization of any kind in which independent direct support providers participate and which exists, in whole or in part, for the purpose of representing independent direct support providers.

~~(8)~~(9) “Service recipient” means a person who receives home- and community-based services under the Choices for Care Medicaid waiver, the Attendant Services Program (ASP), the Children’s Personal Care Service Program, the Developmental Disabilities Services Program, or any successor program or similar program subsequently established.

~~(9)~~(10) “Shared living provider” means a person who operates under a contract with an authorized agency and provides individualized home support for one or two people who live in his or her home. An authorized agency includes a designated agency for developmental services.

~~(10)~~(11) “Surrogate” means a service recipient’s authorized family member, legal guardian, or a person identified in a written agreement as having responsibility for the care of a service recipient.

Sec. 23. 21 V.S.A. § 1637 is amended to read:

§ 1637. GENERAL DUTIES AND PROHIBITED CONDUCT

* * *

(b) It shall be an unfair labor practice for the State to:

* * *

(6) discriminate against an independent direct support provider based on race, color, creed, religion, age, gender, sexual orientation, gender identity, genetic information, or national origin, or because the provider is a qualified individual with a disability.

* * *

Sec. 24. 21 V.S.A. § 1722 is amended to read:

§ 1722. DEFINITIONS

As used in this chapter:

* * *

(23) “Genetic information” has the same meaning as in 18 V.S.A.

§ 9331.

Sec. 25. 21 V.S.A. § 1726 is amended to read:

§ 1726. UNFAIR LABOR PRACTICES

(a) It shall be an unfair labor practice for an employer:

* * *

(7) To discriminate against an employee on account of race, color, religion, creed, sex, sexual orientation, gender identity, national origin, disability, age, genetic information, or political affiliation.

* * *

(b) It shall be an unfair labor practice for an employee organization or its agents:

* * *

(9) To discriminate against a person seeking or holding membership ~~therein~~ in the employee organization on account of race, color, religion, creed, sex, sexual orientation, national origin, disability, age, genetic information, or political affiliation.

* * *

Sec. 26. 33 V.S.A. § 3602 is amended to read:

§ 3602. DEFINITIONS

As used in this chapter:

* * *

(7) “Genetic information” has the same meaning as in 18 V.S.A. § 9331.

Sec. 27. 33 V.S.A. § 3612 is amended to read:

§ 3612. GENERAL DUTIES AND PROHIBITED CONDUCT

* * *

(b) It shall be an unfair labor practice for the State to:

* * *

(6) discriminate against an early care and education provider based on race, color, religion, ancestry, age, sex, sexual orientation, gender identity, national origin, place of birth, genetic information, or marital status, or against a qualified disabled individual; or

* * *

* * * Social and Medical Services * * *

Sec. 28. 8 V.S.A. § 4588 is amended to read:

§ 4588. ANNUAL REPORT TO COMMISSIONER

(a) Annually, on or before March 15, a medical service corporation shall file with the Commissioner of Financial Regulation a statement sworn to by the president and treasurer of the corporation showing its condition on December 31, which shall be in such form and contain such matters as the Commissioner shall prescribe. To qualify for the tax exemption set forth in section 4590 of this title, the statement shall include a certification that the medical service corporation operates on a nonprofit basis for the purpose of providing an adequate medical service plan to individuals of the State, both groups and nongroups, without discrimination based on age, gender, geographic area, industry, genetic information, and medical history, except as allowed by ~~subdivisions 4080a(h)(2)(B) and 4080b(h)(2)(B) of this title~~ pursuant to 33 V.S.A. § 1811(f)(2)(A).

(b) As used in this section, “genetic information” has the same meaning as in 18 V.S.A. § 9331.

Sec. 29. 8 V.S.A. § 4516 is amended to read:

§ 4516. ANNUAL REPORT TO COMMISSIONER

(a) Annually, on or before March 15, a hospital service corporation shall file with the Commissioner of Financial Regulation a statement sworn to by

the president and treasurer of the corporation showing its condition on December 31. The statement shall be in such form and contain such matters as the Commissioner shall prescribe. To qualify for the tax exemption set forth in section 4518 of this title, the statement shall include a certification that the hospital service corporation operates on a nonprofit basis for the purpose of providing an adequate hospital service plan to individuals of the State, both groups and nongroups, without discrimination based on age, gender, geographic area, industry, genetic information, and medical history, except as allowed by ~~subdivisions 4080a(h)(2)(B) and 4080b(h)(2)(B) of this title~~ pursuant to 33 V.S.A. § 1811(f)(2)(A).

(b) As used in this section, “genetic information” has the same meaning as in 18 V.S.A. § 9331.

Sec. 30. 33 V.S.A. § 101 is amended to read:

§ 101. POLICY

It is the policy of the State of Vermont that:

* * *

(3) Assistance and benefits shall be administered promptly, with due regard for the preservation of family life, and without restriction of individual rights or discrimination on account of race, religion, political affiliation, genetic information, or place of residence within the State.

* * *

* * * Financial Services * * *

Sec. 31. 8 V.S.A. § 10403 is amended to read:

§ 10403. PROHIBITION ON DISCRIMINATION ~~BASED ON SEX,~~
~~MARITAL STATUS, RACE, COLOR, RELIGION, NATIONAL~~
~~ORIGIN, AGE, SEXUAL ORIENTATION, GENDER IDENTITY,~~
~~OR DISABILITY~~

(a) No financial institution shall discriminate against any applicant for credit services on the basis of the sex, marital status, race, color, religion, national origin, age, sexual orientation, gender identity, genetic information, or disability of the applicant, provided the applicant has the legal capacity to contract.

* * *

(c) Definitions. As used in this section:

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(8) "Genetic information" has the same meaning as in 18 V.S.A. § 9331.

* * *

Sec. 32. 9 V.S.A. § 2362 is amended to read:

§ 2362. PROHIBITION ON DISCRIMINATION ~~BASED ON SEX,~~
~~SEXUAL ORIENTATION, GENDER IDENTITY, MARITAL~~
~~STATUS, RACE, COLOR, RELIGION, NATIONAL ORIGIN, AGE,~~
~~OR DISABILITY~~

(a) No seller shall discriminate against any buyer or prospective buyer who desires to establish a retail installment contract because of the sex, sexual orientation, gender identity, marital status, race, color, religion, national origin, age, genetic information, or disability of the buyer.

(b) As used in this section, “genetic information” has the same meaning as in 18 V.S.A. § 9331.

Sec. 33. 9 V.S.A. § 2410 is amended to read:

§ 2410. PROHIBITION ON DISCRIMINATION ~~BASED ON SEX,~~
~~SEXUAL ORIENTATION, GENDER IDENTITY, MARITAL~~
~~STATUS, RACE, COLOR, RELIGION, NATIONAL ORIGIN, AGE,~~
~~OR DISABILITY~~

(a) No seller shall discriminate against any buyer or prospective buyer who desires to establish a retail installment contract or retail charge agreement because of the sex, sexual orientation, gender identity, marital status, race, color, religion, national origin, age, genetic information, or disability of the buyer.

(b) As used in this section, “genetic information” has the same meaning as in 18 V.S.A. § 9331.

* * * Real Estate, Housing, and Public Accommodations * * *

Sec. 34. 9 V.S.A. § 2388 is amended to read:

§ 2388. PROHIBITION ON DISCRIMINATION ~~BASED ON SEX,~~
~~SEXUAL ORIENTATION, GENDER IDENTITY, MARITAL~~
~~STATUS, RACE, COLOR, RELIGION, NATIONAL ORIGIN, AGE,~~
~~OR DISABILITY~~

(a) No person shall discriminate against any lessee or prospective lessee who has entered into an agricultural finance lease, or who desires to enter into an agricultural finance lease, because of the sex, sexual orientation, gender identity, marital status, race, color, religion, national origin, age, genetic information, or disability of the lessee.

(b) As used in this section, “genetic information” has the same meaning as in 18 V.S.A. § 9331.

Sec. 35. 9 V.S.A. § 4501 is amended to read:

§ 4501. DEFINITIONS

As used in this chapter:

* * *

(12) “Genetic information” has the same meaning as in 18 V.S.A. § 9331.

Sec. 36. 9 V.S.A. § 4502 is amended to read:

§ 4502. PUBLIC ACCOMMODATIONS

(a) An owner or operator of a place of public accommodation or an agent or employee of ~~such~~ the owner or operator shall not, because of the race, creed, color, national origin, marital status, sex, sexual orientation, ~~or~~ gender identity, or genetic information of any person, refuse, withhold from, or deny to that person any of the accommodations, advantages, facilities, and privileges of the place of public accommodation.

* * *

Sec. 37. 9 V.S.A. § 4503 is amended to read:

§ 4503. UNFAIR HOUSING PRACTICES

(a) It shall be unlawful for any person:

(1) To refuse to sell or rent, or refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling or other real estate to any person because of the race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, genetic information, or disability of a person, or because a person intends to occupy a dwelling with one or more minor children, or because a person is a recipient of public assistance, or because a person is a victim of abuse, sexual assault, or stalking.

(2) To discriminate against, or to harass any person in the terms, conditions, privileges, and protections of the sale or rental of a dwelling or

other real estate, or in the provision of services or facilities in connection therewith, because of the race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, genetic information, or disability of a person, or because a person intends to occupy a dwelling with one or more minor children, or because a person is a recipient of public assistance, or because a person is a victim of abuse, sexual assault, or stalking.

(3) To make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling or other real estate that indicates any preference, limitation, or discrimination based on race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, genetic information, or disability of a person, or because a person intends to occupy a dwelling with one or more minor children, or because a person is a recipient of public assistance, or because a person is a victim of abuse, sexual assault, or stalking.

(4) To represent to any person because of the race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, genetic information, or disability of a person, or because a person intends to occupy a dwelling with one or more minor children, or because a person is a recipient of public assistance, or because a person is a victim of abuse, sexual assault, or stalking, that any dwelling or other real estate is not

available for inspection, sale, or rental when the dwelling or real estate is in fact so available.

* * *

(6) To discriminate against any person in the making or purchasing of loans or providing other financial assistance for real-estate-related transactions or in the selling, brokering, or appraising of residential real property, because of the race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, genetic information, or disability of a person, or because a person intends to occupy a dwelling with one or more minor children, or because a person is a recipient of public assistance, or because a person is a victim of abuse, sexual assault, or stalking.

(7) To engage in blockbusting practices, for profit, which may include inducing or attempting to induce a person to sell or rent a dwelling by representations regarding the entry into the neighborhood of a person or persons of a particular race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, genetic information, or disability of a person, or because a person intends to occupy a dwelling with one or more minor children, or because a person is a recipient of public assistance, or because a person is a victim of abuse, sexual assault, or stalking.

(8) To deny any person access to or membership or participation in any multiple listing service, real estate brokers' organization, or other service,

organization, or facility relating to the business of selling or renting dwellings, or to discriminate against any person in the terms or conditions of such access, membership, or participation, on account of race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, genetic information, or disability of a person, or because a person is a recipient of public assistance, or because a person is a victim of abuse, sexual assault, or stalking.

* * *

(12) To discriminate in land use decisions or in the permitting of housing because of race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, genetic information, disability, the presence of one or more minor children, income, or because of the receipt of public assistance, or because a person is a victim of abuse, sexual assault, or stalking, except as otherwise provided by law.

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* * * Effective Date * * *

Sec. 38. EFFECTIVE DATE

This act shall take effect on July 1, 2020.