

1 S.35

2 Introduced by Senators Hardy, Perchlik and Ram

3 Referred to Committee on

4 Date:

5 Subject: Labor; commerce and trade; fair employment practices; public

6 accommodations; discrimination; hair; weight

7 Statement of purpose of bill as introduced: This bill proposes to prohibit

8 discrimination on the basis of hair types and styles associated with a particular

9 race and on the basis of weight.

10 An act relating to prohibiting discrimination

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

12 \* \* \* Public Accommodations \* \* \*

13 Sec. 1. 9 V.S.A. § 4501 is amended to read:

14 § 4501. DEFINITIONS

15 As used in this chapter:

16 \* \* \*

17 (12) "Race" includes traits associated with or perceived to be associated

18 with race, including hair type, hair texture, and hair styles, including afros,

19 braids, locks, and twists.

1 Sec. 2. 9 V.S.A. § 4502 is amended to read:

2 § 4502. PUBLIC ACCOMMODATIONS

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

9 \* \* \*

10 Sec. 3. 9 V.S.A. § 4503 is amended to read:

11 § 4503. UNFAIR HOUSING PRACTICES

12 (a) It shall be unlawful for any person:

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

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

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

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

15 (4) To represent to any person because of the race, sex, sexual  
16 orientation, gender identity, age, marital status, religious creed, color, national  
17 origin, weight, or disability of a person, or because a person intends to occupy  
18 a dwelling with one or more minor children, or because a person is a recipient  
19 of public assistance, or because a person is a victim of abuse, sexual assault, or  
20 stalking, that any dwelling or other real estate is not available for inspection,  
21 sale, or rental when the dwelling or real estate is in fact so available.

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\* \* \*

(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, weight, 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, weight, 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,

1 membership, or participation, on account of race, sex, sexual orientation,  
2 gender identity, age, marital status, religious creed, color, national origin,  
3 weight, or disability of a person, or because a person is a recipient of public  
4 assistance, or because a person is a victim of abuse, sexual assault, or stalking.

5 \* \* \*

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

12 \* \* \*

13 \* \* \* Fair Employment Practices \* \* \*

14 Sec. 4. 21 V.S.A. § 495 is amended to read:

15 § 495. UNLAWFUL EMPLOYMENT PRACTICE

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

20 (1) For any employer, employment agency, or labor organization to  
21 discriminate against any individual because of race, color, religion, ancestry,

1 national origin, sex, sexual orientation, gender identity, place of birth, crime  
2 victim status, weight, or age or against a qualified individual with a disability;

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

9 (3) For any employment agency to fail or refuse to classify properly or  
10 refer for employment or to otherwise discriminate against any individual  
11 because of race, color, religion, ancestry, national origin, sex, sexual  
12 orientation, gender identity, place of birth, crime victim status, weight, or age  
13 or against a qualified individual with a disability;

14 (4) For any labor organization; to limit, segregate, or qualify its  
15 membership with respect to any individual because of race, color, religion,  
16 ancestry, national origin, sex, sexual orientation, gender identity, place of birth,  
17 crime victim status, ~~or weight, age to discriminate against any individual or~~  
18 ~~against a qualified individual with a disability or to limit, segregate, or qualify~~  
19 ~~its membership, or physical or mental condition;~~

20 \* \* \*

1 Sec. 5. 21 V.S.A. § 495d is amended to read:

2 § 495d. DEFINITIONS

3 As used in this subchapter:

4 \* \* \*

5 (16) “Race” includes traits associated with or perceived to be associated  
6 with race, including hair type, hair texture, and hair styles, including afros,  
7 braids, locks, and twists.

8 \* \* \* Effective Date \* \* \*

9 Sec. 6. EFFECTIVE DATE

10 This act shall take effect on July 1, 2021.