



Agency Legislative Proposal - 2013 Session

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(If submitting an electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency:

Commission on Human Rights and Opportunities

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Lead agency division requesting this proposal: Office of the Executive Director and the Legal Division

Agency Analyst/Drafter of Proposal: James J. O'Neill / Charles Krich

Title of Proposal STATE OF CONNECTICUT *AGENCY LEGISLATIVE PROPOSAL 2013 SESSION AN ACT CONCERNING THE MINOR AND TECHNICAL REVISIONS OF THE HUMAN RIGHTS AND OPPORTUNITIES STATUTES*

Statutory Reference

Proposal Summary

Summary of Proposal (Include background information)

- | | |
|-----------|--|
| Section 1 | Eliminates statutory references that will no longer be needed; makes section gender neutral; clarifies definition of "physical disability." |
| Section 2 | Consolidates definitions scattered throughout the chapter and alphabetizes them. |
| Section 3 | Conforms statute to UAPA terminology; allows organization of Legal Division; eliminates reference to repealed statutes. |
| Section 4 | Amends Section 46a-56 to provide hearing procedure of contract compliance. |
| Section 5 | Deletion of obsolete date references; transfers appointment of Chief Referee from Executive Director to Governor. |
| Section 6 | Makes consistent the order and wording of references to protected classes; eliminates a criminal provision which is transferred to the Penal Code. |
| Section 7 | Grammatical changes and order of protected classes; gender neutrality. |
| Section 8 | Simplifies wording to improve reading and understanding of the section; transfers sections 46a-60(a)(4) and (b) to stand alone provision. |



Section 9	Grammatical changes and order of protected classes: gender neutrality.
Section 10	Makes consistent the order and wording of references to protected classes and language is adjusted to improve reading and understanding.
Section 11	Clarifies the definition of "individual with a disability."
Section 12	Makes consistent the order and wording of references to protected classes; eliminates a criminal provision which is transferred to the Penal Code.
Section 13	Makes consistent the order and wording of references to protected classes; eliminates a criminal provision which is transferred to the Penal Code.
Section 14	Makes consistent the order and wording of references to protected classes.
Section 15	Deletes reference to repealed sections.
Section 16	Transfers power to appoint a presiding officer to Chief Referee from Commission.
Section 17	Makes consistent the order and wording of references to protected classes.
Section 18	Deletes references to repealed sections.
Section 19	Makes consistent the order and wording of references to protected classes.
Section 20	Makes consistent the order and wording of references to protected classes.
Section 21	Makes consistent the order and wording of references to protected classes.
Section 22	Makes consistent the order and wording of references to protected classes.
Section 23	Makes consistent the order and wording of references to protected classes.
Section 24	Simplifies wording to improve reading and understanding of the section.
Section 25	Deletes references to repealed sections.
Section 26	Deletes references to repealed sections.
Section 27	Deletes reference to repealed section; conforms State law to Federal law; improves reading.
Section 28	Gender neutrality; simplifies wording; makes awarding of costs discretionary; makes capitalization consistent.
Section 29	Clarifies the role of the Commission legal counsel; establishes need to respond to



	Commission's Schedule A; clarifying language.
Section 30	Conforming language; simplifies wording; clarifies when conciliation deemed to fail; establishes place of Commission hearings.
Section 31	Repeals a subsection of the statutes and renumbers the sections accordingly.
Section 32	Transfers language from 46a-87 and makes it a separate subsection.
Section 33	Permits the Commission to bring action to the Hartford Judicial District.
Section 34	Grammatical changes; clarifying language; permits the Commission to bring action to the Hartford Judicial District.
Section 35	Grammatical changes; clarifying language.
Section 36	Conforming language regarding human rights referees; clarifying language; gender neutrality.
Section 37	Grammatical changes.
Section 38	Conforming language regarding human rights referees and court filings; clarifying language regarding standards to reopen complaints; gender neutrality.
Section 39	Corrects typo.
Section 40	Adds a civil penalty for failure to comply with statutory requirements regarding the posting of human rights notices.
Section 41	Clarifying language; deletes reference to statutes deleted in Section 56.
Section 42	Clarifying language; deletes reference to statutes deleted in Section 56.
Section 43	Grammatical changes.
Section 44	Grammatical changes; clarifying language; allows complainants to bring civil action in the judicial district in which they live.
Section 45	Clarifying language; deletes reference to attorneys to conform to Section 2.
Section 46	Deletion of obsolete date references.
Section 47	Clarifying language; gender neutrality; gives the commission the authority to intervene in court action without permission of the court or parties, which is consistent with sections 46a-83(e)(2).



Section 48	Recognizes change in statute that allows for same-sex marriage.
Section 49	Makes consistent the order and wording of references to protected classes; transfers current criminal penalties from the Human Rights chapter to the Penal Code.
Section 50	Repealers.
<i>Please attach a copy of fully drafted bill (required for review)</i>	

PROPOSAL BACKGROUND

- **Reason for Proposal**

Please consider the following, if applicable:

- (1) *Have there been changes in federal/state/local laws and regulations that make this legislation necessary?*
- (2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?*
- (3) *Have certain constituencies called for this action?*
- (4) *What would happen if this was not enacted in law this session?*

- **Origin of Proposal** **New Proposal** **Resubmission**

If this is a resubmission, please share:

- (1) *What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?*
- (2) *Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?*
- (3) *Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?*
- (4) *What was the last action taken during the past legislative session?*

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name:
Agency Contact (name, title, phone):
Date Contacted:

Approve of Proposal YES NO Talks Ongoing

Summary of Affected Agency's Comments

Will there need to be further negotiation? YES NO



- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation) NONE
State NONE
Federal NONE
Additional notes on fiscal impact

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

NONE



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STATE OF CONNECTICUT
AGENCY LEGISLATIVE PROPOSAL
2013 SESSION

AN ACT CONCERNING THE MINOR AND TECHNICAL REVISIONS OF THE HUMAN RIGHTS AND OPPORTUNITIES STATUTES

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 1-1f of the general statutes is repealed and the following is substituted in lieu thereof:

For purposes of sections 3-10e, 4a-60, subdivision (12) of section 38a-816, **chapter 814c** and **[sections 46a-58, 46a-60, 46a-64, 46a-70 to 46a-73, inclusive, 46a-75, 46a-76 and] section** 52-175a:

(a) An individual is blind if his **or her** central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or if his **or her** visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than twenty degrees;

(b) An individual is physically disabled **or has a physical disability** if **[he] such individual** has any chronic physical **[handicap] disability**, infirmity or impairment, whether congenital or resulting from bodily injury, organic processes or changes or from illness, including, but not limited to, **blindness**, epilepsy, deafness or hearing impairment or reliance on a wheelchair or other remedial appliance or device.

Section 2. Section 46a-51 of the general statutes is repealed and a new section 46a-51a is created:

As used in section 4a-60 and this chapter:

(1) "Application for credit" means any communication, oral or written, by a person to a creditor requesting an extension of credit to that person or to any other person, and includes any procedure involving the renewal or alteration of credit privileges or the changing of the name of the person to whom credit is extended;

(2) "Blind" or "blindness" has the same meaning as it does in section 1-1f;

(3) "Commission" means the Commission on Human Rights and Opportunities created by section 46a-52 or **the Executive Director or his designee** lawfully exercising the



- 44 powers and duties ascribed to the commission;
45
46 (4) "Commission legal counsel" means a member of the legal staff employed by the
47 commission pursuant to section 46a-54;
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49 (5) "Commissioner" means a member of the commission appointed pursuant to section
50 46a-52;
51
52 (6) "Complainant" means any person, whether acting on his or her own behalf or
53 through an attorney, who is filing or has filed a complaint pursuant to section 46a-82;
54
55 (7) "Court" means the Superior Court or any judge of said court;
56
57 (8) "Covered multifamily dwelling" means buildings consisting of four or more units, if
58 such buildings have one or more elevators, and ground floor units in other buildings
59 consisting of four or more units
60
61 (9) "Credit" means the right granted by a creditor to a person to defer payment of debt
62 or to incur debt and defer its payment, or purchase property or services and defer its
63 payment, including but not limited to the right to incur and defer debt secured by
64 residential real property;
65
66 (10) "Credit sale" means any transaction with respect to which credit is granted;
67
68 (11) "Credit transaction" means any invitation to apply for credit, application for credit,
69 extension of credit or credit sale;
70
71 (12) "Creditor" means any person who regularly extends or arranges for the extension
72 of credit for which the payment of a finance charge or interest is required whether in
73 connection with loans, sale of property or services or otherwise;
74
75 ~~(13) "Deaf person" means a person who cannot readily understand spoken~~
76 ~~language through hearing alone and who may also have a speech defect which~~
77 ~~renders his or her speech unintelligible to most people with normal hearing;~~
78
79 (14) "Discrimination" includes segregation and separation;
80
81 (15) "Discrimination because of religion" includes but is not limited to discrimination
82 related to all aspects of religious observances and practice as well as belief and non-
83 belief, unless an employer demonstrates that the employer is unable to reasonably
84 accommodate an employee's or prospective employee's religious observance or
85 practice without undue hardship on the conduct of the employer's business;



86

87 (16) "Discrimination because of sex" includes but is not limited to discrimination related
88 to pregnancy, child-bearing capacity, sterilization, fertility or related medical conditions;
89

90 (17) "Discriminatory employment practice" means any discriminatory practice specified
91 in section 46a-60;
92

93 (18) "Discriminatory housing practice" means any discriminatory practice specified in
94 section 46a-64c;
95

96 (19) "Discriminatory practice" means a violation of section 4a-60, 4a-60g, subdivisions
97 (13) to (16), inclusive, of section 46a-54, section 46a-58, 46a-59, 46a-60, 46a-64, 46a-
98 64c, 46a-66, 46a-68, sections 46a-68c to 46a-68f, inclusive, or 46a-70 to 46a-78,
99 inclusive, or subsection (a) of section 46a-80;
100

101 (20) "Dwelling" means any building, structure, mobile manufactured-home park or
102 portion thereof occupied as, or designed or intended for occupancy as, a residence by
103 one or more families, and any vacant land offered for sale or lease for the construction
104 or location of any such building, structure, mobile manufactured-home park or portion
105 thereof;
106

107 (21) "Employee" means any person employed by an employer, but shall not include
108 any individual employed by the individual's parents, spouse or child, or in the domestic
109 service of any person;
110

111 (22) "Employer" includes the state and all its political subdivisions and means any
112 person with three or more persons in such person's employ;
113

114 (23) "Employment agency" means any person undertaking with or without
115 compensation to procure employees or opportunities to work;
116

117 (24) "Extension of credit" means all acts incident to the evaluation of an application for
118 credit and the granting of credit;
119

120 (25) "Fair Housing Act" means Title VIII of the Civil Rights Act of 1968, as amended,
121 and known as the federal Fair Housing Act (42 USC Sections 3600-3620);
122

123 (26) "Familial status" means one or more individuals who have not attained the age of
124 eighteen years living with a parent or another person having legal custody of such
125 individual or individuals; or the designee of such parent or other person having such
126 custody with the written permission of such parent or other person; or any person who is
127 pregnant or is in the process of securing legal custody of any individual who has not
128 attained the age of eighteen years;
129



130 (27) "Family" includes a single individual;

131

132 (28) "Gender identity or expression" means a person's gender-related identity,
133 appearance or behavior, whether or not that gender-related identity, appearance or
134 behavior is different from that traditionally associated with the person's physiology or
135 assigned sex at birth, which gender-related identity can be shown by providing evidence
136 including, but not limited to, medical history, care or treatment of the gender-related
137 identity, consistent and uniform assertion of the gender-related identity or any other
138 evidence that the gender-related identity is sincerely held, part of a person's core
139 identity or not being asserted for an improper purpose.

140

141 (29) "Housing for older persons" means housing: (A) provided under any state or
142 federal program that the Secretary of the United States Department of Housing and
143 Urban Development determines is specifically designed and operated to assist elderly
144 persons as defined in the state or federal program; or (B) intended for, and solely
145 occupied by, persons sixty-two years of age or older; or (C) intended and operated for
146 occupancy by at least one person fifty-five years of age or older per unit in accordance
147 with the standards set forth in the Fair Housing Act and regulations developed pursuant
148 thereto by the Secretary of the United States Department of Housing and Urban
149 Development;

150

151 (30) "Intellectual disability" means intellectual disability as defined in section 1-1g;

152

153 (31) "Invitation to apply for credit" means any communication, oral or written, by a
154 creditor which encourages or prompts an application for credit;

155

156 (32) "Labor organization" means any organization that exists for the purpose, in whole
157 or in part, of collective bargaining or of dealing with employers concerning grievances,
158 terms or conditions of employment, or of other mutual aid or protection in connection
159 with employment;

160

161 (33) "Lawful source of income" means income derived from Social Security,
162 supplemental security income, housing assistance, child support, alimony or public or
163 state-administered general assistance;

164

165 (34) "Learning disability" means a severe discrepancy between educational
166 performance and measured intellectual ability and a disorder in one or more of the basic
167 psychological processes involved in understanding or in using language, spoken or
168 written, which may manifest itself in a diminished ability to listen, speak, read, write,
169 spell or to do mathematical calculations;

170

171 (35) "Marital status" means being single, married as recognized by the state of
172 Connecticut, widowed, separated or divorced.

173



174 (36) "Mental disability" means one or more mental disorders, as defined in the most
175 recent edition of the American Psychiatric Association's "Diagnostic and Statistical
176 Manual of Mental Disorders", or a record of or regarding a person as having one or
177 more such disorders and, for purposes of section 46a-64c only, also includes but is not
178 limited to a "handicap", as defined in the Fair Housing Act;

179
180 (37) "Minority business enterprise" means any contractor, subcontractor, service
181 provider or supplier of materials fifty-one per cent or more of the capital stock, if any, or
182 assets of which is owned by a person or persons: (i) who are active in the daily affairs of
183 the enterprise; (ii) who have the power to direct the management and policies of the
184 enterprise; and (iii) who are members of a "minority", as defined in subsection (a) of
185 section 32-9n;

186
187 (38) "Mobile manufactured-home park" means a plot of land upon which two or more
188 mobile manufactured homes occupied for residential purposes are located;

189
190 (39) "Person" means one or more individuals, partnerships, associations, corporations,
191 limited liability companies, legal representatives, trustees, trustees in bankruptcy,
192 receivers and the state and all political subdivisions and agencies thereof;

193
194 (40) "Person claiming to be aggrieved" means any person who claims to have been
195 injured by a discriminatory practice or who believes that such person will be injured by a
196 discriminatory practice that is about to occur;

197
198 (41) "Physical disability" means any chronic physical handicap, infirmity or impairment,
199 whether congenital or resulting from bodily injury, organic processes or changes or from
200 illness, including, but not limited to, blindness, epilepsy, deafness or hearing impairment
201 or reliance on a wheelchair or other remedial appliance or device and, for purposes of
202 section 46a-64c only, also includes but is not limited to a "handicap", as defined in the
203 Fair Housing Act;

204
205 (42) "Public accommodation, resort or amusement" means any establishment that
206 offers its services, facilities or goods to the general public, including but not limited to
207 any commercial property or building lot on which it is intended that a commercial
208 building will be constructed or offered for sale or rent;

209
210 (43) "Reasonable cause" means a bona fide belief that the material issues of fact are
211 such that a person of ordinary caution, prudence and judgment could believe the facts
212 alleged in the complaint

213
214 (44) "Referee" means a human rights referee appointed pursuant to section 46a-57;

215
216 (45) "Residential real-estate-related transaction" means: (A) the making or purchasing
217 of loans or providing other financial assistance for purchasing, constructing, improving,



218 repairing or maintaining a dwelling, or secured by residential real estate; or (B) the
219 selling, brokering or appraising of residential real property;

220

221 (46) "Respondent" means any person, whether acting on his or her own behalf or
222 through an attorney, alleged in a complaint filed pursuant to section 46a-82 to have
223 committed a discriminatory practice; and,

224

225 (47) "Sexual orientation" means heterosexuality, homosexuality or bisexuality, or
226 having a history of or being identified as such;

227

228 (48) "To rent" includes to lease, to sublease, to let and to otherwise grant for a
229 consideration the right to occupy premises not owned by the occupant.

230

231

232 **Section 3.** Section 46a-54 of the general statutes is repealed and the following
233 substituted in lieu thereof:

234

235 The commission shall have the following powers and duties:

236

237 (1) To establish and maintain such offices as the commission may deem necessary;

238

239 (2) To organize the commission into a division of affirmative action monitoring and
240 contract compliance, a division of discriminatory practice complaints, **a legal division**
241 and such other divisions, bureaus or units as may be necessary for the efficient conduct
242 of business [of the commission];

243

244 (3) To employ legal staff and commission legal counsel as necessary to perform the
245 duties and responsibilities under [section 46a-55] **this chapter**. One commission legal
246 counsel shall serve as supervising attorney. Each commission legal counsel shall be
247 admitted to practice law in this state;

248

249 (4) To appoint such investigators and other employees and agents as it deems
250 necessary, fix their compensation within the limitations provided by law and prescribe
251 their duties;

252

253 (5) To adopt, publish, amend and rescind regulations consistent with and to effectuate
254 the provisions of this chapter;

255

256 (6) To establish rules of practice to govern, expedite and effectuate the procedures set
257 forth in this chapter;

258

259 (7) To recommend policies and make recommendations to agencies and officers of the
260 state and local subdivisions of government to effectuate the policies of this chapter;

261



- 262 (8) To receive, initiate as provided in section 46a-82, investigate and mediate
263 discriminatory practice complaints;
264
- 265 (9) By itself or [with or] by [hearing officers or human rights referees] **presiding**
266 **officers**, to hold hearings, subpoena witnesses and compel their attendance, administer
267 oaths, take the testimony of any person under oath and require the production for
268 examination of any books and papers relating to any matter under investigation or in
269 question;
270
- 271 (10) To make rules as to the procedure for the issuance of subpoenas by individual
272 commissioners[, hearing officers and human rights referees] **and presiding officers**;
273
- 274 (11) To require written answers to interrogatories under oath relating to any complaint
275 under investigation pursuant to this chapter alleging any discriminatory practice as
276 defined in subdivision (8) of section 46a-51, and to adopt regulations, in accordance
277 with the provisions of chapter 54, for the procedure for the issuance of interrogatories
278 and compliance with interrogatory requests;
279
- 280 (12) To [utilize] **accept** [such] voluntary and uncompensated services [of] **from** private
281 individuals, agencies and organizations[as may from time to time be offered and
282 needed and with the cooperation of such agencies, (A) to study the problems of
283 discrimination in all or specific fields of human relationships, and (B) to foster through
284 education and community effort or otherwise good will among the groups and elements
285 of the population of the state];
286
- 287 (13) To require the posting by an employer, employment agency or labor organization of
288 such notices regarding statutory provisions as the commission shall provide;
289
- 290 (14) To require the posting, by any respondent or other person subject to the
291 requirements of section 46a-64[,] **or** 46a-64c, [46a-81d or 46a-81e,] of such notices of
292 statutory provisions as it deems desirable;
293
- 294 (15)(A) To require an employer having three or more employees to post in a prominent
295 and accessible location information concerning the illegality of sexual harassment and
296 **the** remedies available to victims of sexual harassment; and (B) to require an employer
297 having fifty or more employees to provide two hours of training and education [to all
298 supervisory employees within one year of October 1, 1992, and] to all new supervisory
299 employees within six months of their assumption of a supervisory position, provided any
300 employer who has provided such training and education to any such employees after
301 October 1, 1991 shall not be required to provide such training and education a second
302 time. Such training and education shall include information concerning the federal and
303 state statutory provisions concerning sexual harassment and **the** remedies available to
304 victims of sexual harassment. As used in this subdivision, "sexual harassment" shall
305 have the same meaning as set forth in subdivision (8) of subsection (a) of section 46a-



306 60 and "employer" shall include the General Assembly;

307
308 (16) To require each state agency that employs one or more employees to: (A) provide
309 a minimum of three hours of diversity training and education [(i) to all supervisory and
310 nonsupervisory employees, not later than July 1, 2002, with priority for such training to
311 supervisory employees, and (ii)] to all newly hired supervisory and nonsupervisory
312 employees, not later than six months after their assumption of a position with a state
313 agency, with priority for such training to supervisory employees. Such training and
314 education shall include information concerning the federal and state statutory provisions
315 concerning discrimination and hate crimes directed at protected classes and **the**
316 remedies available to victims of discrimination and hate crimes, standards for working
317 with and serving persons from diverse populations and strategies for addressing
318 differences that may arise from diverse work environments; and (B) submit an annual
319 report to the [Commission on Human Rights and Opportunities] **commission**
320 concerning the status of the diversity training and education required under
321 subparagraph (A) of this subdivision. The information in such annual reports shall be
322 reviewed by the commission for the purpose of submitting an annual summary report to
323 the General Assembly. [Notwithstanding the provisions of this section, if a state agency
324 has provided such diversity training and education to any of its employees prior to
325 October 1, 1999, such state agency shall not be required to provide such training and
326 education a second time to such employees.] The requirements of this subdivision shall
327 be accomplished within available appropriations. As used in this subdivision,
328 "employee" shall include any part-time employee who works more than twenty hours
329 per week;

330
331 (17) To require each agency to submit information demonstrating its compliance with
332 subdivision (16) of this section as part of its affirmative action plan and to receive and
333 investigate complaints concerning the failure of a state agency to comply with the
334 requirements of subdivision (16) of this section; and

335
336 (18) To enter into contracts for and accept grants of private or federal funds and to
337 accept gifts, donations or bequests, including donations of service by **individuals and**
338 attorneys.

339
340
341 **Section 4.** Section 46a-56 of the general statutes is repealed and the following is
342 substituted in lieu thereof:

343
344 (a) The commission shall:

345
346 (1) Investigate the possibilities of affording equal opportunity of profitable employment to
347 all persons, with particular reference to job training and placement;

348
349 (2) Compile facts concerning discrimination in employment, violations of civil liberties



350 and other related matters;

351

352 (3) Investigate and proceed in all cases of discriminatory practices as provided in this
353 chapter and noncompliance with the provisions of section 4a-60, [or 4a-60a] or sections
354 46a-68c to 46a-68f, inclusive;

355

356 (4) From time to time[, but not less than once a year,] report to the Governor [as
357 provided in section 4-60], making recommendations for the removal of such injustices
358 as it may find to exist and such other recommendations as it deems advisable and
359 describing the investigations, proceedings and hearings it has conducted and their
360 outcome, the decisions it has rendered and the other work it has performed;

361

362 (5) Monitor state contracts to determine whether they are in compliance with [sections]
363 **section** 4a-60 [and 4a-60a,] and those provisions of the general statutes which prohibit
364 discrimination; and

365

366 (6) Compile data concerning state contracts with female and minority business
367 enterprises and submit a report annually to the General Assembly concerning the
368 employment of such business enterprises as contractors and subcontractors.

369

370 (b) The commission may, when it is deemed in the best interests of the state, exempt a
371 contractor **or subcontractor** from [the requirements of] complying with any or all of the
372 provisions of section 4a-60, [4a-60a,] 46a-68c, 46a-68d or 46a-68e in any specific
373 contract. Exemptions under [the provisions of] this [section] **subsection** may include,
374 but not be limited to, the following [instances]: (1) [If] the work is to be or has been
375 performed outside the state and no recruitment of workers within the [limits of the] state
376 is involved; (2) **the contract involves** [involving] less than **a** specified [amounts]
377 **amount** of money or specified numbers of workers; **or** (3) [to the extent that they
378 involve] **the subcontract falls** [subcontracts] below a specified tier. The commission
379 may also exempt facilities of a contractor [which] **that** are in all respects separate and
380 distinct from activities of the contractor related to the performance of the contract,
381 provided such an exemption shall not interfere with or impede [the effectuation of the
382 purposes of] **compliance with** this section and [sections] **section** 4a-60, [4a-60a,] 4a-
383 60g, 4a-62 and **sections** 46a-68b to 46a-68k, inclusive.

384

385 (c) If the commission determines through its monitoring and compliance procedures that
386 a contractor or subcontractor is not complying with antidiscrimination statutes or
387 contract provisions required under section 4a-60, or [4a-60a or the provisions of]
388 sections 46a-68c to 46a-68f, inclusive, the commission may issue a complaint pursuant
389 to subsection (c) of section 46a-82. Such complaint shall be scheduled for a hearing
390 before a [hearing officer or human rights] referee appointed by the chief [human rights]
391 referee to act as a presiding officer. Such hearing shall be held in accordance with
392 chapter 54 and section 46a-84. If, after such hearing, the presiding officer makes a
393 finding of noncompliance with antidiscrimination statutes or contract provisions required



394 under section 4a-60, [or 4a-60a] or [the provisions of] sections 46a-68c to 46a-68f,
395 inclusive, the presiding officer [may] **shall order such relief as is necessary to**
396 **achieve full compliance with antidiscrimination statutes and required contract**
397 **provisions. The presiding officer may:** (1) [Order] **order** the state to retain **the** two
398 per cent of the total contract price per month on any existing contract with such
399 contractor **that the state withheld pursuant to section 46a-68d and transfer the**
400 **funds to the State Treasurer for deposit in the special fund referenced in**
401 **subsection(e) of section 46a-56;** (2) prohibit the contractor from participation in any
402 further contracts with state agencies until: (A) [The] **the** expiration of a period of two
403 years from the date of the finding of noncompliance[.]; or (B) the presiding officer
404 determines that the contractor has adopted policies consistent with such statutes,
405 provided the presiding officer shall make such determination within forty-five days of
406 such finding of noncompliance; (3) publish, or cause to be published, the names of
407 contractors or unions that the presiding officer has found to be in noncompliance with
408 such provisions; (4) notify the Attorney General that, in cases in which there is
409 substantial [or material violation] or the threat of substantial [or material] violation of [the
410 contractual provisions set forth in] section 4a-60, **that** [or 4a-60a] appropriate
411 proceedings [should] be brought to enforce such provisions, including the enjoining[,
412 within the limitations of applicable law,] of organizations, individuals, or groups [who]
413 **that** prevent [directly or indirectly,] or seek to prevent [directly or indirectly,] compliance
414 with [the provisions of] section 4a-60 [or 4a-60a]; (5) recommend to the Equal
415 Employment Opportunity Commission or the Department of Justice that appropriate
416 proceedings be instituted under Title VII of the Civil Rights Act of 1964[.], **or related**
417 **laws,** when necessary; (6) recommend to the appropriate prosecuting authority that
418 criminal proceedings be brought for the furnishing of false information to any contracting
419 agency or to the commission [as the case may be]; (7) order the contractor to bring
420 itself into compliance with antidiscrimination statutes or contract provisions required
421 under section 4a-60, or [4a-60a or] sections 46a-68c to 46a-68f, inclusive, within a
422 period of thirty days or, for good cause shown, within an additional period of thirty days,
423 and, if such contractor fails to bring itself into [such] compliance within such time period
424 and such noncompliance is substantial [or material] or there is a pattern of
425 noncompliance, recommend to the contracting agency that [such agency] **it** declare the
426 contractor to be in breach of the contract and that such agency pursue all available
427 remedies; [or] (8) order the contracting agency to refrain from entering into further
428 contracts, or extensions or other modifications of existing contracts, with any
429 noncomplying contractor, until such contractor has satisfied the commission that [such
430 contractor] **it** has established and will carry out personnel and employment policies [in
431 compliance] **that comply** with antidiscrimination statutes, [and the provisions of]
432 section 4a-60 [or 4a-60a] and sections 46a-68c to 46a-68f, inclusive[.]; **or (9) order**
433 **two or more such remedies or such other and further relief as is designed to**
434 **achieve full compliance with antidiscrimination statutes and required contract**
435 **provisions.** The commission shall adopt regulations, in accordance with chapter 54, to
436 implement the provisions of this section.

437



438 (d) If the commission determines[,] through its monitoring and compliance procedures
439 [and after a complaint is filed and a hearing is held pursuant to subsection (c) of this
440 section,] that, with respect to a state contract, a contractor, subcontractor, **service**
441 **provider** or supplier of materials has: (1) fraudulently qualified as a minority business
442 enterprise[,] or (2) performed services or supplied materials on behalf of another
443 contractor, subcontractor or supplier of materials knowing: (A) that such other
444 contractor, subcontractor or supplier has fraudulently qualified as a minority business
445 enterprise in order to **appear to** comply with antidiscrimination statutes or contract
446 provisions required under section 4a-60; [or 4a-60a] and (B) that such services or
447 materials are to be used in connection with a contract entered into pursuant to
448 subsection (b) of section 4a-60g, [the hearing officer or human rights referee before
449 whom such hearing was held] **the commission may issue a complaint pursuant to**
450 **subsection (c) of section 46a-82. Such complaint shall be scheduled for a**
451 **hearing before a referee appointed by the chief referee to act as a presiding**
452 **officer. The hearing shall be held in accordance with chapter 54 and section 46a-**
453 **84 of the Regulation of State Agencies. If, after the hearing, the presiding officer**
454 **makes a finding that a contractor, subcontractor, service provider or supplier of**
455 **materials has violated this subsection, the presiding officer** shall assess a civil
456 penalty of not more than ten thousand dollars upon such contractor, subcontractor or
457 supplier of materials.
458

459 (e) The Attorney General, upon complaint of the commission, shall institute a civil action
460 in the [superior court] **Superior Court** for the judicial district of Hartford to recover
461 [such] **any** penalty **assessed pursuant to subsection (d) of this section**. Any
462 penalties recovered pursuant to this subsection shall be deposited in a special fund and
463 shall be held by the State Treasurer separate and apart from all other moneys, funds
464 and accounts. The resources in such fund shall, pursuant to regulations adopted by the
465 commission in accordance with the provisions of chapter 54, be used to assist minority
466 business enterprises. [As used in this section, "minority business enterprise" means
467 any contractor, subcontractor or supplier of materials fifty-one per cent or more of the
468 capital stock, if any, or assets of which is owned by a person or persons: (i) [Who] **who**
469 are active in the daily affairs of the enterprise; (ii) who have the power to direct the
470 management and policies of the enterprise; and (iii) who are members of a "minority",
471 as defined in subsection (a) of section 32-9n.]
472
473

474 **Section 5.** Section 46a-57 of the general statutes is repealed and the following is
475 substituted in lieu thereof:
476

477 (a)(1) The Governor shall appoint three human rights referees for terms commencing
478 [October 1, 1998, and four human rights referees for terms commencing January 1,
479 1999. The human rights referees so appointed shall serve for a term of one year] **on or**
480 **after July 1, 2011.**
481



482 [(2) (A) On and after October 1, 1999, the Governor shall appoint seven human rights
483 referees with the advice and consent of both houses of the General Assembly. The
484 Governor shall appoint three human rights referees to serve for a term of two years
485 commencing October 1, 1999. The Governor shall appoint four human rights referees to
486 serve for a term of three years commencing January 1, 2000. Thereafter, human rights
487 referees shall serve for a term of three years.

488
489 (B) On and after July 1, 2001, there shall be five human rights referees. Each of the
490 human rights referees serving on July 1, 2001, shall complete the term to which such
491 referee was appointed. Thereafter, human rights referees shall be appointed by the
492 Governor, with the advice and consent of both houses of the General Assembly, to
493 serve for a term of three years.

494
495 (C) On and after July 1, 2004, there shall be seven human rights referees. Each of the
496 human rights referees serving on July 1, 2004, shall complete the term to which such
497 referee was appointed and shall serve until his successor is appointed and qualified.
498 Thereafter, human rights referees shall be appointed by the Governor, with the advice
499 and consent of both houses of the General Assembly, to serve for a term of three years.

500
501 (D) On and after October 5, 2009, and until July 1, 2011, there shall be five human
502 rights referees. Each of the human rights referees serving on October 5, 2009, shall
503 serve until the term to which such referee was appointed is completed, or until July 1,
504 2011, whichever is earlier, and shall serve until a successor is appointed and qualified.
505 In the case of a vacancy, a successor shall be appointed by the Governor, with the
506 advice and consent of both houses of the General Assembly, to serve until July 1,
507 2011.]

508
509 (E) On and after July 1, 2011, there shall be three human rights referees who shall (i) be
510 appointed by the Governor with the advice and consent of both houses of the General
511 Assembly, and (ii) serve for a term of three years.

512
513 (3) When the General Assembly is not in session, any vacancy shall be filled pursuant
514 to the provisions of section 4-19. The Governor may remove any human rights referee
515 for cause.

516
517 (b) [Human rights referees] **Referees** shall serve full-time and shall conduct the
518 settlement negotiations and hearings authorized by [the provisions of] this chapter. A
519 [human rights] referee shall have the powers granted to [hearing officers and] presiding
520 officers by chapter 54 and this chapter. A [human rights] referee shall be an attorney
521 admitted to the practice of law in this state. Any commissioner of the Superior Court
522 who is able and willing to hear discriminatory practice complaints may submit his or her
523 name to the Governor for consideration for appointment [as a human rights referee].
524 No [human rights] referee shall appear before the commission or another [hearing]
525 **presiding** officer for one year after leaving office.



526
527 (c) [On or after October 1, 1998, the] **The Governor** shall designate one [human rights]
528 referee to serve as [Chief Human Rights Referee] **chief referee** for a term of one year.
529 The [Chief Human Rights Referee] **chief referee**, in consultation with the executive
530 director, shall supervise and assign [**the human rights referees**] **presiding officers** to
531 conduct settlement negotiations and hearings on complaints[, including complaints for
532 which a trial on the merits has not commenced prior to October 1, 1998,] on a rotating
533 basis. The commission, in consultation with the executive director and [Chief Human
534 Rights Referee] **chief referee**, shall adopt regulations and rules of practice[,] in
535 accordance with chapter 54[,] to ensure consistent procedures governing contested
536 case proceedings.

537
538 (d) When serving as a presiding officer as provided in section 46a-84, each [**human**
539 **rights**] referee or [hearing officer] shall have the same subpoena powers as are
540 granted to commissioners by subdivision (9) of section 46a-54. Each presiding officer
541 shall also have the power to determine a reasonable fee to be paid to an expert
542 witness[, including, but not limited to, any practitioner of the healing arts, as defined in
543 section 20-1, dentist, registered nurse or licensed practical nurse, as defined in section
544 20-87a, and real estate appraiser when any such expert witness is summoned by the
545 commission to give expert testimony, in person or by deposition, in any contested case
546 proceeding, pursuant to section 46a-84. Such fee shall be paid to the expert witness in
547 lieu of all other witness fees.] **called by the commission to give expert testimony in**
548 **person or by deposition pursuant to section 46a-84. Such fee shall be paid to the**
549 **expert witness in lieu of all other witness fees. For purposes of this subsection,**
550 **“expert witness” includes, but is not limited to, any practitioner of the healing**
551 **arts, as defined in section 20-1, dentist, registered nurse or licensed practical**
552 **nurse, as defined in section 20-87a, and real estate appraiser.**

553
554
555 **Section 6.** Section 46a-58 of the general statutes is repealed and the following is
556 substituted in lieu thereof:

557
558 (a) It shall be a discriminatory practice in violation of this section for any person to
559 subject, or cause to be subjected, any other person to the deprivation of any rights,
560 privileges or immunities, secured or protected by the Constitution or laws of this state or
561 of the United States[, on account] **because** of [religion, national origin, alienage, color,]
562 race, **color, religion, age,** sex, gender identity or expression, sexual orientation,
563 **marital status, national origin, ancestry, mental disability, intellectual disability,**
564 **learning disability** [blindness] or physical disability. (b) Any person who intentionally
565 desecrates any public property, monument or structure, or any religious object, symbol
566 or house of religious worship, or any cemetery, or any private structure not owned by
567 such person, shall be in violation of subsection (a) of this section. For the purposes of
568 this subsection, "desecrate" means to mar, deface or damage as a demonstration of
569 irreverence or contempt.



570

571 (c) Any person who places a burning cross or a simulation thereof on any public
572 property, or on any private property without the written consent of the owner, shall be in
573 violation of subsection (a) of this section.

574

575 (d) Any person who places a noose or a simulation thereof on any public property, or on
576 any private property without the written consent of the owner, and with intent to
577 intimidate or harass any other person [on account] **because** of [religion, national origin,
578 alienage, color,] race, **color, religion, age,** sex, gender identity or expression, sexual
579 orientation, **marital status, national origin, ancestry, mental disability, intellectual**
580 **disability, learning disability** [blindness] or physical disability, shall be in violation of
581 subsection (a) of this section.

582

583 [(e) Any person who violates any provision of this section shall be guilty of a class A
584 misdemeanor, except that if property is damaged as a consequence of such violation in
585 an amount in excess of one thousand dollars, such person shall be guilty of a class D
586 felony.]

587

588

589 **Section 7.** Subsection (a) of section 46a-59 of the general statutes is repealed and the
590 following is substituted in lieu thereof:

591

592 (a) It shall be a discriminatory practice in violation of this section for any association,
593 board or other organization **whose** [the] principal purpose [of which] is the furtherance
594 of the professional, **trade** or occupational interests of its members, [whose] **if the**
595 profession, trade or occupation requires a state license, to refuse to accept a person as
596 a member of such association, board or organization because of [his] race, [national
597 origin, creed, sex, gender identity or expression or color] **color, religion, age, sex,**
598 **gender identity or expression sexual orientation, marital status, national origin,**
599 **ancestry, mental disability, intellectual disability, learning disability or physical**
600 **disability.**

601

602

603 **Section 8. (NEW)** (a) It shall be a discriminatory practice in violation of this section:

604

605 (1) For any person to retaliate or otherwise discriminate against any person because
606 such person has opposed any discriminatory practice or because such person has filed
607 a complaint or testified or assisted in any proceeding under this chapter.

608 (2) For any person to aid, abet, incite, compel or coerce the doing of any act declared to
609 be a discriminatory practice or to attempt to do so.

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611

612 **Section 9.** Subsection (a) of section 46a-60 of the general statutes is repealed and
613 the following is substituted in lieu thereof:



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(a) It shall be a discriminatory practice in violation of this section:

(1) For an employer, by [the employer] **itself** or [the employer's] **its** agent, except in the case of a bona fide occupational qualification or need, to refuse to hire or employ or to bar or to discharge from employment any individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment because of the individual's race, color, [religious creed,] **religion**, age, sex, gender identity or expression, **sexual orientation**, marital status, national origin, ancestry, [present or past history of] mental disability, intellectual disability, learning disability or physical disability[, including, but not limited to, blindness];

(2) For any employment agency, except in the case of a bona fide occupational qualification or need, to fail or refuse to classify properly or refer for employment or otherwise to discriminate against any individual because of such individual's race, color, [religious creed,] **religion**, age, sex, gender identity or expression, **sexual orientation**, marital status, national origin, ancestry, [present or past history of] mental disability, intellectual disability, learning disability or physical disability[, including, but not limited to, blindness];

(3) For a labor organization, **except in the case of a bona fide occupational qualification or need**, [because of the race, color, religious creed, age, sex, gender identity or expression, marital status, national origin, ancestry, present or past history of mental disability, intellectual disability, learning disability or physical disability, including, but not limited to, blindness of any individual] to exclude from full membership rights or to expel from its membership [such] **any** individual or to discriminate in any way against any of its members or against any employer or any individual employed by an employer[, unless such action is based on a bona fide occupational qualification] **because of such individual's race, color, religion, age, sex, sexual orientation, marital status, national origin, ancestry, mental disability, intellectual disability, learning disability or physical disability;**

[(4) For any person, employer, labor organization or employment agency to discharge, expel or otherwise discriminate against any person because such person has opposed any discriminatory employment practice or because such person has filed a complaint or testified or assisted in any proceeding under section 46a-82, 46a-83 or 46a-84;]

[(5) For any person, whether an employer or an employee or not, to aid, abet, incite, compel or coerce the doing of any act declared to be a discriminatory employment practice or to attempt to do so;]

[(6)] **(4)** For any person, employer, employment agency or labor organization, except in the case of a bona fide occupational qualification or need, to advertise employment opportunities in such a manner as to restrict such employment so as to discriminate



658 against individuals because of their race, color, [religious creed,] **religion**, age, sex,
659 gender identity or expression, **sexual orientation**, marital status, national origin,
660 ancestry, present or past history of mental disability, intellectual disability, learning
661 disability or physical disability[, including, but not limited to, blindness];

662
663 [(7)] (5) For an employer, by [the employer] **itself** or [the employer's] **its** agent: (A) [To]
664 **to** terminate a woman's employment because of her pregnancy; (B) to refuse to grant to
665 that employee a reasonable leave of absence for disability resulting from her
666 pregnancy; (C) to deny to that employee, who is disabled as a result of pregnancy, any
667 compensation to which she is entitled as a result of the accumulation of disability or
668 leave benefits accrued pursuant to plans maintained by the employer; (D) to fail or
669 refuse to reinstate the employee to her original job or to an equivalent position with
670 equivalent pay and accumulated seniority, retirement, fringe benefits and other service
671 credits upon her signifying her intent to return unless, in the case of a private employer,
672 the employer's circumstances have so changed as to make it impossible or
673 unreasonable to do so; (E) to fail or refuse to make a reasonable effort to transfer a
674 pregnant employee to any suitable temporary position which may be available in any
675 case in which an employee gives written notice of her pregnancy to her employer and
676 the employer or pregnant employee reasonably believes that continued employment in
677 the position held by the pregnant employee may cause injury to the employee or fetus;
678 (F) to fail or refuse to inform the pregnant employee that a transfer pursuant to
679 subparagraph (E) of this subdivision may be appealed under the provisions of this
680 chapter; or (G) to fail or refuse to inform employees of the employer, by any reasonable
681 means, that they must give written notice of their pregnancy [in order] to be eligible for
682 transfer to a temporary position;

683
684 [(8)] (6) For an employer, by [the employer] **itself** or [the employer's] **its** agent, for an
685 employment agency, by itself or its agent, or for any labor organization, by itself or its
686 agent, to harass **or to permit the sexual harassment of** any employee, person
687 seeking employment or member [on the basis] **because** of sex, **sexual orientation** or
688 gender identity or expression. "Sexual harassment" shall, for the purposes of this
689 section, be defined as any unwelcome sexual advances or requests for sexual favors or
690 any conduct of a sexual nature when: (A) submission to such conduct is made either
691 explicitly or implicitly a term or condition of an individual's employment[.]; (B)
692 submission to or rejection of such conduct by an individual is used as the basis for
693 employment decisions affecting such individual[.]; or (C) such conduct has the purpose
694 or effect of substantially interfering with an individual's work performance or creating an
695 intimidating, hostile or offensive working environment;

696
697 [(9)] (7) For an employer, by [the employer] **itself** or [the employer's] **its** agent, for an
698 employment agency, by itself or its agent, or for any labor organization, by itself or its
699 agent, to request or require information from an employee, person seeking employment
700 or member relating to the individual's child-bearing age or plans, pregnancy, function of
701 the individual's reproductive system, use of birth control methods, or the individual's



702 familial responsibilities, unless such information is directly related to a bona fide
703 occupational qualification or need, provided an employer, through a physician may
704 request from an employee any such information which is directly related to workplace
705 exposure to substances which may cause birth defects or constitute a hazard to an
706 individual's reproductive system or to a fetus if the employer first informs the employee
707 of the hazards involved in exposure to such substances;

708
709 **[(10)] (8)** For an employer, by **[the employer] itself** or **[the employer's] its** agent, after
710 informing an employee, pursuant to subdivision (9) of this subsection, of a workplace
711 exposure to substances which may cause birth defects or constitute a hazard to an
712 employee's reproductive system or to a fetus, to fail or refuse, upon the employee's
713 request, to take reasonable measures to protect the employee from the exposure or
714 hazard identified, or to fail or refuse to inform the employee that the measures taken
715 may be the subject of a complaint filed under the provisions of this chapter. Nothing in
716 this subdivision is intended to prohibit an employer from taking reasonable measures to
717 protect an employee from exposure to such substances. For the purpose of this
718 subdivision, "reasonable measures" shall be those measures **[which] that** are
719 consistent with business necessity and are least disruptive of the terms and conditions
720 of the employee's employment;

721
722 **[(11)] (9)** For an employer, by **[the employer] itself** or **[the employer's] its** agent, for an
723 employment agency, by itself or its agent, or for any labor organization, by itself or its
724 agent: (A) **[To] to** request or require genetic information from an employee, person
725 seeking employment or member~~[,]~~; or (B) to discharge, expel or otherwise discriminate
726 against any person on the basis of genetic information. For the purpose of this
727 subdivision, "genetic information" means the information about genes, gene products or
728 inherited characteristics that may derive from an individual or a family member.

729
730
731 **Section 10.** Subsections (a) and (b) of section 4a-60 of the general statutes is repealed
732 and the following is substituted in lieu thereof:

733
734 (a) Every contract to which the state or any political subdivision of the state other than a
735 municipality is a party shall contain the following provisions:

736
737 (1) **[The] the** contractor agrees and warrants that in the performance of the contract
738 such contractor will not discriminate or permit discrimination against any person or
739 group of persons **[on the grounds] because** of race, color, **[religious creed,] religion,**
740 age, **[marital status, national origin, ancestry, sex, gender identity or expression, mental**
741 **retardation or physical disability, including, but not limited to, blindness] sex, gender**
742 **identity or expression, sexual orientation, marital status, national origin, ancestry,**
743 **mental disability, intellectual disability, learning disability or physical disability,**
744 unless it is shown by **[such] the** contractor that such disability prevents performance of
745 the work involved, in any manner prohibited by the laws of the United States or of the



746 state of Connecticut; and the contractor further agrees to take affirmative action to
747 insure that applicants with job-related qualifications are employed and that employees
748 are treated when employed without regard to their race, color, [religious creed,]
749 **religion**, age, [marital status, national origin, ancestry, sex, gender identity or
750 expression, intellectual disability, mental disability or physical disability, including, but
751 not limited to, blindness,] **sex, gender identity or expression, sexual orientation,**
752 **marital status, national origin, ancestry, mental disability, intellectual disability,**
753 **learning disability or physical disability**, unless it is shown by [such] **the** contractor
754 that such disability prevents performance of the work involved, unless it is shown by
755 such contractor that such disability prevents performance of the work involved;

756

757 (2) The contractor agrees, in all solicitations or advertisements for employees placed by
758 or on behalf of the contractor, to state that it is an "affirmative action-equal opportunity
759 employer" in accordance with regulations adopted by the commission;

760

761 (3) The contractor agrees to provide each labor union or representative of workers with
762 which such contractor has a collective bargaining agreement or other contract or
763 understanding and each vendor with which such contractor has a contract or
764 understanding, a notice to be provided by the commission advising the labor union or
765 workers' representative of the contractor's commitments under this section, and to post
766 copies of the notice in conspicuous places available to employees and applicants for
767 employment;

768

769 (4) The contractor agrees to comply with each provision of this section and sections
770 46a-68e and 46a-68f and with each regulation or relevant order issued by said
771 commission pursuant to sections 46a-56, 46a-68e, [and] 46a-68f, **and 46a-86**; and

772

773 (5) The contractor agrees to provide the Commission on Human Rights and
774 Opportunities with such information requested by the commission, and permit access to
775 pertinent books, records and accounts, concerning the employment practices and
776 procedures of the contractor as relate to the provisions of this section and section 46a-
777 56.

778

779 (b) If the contract is a public works contract, the contractor agrees and warrants that
780 [he] **it** will make good faith efforts to employ minority business enterprises as
781 subcontractors and suppliers of materials on such public works project.

782

783

784 **Section 11.** Subdivision 7 of subsection (a) of section 4a-60g of the general statutes is
785 repealed and the following is substituted in lieu thereof:

786

787 (7) "Individual with a disability" means an individual [(A) having a physical or mental
788 impairment that substantially limits one or more of the major life activities of the



789 individual or (B) having a record of such an impairment] **who has a “mental disability”**
790 **or “physical disability” as defined in section 4 of this act.**

791
792

793 **Section 12.** Section 46a-64 of the general statutes as amended by section 94 of public
794 act 12-80 is repealed and the following is substituted in lieu thereof:

795

796 (a) It shall be a discriminatory practice in violation of this section: (1) [To] **to** deny any
797 person within the jurisdiction of this state full and equal accommodations in any **[place**
798 **of]** public accommodation, resort or amusement because of race, [creed, color, national
799 origin, ancestry, sex, gender identity or expression, marital status, age, lawful source of
800 income, intellectual disability, mental disability or physical disability, including, but not
801 limited to, blindness or deafness of the applicant] **color, religion, age, sex, gender**
802 **identity or expression, sexual orientation, marital status, national origin, ancestry,**
803 **mental disability, intellectual disability, learning disability, physical disability or**
804 **lawful source of income,** subject only to the conditions and limitations established by
805 law and applicable alike to all persons; (2) to discriminate, segregate or separate on
806 account of race, [creed, color, national origin, ancestry, sex, gender identity or
807 expression, marital status, age, lawful source of income, intellectual disability, mental
808 disability or physical disability, including, but not limited to, blindness or deafness]
809 **color, religion, age, sex, gender identity or expression, sexual orientation, marital**
810 **status, national origin, ancestry, mental disability, intellectual disability, learning**
811 **disability, physical disability or lawful source of income;** (3) for a **[place of]** public
812 accommodation, resort or amusement to restrict or limit the right of a mother to breast-
813 feed her child; (4) for a **[place of]** public accommodation, resort or amusement to fail or
814 refuse to post a notice[,] in a conspicuous place[,] that any blind, deaf, **[or]** mobility
815 impaired **or otherwise disabled** person, accompanied by [his] **a** guide dog wearing a
816 harness or an orange-colored leash and collar, may enter such premises or facilities; or
817 (5) to deny any blind, deaf, **[or]** mobility impaired **or otherwise disabled** person or any
818 person training a dog as a guide dog **or an assistance dog,** **[for a blind person or a**
819 **dog to assist a deaf or mobility impaired person,]** accompanied by [his] **a** guide dog
820 or assistance dog, full and equal access to any **[place of]** public accommodation, resort
821 or amusement. Any blind, deaf, **[or]** mobility impaired **or otherwise disabled** person or
822 any person training a dog as a guide dog **or an assistance dog [for a blind person or**
823 **a dog to assist a deaf or mobility impaired person]** may keep [his] **a** guide dog or
824 assistance dog **[with him]** at all times in **a [such place of]** public accommodation,
825 resort or amusement at no extra charge, provided the dog wears a harness or an
826 orange-colored leash and collar and is in the direct custody of such person. The blind,
827 deaf, **[or]** mobility impaired **or otherwise disabled** person or person training a dog as a
828 guide dog **or an assistance dog [for a blind person or a dog to assist a deaf or**
829 **mobility impaired person]** shall be liable for any damage done to the premises or
830 facilities by [his] **such** dog. For purposes of this subdivision, "guide dog" or "assistance
831 dog" includes a dog being trained as a guide dog or assistance dog and "person training
832 a dog as a guide dog **or an assistance dog [for a blind person or a dog to assist a**



833 **deaf or mobility impaired person]"** means a person who is employed by and
834 authorized to engage in designated training activities by a guide dog organization or
835 assistance dog organization that complies with the criteria for membership in a
836 professional association of guide dog or assistance dog schools and who carries
837 photographic identification indicating such employment and authorization.

838
839 (b) (1) The provisions of this section with respect to the prohibition of [sex]
840 discrimination **because of sex** shall not apply to: (A) the rental of sleeping
841 accommodations provided by associations and organizations which rent all such
842 sleeping accommodations on a temporary or permanent basis for the exclusive use of
843 persons of the same sex; or (B) separate bathrooms or locker rooms based on sex. (2)
844 The provisions of this section with respect to the prohibition of discrimination [on the
845 basis] **because** of age shall not apply to minors or to special discount or other public or
846 private programs to assist persons sixty years of age and older. (3) The provisions of
847 this section with respect to the prohibition of discrimination [on the basis] **because** of
848 physical disability shall not require any person to modify [his] property in any way or
849 provide a higher degree of care for a physically disabled person[, including, but not
850 limited to blind or deaf persons,] than for a person not physically disabled, **unless**
851 **otherwise required by state or federal law**. (4) The provisions of this section with
852 respect to the prohibition of discrimination [on the basis] **because** of [creed] **religion**
853 shall not apply to the practice of granting preference in admission of residents into a
854 "nursing home" as defined in section 19a-490, if: (A) the nursing home is owned,
855 operated by or affiliated with a religious organization[,] exempt from taxation for federal
856 income tax purposes; and (B) the class of persons granted preference in admission is
857 consistent with the religious mission of the nursing home. (5) The provisions of this
858 section with respect to the prohibition of discrimination [on the basis] **because** of lawful
859 source of income shall not prohibit the denial of full and equal accommodations solely
860 on the basis of insufficient income.

861
862 [(c) Any person who violates any provision of this section shall be guilty of a class D
863 misdemeanor.]

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865
866 **Section 13.** Section 46a-64c of the general statutes is repealed and the following is
867 substituted in lieu thereof:

868
869 (a) It shall be a discriminatory practice in violation of this section:

870
871 (1) To refuse to sell or rent, after the making of a bona fide offer, or to refuse to
872 negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to
873 any person because of race, [creed, color, national origin, ancestry, sex, gender identity
874 or expression, marital status, age] **color, religion, age, sex, gender identity or**
875 **expression, sexual orientation, marital status, national origin, ancestry, mental**



876 **disability, intellectual disability, learning disability, physical disability,** lawful
877 source of income or familial status.

878
879 (2) To discriminate against any person in the terms, conditions[,] or privileges of sale or
880 rental of a dwelling, or in the provision of services or facilities in connection therewith,
881 because of race, [creed, color, national origin, ancestry, sex, gender identity or
882 expression, marital status, age] **color, religion, age, gender identity or expression,**
883 **sex, sexual orientation, marital status, national origin, ancestry, mental disability,**
884 **intellectual disability, learning disability, physical disability,** lawful source of
885 income or familial status.

886
887 (3) To make, print or publish, or cause to be made, printed or published, any notice,
888 statement[,] or advertisement[,] with respect to the sale or rental of a dwelling that
889 indicates any preference, limitation[,] or discrimination based on race, [creed, color,
890 national origin, ancestry, sex, gender identity or expression, marital status, age, lawful
891 source of income, familial status, learning disability or physical or mental disability,]
892 **color, religion, age, sex, gender identity or expression, sexual orientation, marital**
893 **status, national origin, ancestry, mental disability, intellectual disability, learning**
894 **disability, physical disability, lawful source of income or familial status,** or [an]
895 **any** intention to make any such preference, limitation or discrimination.

896
897 (4) (A) To represent to any person because of race, [creed, color, national origin,
898 ancestry, sex, gender identity or expression, marital status, age, lawful source of
899 income, familial status, learning disability or physical or mental disability,] **color,**
900 **religion, age, sex, gender identity or expression, sexual orientation, marital**
901 **status, national origin, ancestry, mental disability, intellectual disability, learning**
902 **disability, physical disability, lawful source of income or familial status** that any
903 dwelling is not available for inspection, sale or rental when such dwelling is in fact so
904 available.

905
906 (B) It shall be a violation of this subdivision for any person to restrict or attempt to
907 restrict the choices of any buyer or renter to purchase or rent a dwelling: (i) to an area
908 which is substantially populated, even if less than a majority, by persons of the same
909 protected class as the buyer or renter[.]; (ii) while such person is authorized to offer for
910 sale or rent another dwelling which meets the housing criteria as expressed by the
911 buyer or renter to such person; and (iii) such other dwelling is in an area which is not
912 substantially populated by persons of the same protected class as the buyer or renter.
913 As used in this subdivision, "area" means municipality, neighborhood or other
914 geographic subdivision which may include an apartment or condominium complex; and
915 "protected class" means race, [creed, color, national origin, ancestry, sex, marital
916 status, age, lawful source of income, familial status, learning disability or physical or
917 mental disability] **color, religion, age, sex, gender identity or expression, sexual**
918 **orientation, marital status, national origin, ancestry, mental disability, intellectual**



919 **disability, learning disability, physical disability, lawful source of income or**
920 **familial status.**

921
922 (5) For profit, to induce or attempt to induce any person to sell or rent any dwelling by
923 representations regarding the entry or prospective entry into the neighborhood of a
924 person or persons of a particular race, [creed, color, national origin, ancestry, sex,
925 marital status, age, lawful source of income, familial status, learning disability or
926 physical or mental disability] **color, religion, age, sex, gender identity or expression,**
927 **sexual orientation, marital status, national origin, ancestry, mental disability,**
928 **intellectual disability, learning disability, physical disability, lawful source of**
929 **income or familial status.**

930
931 (6) (A) To discriminate in the sale or rental, or to otherwise make unavailable or deny, a
932 dwelling to any buyer or renter because of a learning disability, **intellectual disability** or
933 physical or mental disability of: (i) [Such] **such** buyer or renter; (ii) a person residing in
934 or intending to reside in such dwelling after it is so sold, rented, or made available; or
935 (iii) any person associated with such buyer or renter.

936
937 (B) To discriminate against any person in the terms, conditions or privileges of sale or
938 rental of a dwelling, or in the provision of services or facilities in connection with such
939 dwelling, because of a learning disability, **intellectual disability** or physical or mental
940 disability of: (i) [Such] **such** person; or (ii) a person residing in or intending to reside in
941 such dwelling after it is so sold, rented, or made available; or (iii) any person associated
942 with such person.

943
944 (C) For purposes of this subdivision, discrimination includes: (i) [A] **a** refusal to permit, at
945 the expense of a person with a **learning disability, intellectual disability or** physical
946 or mental disability, reasonable modifications of existing premises occupied or to be
947 occupied by such person, if such modifications may be necessary to afford such person
948 full enjoyment of the premises; except that, in the case of a rental, the landlord may,
949 where it is reasonable to do so, condition permission for a modification on the renter
950 agreeing to restore the interior of the premises to the condition that existed before the
951 modification, reasonable wear and tear excepted; (ii) a refusal to make reasonable
952 accommodations in rules, policies, practices or services, when such accommodations
953 may be necessary to afford such person equal opportunity to use and enjoy a dwelling;
954 **and** (iii) in connection with the design and construction of covered multifamily dwellings
955 for the first occupancy after March 13, 1991, a failure to design and construct those
956 dwellings in such manner that they comply with the requirements of Section 804(f) of
957 the Fair Housing Act or the provisions of the state building code as adopted pursuant to
958 the provisions of sections 29-269 and 29-273, whichever requires greater
959 accommodation. ["Covered multifamily dwellings" means buildings consisting of four or
960 more units, if such buildings have one or more elevators, and ground floor units in other
961 buildings consisting of four or more units.]

962



963 (7) For any person or other entity engaging in residential real-estate-related
964 transactions, to discriminate against any person in making available such a transaction,
965 or in the terms or conditions of such a transaction, because of race, [creed, color,
966 national origin, ancestry, sex, gender identity or expression, marital status, age, lawful
967 source of income, familial status, learning disability or physical or mental disability]
968 **color, religion, age, sex, gender identity or expression, sexual orientation, marital**
969 **status, national origin, ancestry, mental disability, intellectual disability, learning**
970 **disability, physical disability, lawful source of income or familial status.**

971
972 (8) To deny any person access to or membership or participation in any multiple-listing
973 service, real estate brokers' organization or other service, organization[,] or facility
974 relating to the business of selling or renting dwellings, or to discriminate against [him]
975 **any person** in the terms or conditions of such access, membership or participation, [on
976 account] **because** of race, [creed, color, national origin, ancestry, sex, marital status,
977 age, lawful source of income, familial status, learning disability or physical or mental
978 disability] **color, religion, age, sex, gender identity or expression, sexual**
979 **orientation, marital status, national origin, ancestry, mental disability, intellectual**
980 **disability, learning disability, physical disability, lawful source of income or**
981 **familial status.**

982
983 (9) To coerce, intimidate, threaten[,] or interfere with any person in the exercise or
984 enjoyment of, or on account of [his] **such person's** having exercised or enjoyed, or on
985 account of [his] **such person's** having aided or encouraged any other person in the
986 exercise or enjoyment of, any right granted or protected by this section.

987
988 (b) (1) The provisions of this section shall not apply to: (A) the rental of a room or rooms
989 in a single-family dwelling unit, if the owner actually maintains and occupies part of such
990 living quarters as his **or her** residence; or (B) a unit in a dwelling containing living
991 quarters occupied or intended to be occupied by no more than two families living
992 independently of each other, if the owner actually maintains and occupies the other
993 [such living quarters] **unit** as his **or her** residence. (2) The provisions of this section
994 with respect to the prohibition of discrimination [on the basis] **because** of age shall not
995 apply to minors, to special discount or other public or private programs to assist persons
996 sixty years of age and older or to "housing for older persons" as defined in section
997 [46a-64b] **46a-51**, provided there is no discrimination [on the basis] **because** of age
998 among older persons eligible for such housing. (3) The provisions of this section with
999 respect to the prohibition of discrimination [on the basis] **because** of familial status shall
1000 not apply to "housing for older persons" as defined in section 46a-64b or to a unit in a
1001 dwelling containing units for no more than four families living independently of each
1002 other, if the owner of such dwelling resides in one of the units. (4) The provisions of this
1003 section with respect to the prohibition of discrimination [on the basis] **because** of lawful
1004 source of income shall not prohibit the denial of full and equal accommodations solely
1005 on the basis of insufficient income. (5) The provisions of this section with respect to the
1006 prohibition of discrimination [on the basis] **because** of sex shall not apply to the rental



1007 of sleeping accommodations to the extent they utilize shared bathroom facilities, when
1008 such sleeping accommodations are provided by associations and organizations which
1009 rent such [sleeping] accommodations on a temporary or permanent basis for the
1010 exclusive use of persons of the same sex based on considerations of privacy and
1011 modesty.

1012
1013 (c) Nothing in this section limits the applicability of any reasonable state statute or
1014 municipal ordinance restricting the maximum number of persons permitted to occupy a
1015 dwelling.

1016
1017 (d) Nothing in this section or section 46a-64b shall be construed to invalidate or limit any
1018 state statute or municipal ordinance that requires dwellings to be designed and
1019 constructed in a manner that affords persons with physical or mental disabilities greater
1020 access than is required by this section or section 46a-64b.

1021
1022 (e) Nothing in this section prohibits a person engaged in the business of furnishing
1023 appraisals of real property [to take] **from taking** into consideration factors other than
1024 race, [creed, color, national origin, ancestry, sex, gender identity or expression, marital
1025 status, age, lawful source of income, familial status, learning disability or physical or
1026 mental disability] **color, religion, age, sex, gender identity or expression, sexual
1027 orientation, marital status, national origin, ancestry, mental disability, intellectual
1028 disability, learning disability, physical disability, lawful source of income or
1029 familial status.**

1030
1031 (f) Notwithstanding any other provision of this chapter, complaints alleging a violation of
1032 this section shall be investigated within one hundred days of filing and a final
1033 administrative disposition shall be made within one year of filing, unless it is
1034 impracticable to do so. If the [Commission on Human Rights and Opportunities]
1035 **commission** is unable to complete its investigation or make a final administrative
1036 determination within such time frames, it shall notify the complainant and the
1037 respondent in writing of the reasons for not doing so.

1038
1039 [(g) Any person who violates any provision of this section shall be fined not less than
1040 twenty-five nor more than one hundred dollars or imprisoned not more than thirty days,
1041 or both.]

1042
1043
1044 **Section 14.** Subsection (a) of section 46a-66 of the general statutes is repealed and
1045 the following is substituted in lieu thereof:

1046
1047 (a) It shall be a discriminatory practice in violation of this section for any creditor to
1048 discriminate **because of** [on the basis of sex, age,] race, color, [religious creed],
1049 **religion, age, sex, gender identity or expression, sexual orientation, marital
1050 status,** national origin, ancestry, [marital status,] **mental disability,** intellectual



1051 disability, learning disability[, blindness] or physical disability against any person
1052 eighteen years of age or over in any credit transaction.

1053
1054

1055 **Section 15.** Section 46a-67 of the general statutes is repealed and the following is
1056 substituted in lieu thereof:

1057

1058 (a) The Banking Commissioner shall cooperate with the commission in its enforcement
1059 of sections 46a-65 to 46a-67, inclusive, [46a-81f] and **section** 46a-98.

1060

1061 (b) The Banking Commissioner shall comply with the commission's request for
1062 information, reasonable investigatory assistance and the promulgation of regulations
1063 which may be required for the effective administration of sections 46a-65 to 46a-67,
1064 inclusive, [46a-81f] and **section** 46a-98.

1065

1066

1067 **Section 16.** Subsection (b) of section 46a-68a of the general statutes is repealed and
1068 the following is substituted in lieu thereof:

1069

1070 (b) The issuance of a certificate of noncompliance shall bar the agency, department,
1071 board or commission in noncompliance with section 46a-68 from filling a position or
1072 position classification by hire or promotion upon receipt of the certificate, the provisions
1073 of any state law or regulation to the contrary notwithstanding, until: (1) [The] **the**
1074 commission determines that the agency has achieved compliance with section 46a-68
1075 and withdraws the certificate; [or] (2) the commission, at a hearing requested by the
1076 agency, department, board or commission receiving the certificate and conducted by a
1077 presiding officer appointed by the [chairperson of the commission] **chief referee**, is
1078 unable to show cause why the certificate of noncompliance should not be rescinded or a
1079 court, upon appeal, so determines; or (3) the Commissioner of Administrative Services
1080 and the Secretary of the Office of Policy and Management certify to the commission that
1081 the agency in noncompliance with section 46a-68 requires immediate filling of the
1082 vacancy because failure to fill the position or position classification will cause an
1083 emergency situation to exist, jeopardizing the public welfare. A separate certificate of
1084 exemption shall be required for each vacancy in a position or position classification with
1085 respect to which the Commissioner of Administrative Services and the Secretary of the
1086 Office of Policy and Management certify that an emergency situation exists.

1087

1088

1089 **Section 17.** Subsection (a) of Section 46a-70 of the general statutes is repealed and
1090 the following is substituted in lieu thereof:

1091

1092 (a) State officials and supervisory personnel shall recruit, appoint, assign, train, evaluate
1093 and promote state personnel on the basis of merit and qualifications, without regard for
1094 race, color, [religious creed, sex, gender identity or expression, marital status, national



1095 origin, ancestry, intellectual disability, mental disability, learning disability or physical
1096 disability, including but not limited to, blindness,] **religion, age, sex, gender identity or**
1097 **expression, sexual orientation, marital status, national origin, ancestry, mental**
1098 **disability, intellectual disability, learning disability or physical disability** unless it is
1099 shown by such state officials or supervisory personnel that such disability prevents
1100 performance of the work involved.

1101
1102

1103 **Section 18.** Section 46a-70a of the general statutes is repealed and the following is
1104 substituted in lieu thereof:

1105

1106 (a) The judicial branch shall develop and implement an equal employment opportunities
1107 plan pursuant to federal law that commits the judicial branch to a program of equal
1108 employment opportunities in all aspects of personnel and administration. The Chief
1109 Court Administrator shall be responsible for developing, implementing and filing the plan
1110 with the [Commission on Human Rights and Opportunities] **commission**.

1111

1112 (b) The judicial branch shall comply with the provisions of subsection (b) of section 46a-
1113 68, section 46a-68g, subsections (a), (b) and (c) of section 46a-70, subsections (a), (b)
1114 and (d) of section 46a-71[,] **and** subsections (a) and (c) of section 46a-77[, subsections
1115 (a), (b) and (c) of section 46a-81h and section 46a-81i].

1116

1117 (c) The Criminal Justice Commission shall comply with the provisions of subsections (a)
1118 and (b) of section 46a-68, sections 46a-68g, 46a-70 and 46a-71, **and** subsections (a)
1119 and (c) of section 46a-77 [and sections 46a-81h and 46a-81i].

1120

1121

1122 **Section 19.** Subsection (a) of section 46a-71 of the general statutes is repealed and
1123 the following is substituted in lieu thereof:

1124

1125 (a) All services of every state agency shall be performed without discrimination based
1126 upon race, color, [religious creed, sex, gender identity or expression, marital status,
1127 age, national origin, ancestry, intellectual disability, mental disability, learning disability
1128 or physical disability, including but not limited to, blindness] **religion, age, sex, gender**
1129 **identity or expression, sexual orientation, marital status, national origin, ancestry,**
1130 **mental disability, intellectual disability, learning disability or physical disability**.

1131

1132

1133 **Section 20.** Subsection (b) of section 46a-72 of the general statutes is repealed and
1134 the following is substituted in lieu thereof:

1135

1136 (b) Any job request indicating an intention to exclude any person because of race, color,
1137 [religious creed, sex, gender identity or expression, marital status, age, national origin,
1138 ancestry, intellectual disability, mental disability, learning disability or physical disability,



1139 including but not limited to, blindness] religion, age, sex, gender identity or
1140 expression, sexual orientation, marital status, national origin, ancestry, mental
1141 disability, intellectual disability, learning disability or physical disability shall be
1142 rejected, unless it is shown by such public or private [employers] employer that [such]
1143 the disability prevents performance of the work involved.

1144
1145
1146 **Section 21.** Subsection (a) of section 46a-73 of the general statutes is repealed and
1147 the following is substituted in lieu thereof:

1148
1149 (a) No state department, board or agency may grant, deny or revoke the license or
1150 charter of any person [on the grounds] because of race, color, [religious creed, [sex,
1151 gender identity or expression, marital status, age, national origin, ancestry, intellectual
1152 disability, mental disability, learning disability or physical disability, including but not
1153 limited to, blindness] religion, age, sex, gender identity or expression, sexual
1154 orientation, marital status, national origin, ancestry, mental disability, intellectual
1155 disability, learning disability or physical disability, unless it is shown by such state
1156 department, board or agency that [such] the disability prevents performance of the work
1157 involved.

1158
1159
1160 **Section 22.** Subsection (a) of Section 46a-75 of the general statutes is repealed and
1161 the following is substituted in lieu thereof:

1162
1163 (a) All educational, counseling[,] and vocational guidance programs, and all
1164 apprenticeship and on-the-job training programs of state agencies[,] or in which state
1165 agencies participate, shall be open to all qualified persons, without regard to race, color,
1166 [religious creed, sex, gender identity or expression, marital status, age, national origin,
1167 ancestry, intellectual disability, mental disability, learning disability or physical disability,
1168 including but not limited to, blindness] religion, age, sex, sexual orientation, marital
1169 status, national origin, ancestry, mental disability, intellectual disability, learning
1170 disability or physical disability.

1171
1172
1173 **Section 23.** Subsection (a) of Section 46a-76 of the general statutes is repealed and
1174 the following is substituted in lieu thereof:

1175
1176 (a) Race, color, [religious creed, sex, gender identity or expression, marital status, age,
1177 national origin, ancestry, intellectual disability, mental disability, learning disability or
1178 physical disability, including but not limited to, blindness] religion, age, sex, gender
1179 identity or expression, sexual orientation, marital status, national origin, ancestry,
1180 mental disability, intellectual disability, learning disability or physical disability
1181 shall not be considered as limiting factors in state-administered programs involving the
1182 distribution of funds to qualify applicants for benefits authorized by law.



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Section 24. Subsection (c) of section 46a-77 of the general statutes is repealed and the following is substituted in lieu thereof:

(c) Each state agency shall comply [in all of its services, programs and activities] with [the provisions of] the Americans with Disabilities Act (42 USC **Sections 12101-213**) to the [same] extent that it provides rights and protections for persons with physical or mental disabilities beyond those provided for by the laws of this state.

Section 25. Section 46a-81p of the general statutes is repealed and the following is substituted in lieu thereof:

The provisions of [sections 4a-60a and 46a-81a to 46a-81o, inclusive,] **section 4a-60 and this chapter with respect to the prohibition of discrimination because of sexual orientation** shall not apply to a religious corporation, entity, association, educational institution or society with respect to the employment of individuals to perform work connected with the carrying on by such corporation, entity, association, educational institution or society of its activities, or with respect to matters of discipline, faith, internal organization or ecclesiastical rule, custom or law which are established by such corporation, entity, association, educational institution or society.

Section 26. Section 46a-81q of the general statutes is repealed and the following is substituted in lieu thereof:

The provisions of [sections 4a-60a and 46a-81a to 46a-81o, inclusive,] **section 4a-60 and this chapter with respect to the prohibition of discrimination because of sexual orientation** shall not apply to the conduct and administration of a ROTC program established and maintained pursuant to 10 USC Sections 2101 to 2111, inclusive, as amended from time to time, and the regulations thereunder, at an institution of higher education. For purposes of this section, "ROTC" means the Reserve Officers' Training Corps.

Section 27. Section 46a-82 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) Any person claiming to be aggrieved by an alleged discriminatory practice[, except for an alleged violation of section 4a-60g or 46a-68 or the provisions of sections 46a-68c to 46a-68f, inclusive,] may [, by himself or herself or by such person's attorney, make, sign and] file with the commission a complaint in writing under oath[, which], **except that a complaint alleging a violation of section 46a-64c need not be filed**



1227 **under oath. The complaint** shall state the name and address of the person alleged to
1228 have committed the discriminatory practice, [and which shall set forth the particulars
1229 thereof] **the acts alleged to be a discriminatory practice** and [contain] such other
1230 information as may be required by the commission. After the filing of a complaint
1231 [pursuant to this subsection,] the commission shall [serve upon the person claiming to
1232 be aggrieved] **provide the complainant** a notice that: (1) [Acknowledges]
1233 **acknowledges** receipt of the complaint; and (2) advises of the time frames and choice
1234 of forums available under this chapter.

1235
1236 (b) The commission, whenever it has reason to believe that any person has been
1237 engaged or is engaged in a discriminatory practice, may issue a complaint, except for a
1238 violation of subsection (a) of section 46a-80.

1239
1240 (c) The commission, whenever it has reason to believe that any contractor or
1241 subcontractor is not complying with antidiscrimination statutes or contract provisions
1242 required under section 4a-60, [4a-60a, or] 4a-60g or [the provisions of] sections 46a-
1243 68c to 46a-68f, inclusive, may issue a complaint.

1244
1245 (d) The commission may issue a complaint if: (1) [An] **an** affirmative action plan filed
1246 pursuant to section 46a-68 is in violation of any of the provisions of section 4-61u or 4-
1247 61w, sections 46a-54 to 46a-64, inclusive, section 46a-64c or sections 46a-70 to 46a-
1248 78, inclusive; or (2) an agency, department, board or commission fails to submit an
1249 affirmative action plan required under section 46a-68.

1250
1251 (e) Any employer whose employees, or any of them, refuse or threaten to refuse to
1252 comply with [the provisions of] section 46a-60 [or 46a-81c,] may file with the
1253 commission a written complaint under oath asking for assistance by conciliation or other
1254 remedial action.

1255
1256 (f) Any complaint filed pursuant to this section must be filed within one hundred and
1257 eighty days after the alleged act of discrimination[, except that any complaint by a
1258 person claiming to be aggrieved by a violation of subsection (a) of section 46a-80 must
1259 be filed within thirty days of the alleged act of discrimination].

1260
1261
1262 **Section 28.** Section 46a-82e of the general statutes is repealed and the following is
1263 substituted in lieu thereof:

1264
1265 (a) Notwithstanding the failure of the [Commission on Human Rights and Opportunities]
1266 **commission** to comply with the time requirements of sections 46a-83 and 46a-84, [with
1267 respect to a complaint before the commission,] the jurisdiction of the commission over
1268 any [such] complaint shall be retained.

1269



1270 (b) The commission shall report annually to the judiciary committee of the General
1271 Assembly and the Governor: (1) [The] **the** number of cases in the previous fiscal year
1272 that exceeded the time frame, including authorized extensions, set forth in subsection
1273 (d) of section 46a-83; (2) the reasons for the failure to comply with the time frame; (3)
1274 the number of actions brought pursuant to subsection (d) of this section and the results
1275 thereof; and (4) the commission's recommendations for legislative action, if any,
1276 necessary for the commission to meet the statutory time frame.

1277
1278 (c) If a complaint has been pending for more than twenty-one months from the date of
1279 filing and the commission has not issued a finding of reasonable cause or no
1280 reasonable cause, the executive director shall send a notice by certified mail, return
1281 receipt requested, advising the complainant of [his] **the** right to request a release of
1282 jurisdiction in accordance with section 46a-101. The executive director or [his]
1283 designee shall investigate the cause for the delay in issuing a finding. After such
1284 investigation, the executive director may, given the facts and circumstances of the case,
1285 schedule a date [certain] for issuance of a finding [of reasonable cause or no
1286 reasonable cause].

1287
1288 (d) (1) If a complaint has been pending for more than two years after the date of filing
1289 pursuant to section 46a-82 and if the investigator fails to issue a finding of reasonable
1290 cause or no reasonable cause by the date ordered by the executive director [of the
1291 commission] pursuant to subsection (c) of this section, the complainant or respondent
1292 may petition the [superior court] **Superior Court** for the judicial district of Hartford for an
1293 order requiring the commission to issue a finding [of reasonable cause or no reasonable
1294 cause] by a **specified** date [certain]. The petitioner shall submit the petition on forms
1295 prescribed by the Office of the Chief Court Administrator.

1296
1297 (2) The clerk, upon receipt of the petition and if the clerk finds it to be in the proper form,
1298 shall fix a date for the hearing and sign the notice of hearing. The hearing date shall be
1299 no more than thirty days after the clerk signs the notice. Service shall be made on the
1300 commission and all persons named in the discriminatory practice complaint at least
1301 twenty days prior to the date of hearing by United States mail, certified or registered,
1302 postage prepaid, return receipt requested, without the use of a state marshal or other
1303 officer. Service on the commission shall be made on the executive director [of the
1304 commission or a commission legal counsel]. Within five days of service, the petitioner
1305 shall file with the court an affidavit stating the date and manner in which a copy of the
1306 petition was served and attach to the affidavit the return receipts indicating delivery of
1307 the petition. **If the return receipts are not available at the time the petitioner files**
1308 **the affidavit of service, they shall be filed with the court immediately upon receipt.**

1309
1310 (3) Within ten days after receipt of the petition, any party, including the commission,
1311 may file an answer. The commission and all persons named in the [discriminatory
1312 practice complaint] **petition** shall have the right to appear and be heard at the hearing.

1313



1314 (4) If the commission and parties agree on a date [certain], the court shall order the
1315 commission to issue a finding **of reasonable cause or no reasonable cause** by [said]
1316 **that** date. If the allegations of the petition are contested, the court shall hold a hearing
1317 [on the petition] and issue an appropriate order. [Hearing of oral argument on the
1318 petition] **Hearings under this subdivision** shall take precedence over other matters in
1319 the court, as provided in section 46a-96. The court [shall] **may** award court costs and
1320 attorney's fees to the petitioner, provided [such party] **the petitioner** is a "person"[,] as
1321 defined in section 4-184a, unless the commission shows good cause for not issuing the
1322 finding of reasonable cause or no reasonable cause [within two years of the date of
1323 filing or] **by** the date ordered by the executive director for the investigator to issue such
1324 finding[, whichever is later]. An award of court costs and attorney's fees shall be subject
1325 to the court's discretion, but shall not exceed a total of five hundred dollars.

1326
1327 (5) This subsection shall not apply to complaints initiated by the commission or to
1328 pattern or practice or systemic cases.

1329
1330

1331 **Section 29.** Section 46a-83 of the general statutes as amended by section 6 of public
1332 act 11-237 is repealed and the following is substituted in lieu thereof:

1333

1334 (a) Within twenty days after the filing of any discriminatory practice complaint pursuant
1335 to subsection (a) or (b) of section 46a-82, or an amendment to such complaint adding
1336 an additional respondent, the commission shall provide the respondent by first class
1337 mail, facsimile machine, electronic mail or a file transfer protocol site with the complaint
1338 and a notice advising of the procedural rights and obligations of a respondent under this
1339 chapter. The respondent shall file a written answer to the complaint **and a response to**
1340 **the commission's Schedule A request for information, if any,** under oath with the
1341 commission within thirty days of receipt of the complaint, provided a respondent may
1342 request, and the commission may grant[, for good cause shown,] one extension of time
1343 of fifteen days within which to file an answer to a complaint. The answer to any
1344 complaint alleging a violation of section 46a-64c or 46a-81e shall be filed within ten
1345 days of receipt. **Unless otherwise proven by the respondent, a complaint sent by**
1346 **first class mail will be assumed to be received two business days after the date of**
1347 **mailing. Complaint amendments shall be treated in the same manner as**
1348 **complaints under this subsection.**

1349

1350 (b) Within ninety days of the filing of the respondent's answer to the complaint, the
1351 executive director or the executive director's designee shall conduct a merit assessment
1352 review. The merit assessment review shall include the complaint, the respondent's
1353 answer and the responses to the commission's requests for information, if any, and the
1354 complainant's comments, if any, to the respondent's answer and information responses.
1355 If the executive director or the executive director's designee determines that the
1356 complaint fails to state a claim for relief or is frivolous on its face, that the respondent is
1357 exempt from the provisions of this chapter or that there is no reasonable possibility that



1358 investigating the complaint will result in a finding of reasonable cause, the executive
1359 director or the executive director's designee shall dismiss the complaint and send notice
1360 of dismissal pursuant to section 46a-86a. Within fifteen days of the sending of the notice
1361 of dismissal, the complainant may request a release of jurisdiction allowing the
1362 complainant to bring a civil action under section 46a-100. If the complainant does not
1363 request a release of jurisdiction, commission legal counsel shall conduct a legal review
1364 of any complaint dismissed pursuant to this subsection and shall reinstate or deny
1365 reinstatement of the complaint within sixty days of the sending of the notice of dismissal.
1366 The executive director or the executive director's designee shall send notice of any
1367 action taken pursuant to the merit assessment review and the legal review conducted
1368 pursuant to this subsection in accordance with section 46a-86a. This subsection shall
1369 not apply to any complaint alleging a violation of section 46a-64c [or 46a-81e]. The
1370 executive director shall report the results of the merit assessment reviews made
1371 pursuant to this subsection to the commission quarterly during each year.
1372

1373 (c) (1) If a complaint is not dismissed after the merit assessment review pursuant to
1374 subsection (b) of this section or if a complaint is reinstated after legal review pursuant to
1375 said subsection (b), the executive director or **the executive director's** designee shall
1376 assign an investigator or commission legal counsel to hold a mandatory mediation
1377 conference within sixty days of sending notice of action taken pursuant to the merit
1378 assessment review or legal review. [The mandatory mediation conference may be
1379 scheduled for the same time as a fact-finding conference held pursuant to subsection
1380 (d) of this section.] The mediator may hold additional mediation conferences to
1381 accommodate settlement discussions.
1382

1383 (2) If the complaint is not resolved after the mandatory mediation conference, the
1384 complainant, the respondent or the commission may **at any time thereafter** request
1385 early legal intervention. If a request for early legal intervention is made, the executive
1386 director or the executive director's designee shall determine within ninety days of the
1387 request whether **the complaint should be:** (A) [the complaint should be] heard
1388 pursuant to section 46a-84[.]; (B) [the complaint should be processed] **investigated**
1389 pursuant to subsection (d) of this section[.]; **(C) administratively dismissed;** or [(C)]
1390 **(D)** [the complainant should be] released from the jurisdiction of the commission. In
1391 making such determination, the executive director or the executive director's designee
1392 may hold additional proceedings and may utilize **and direct** commission staff. If the
1393 executive director or the executive director's designee determines that the complaint
1394 should be processed pursuant to subsection (d) of this section, the executive director or
1395 the executive director's designee may recommend that the investigator make a finding
1396 of no reasonable cause. If the executive director or the executive director's designee
1397 recommends that the investigator make a finding of no reasonable cause, the
1398 investigator shall make such a finding unless the investigator believes the executive
1399 director or the executive director's designee made a mistake of fact. If the investigator
1400 intends to make a finding of reasonable cause after the executive director or the



1401 executive director's designee recommends otherwise, the investigator shall consult with
1402 the executive director or the executive director's designee.

1403
1404 (3) If the complaint is not resolved after the mandatory mediation conference, the
1405 complainant or the respondent may request the commission to hold additional mediation
1406 conferences.

1407
1408 (4) The commission may dismiss the complaint if (A) a complainant, after notice and
1409 without good cause, fails to attend a mandatory mediation conference; or (B) the
1410 respondent has eliminated the discriminatory practice complained of, taken steps to
1411 prevent a like occurrence in the future and offered full relief to the complainant, even
1412 though the complainant has refused such relief.

1413
1414 (d) If the complaint is not resolved after the mandatory mediation conference held
1415 pursuant to subsection (c) of this section or the executive director determines that the
1416 complaint should be processed pursuant to this subsection in accordance with
1417 subdivision (2) of subsection (c) of this section, the executive director or the executive
1418 director's designee shall assign an investigator to process the complaint within fifteen
1419 days after [the mandatory] mediation [conference] **failed or the early legal**
1420 **intervention decision was made, as applicable.** The investigator may conduct a fact-
1421 finding conference, a complete investigation, including, but not limited to, individual
1422 witness interviews, requests for voluntary disclosure of information, subpoenas of
1423 witnesses or documents, requests for admission of facts, interrogatories, site visits or
1424 any other lawful means of finding facts, or any combination thereof for the purpose of
1425 determining if there is reasonable cause for believing that a discriminatory practice has
1426 been or is being committed as alleged in the complaint. [As used in this section and
1427 section 46a-84, "reasonable cause" means a bona fide belief that the material issues of
1428 fact are such that a person of ordinary caution, prudence and judgment could believe
1429 the facts alleged in the complaint.] The executive director or the executive director's
1430 designee may dismiss the complaint if the complainant, after notice[,] and without good
1431 cause, fails to attend a fact-finding conference.

1432
1433 (e) (1) Before issuing a finding of reasonable cause or no reasonable cause, the
1434 investigator shall afford each party and each party's representative an opportunity to
1435 provide written or oral comments on all evidence in the commission's file, except as
1436 otherwise provided by federal law or the general statutes. The investigator shall
1437 consider such comments before making a finding. The investigator shall make a finding
1438 of reasonable cause or no reasonable cause in writing and shall list the factual findings
1439 on which it is based not later than one hundred ninety days from the date of the merit
1440 assessment review, except that for good cause shown, the executive director or the
1441 executive director's designee may grant no more than two extensions of the
1442 investigation of three months each.

1443



1444 (2) If the investigator makes a finding that there is reasonable cause to believe that a
1445 violation of section 46a-64c has occurred, the complainant and the respondent shall
1446 have twenty days from sending of the reasonable cause finding to elect a civil action in
1447 lieu of an administrative hearing pursuant to section 46a-84. If either the complainant or
1448 the respondent requests a civil action, the commission, through the Attorney General or
1449 a commission legal counsel[,], shall commence an action pursuant to subsection (b) of
1450 section 46a-89 within ninety days of receipt of the notice of election. If the Attorney
1451 General or a commission legal counsel believes that injunctive relief, punitive damages
1452 or a civil penalty would be appropriate, such relief, damages or penalty may also be
1453 sought. The jurisdiction of the Superior Court in an action brought under this subdivision
1454 shall be limited to such claims, counterclaims, defenses or the like that could be
1455 presented at an administrative hearing before the commission, had the complaint
1456 remained with the commission for disposition. A complainant may intervene as a matter
1457 of right in a civil action without permission of the court or the parties. If the Attorney
1458 General or commission legal counsel [, as the case may be,] determines that the
1459 interests of the state will not be adversely affected, the complainant or attorney for the
1460 complainant shall present all or part of the case in support of the complaint. If the
1461 Attorney General or a commission legal counsel determines that a material mistake of
1462 law or fact has been made in the finding of reasonable cause, the Attorney General or a
1463 commission legal counsel may decline to bring a civil action and shall remand the file to
1464 the investigator for further action. The investigator shall complete any such action not
1465 later than ninety days after receipt of such file.

1466
1467 (f) If the investigator issues a finding of no reasonable cause or if the complaint is
1468 dismissed pursuant to subsection **[(d)] (c)** of this section, the complainant may file a
1469 written request for reconsideration with the executive director or the executive director's
1470 designee, not later than fifteen days from the sending of such finding or dismissal. A
1471 request for reconsideration shall state specifically the reasons why reconsideration
1472 should be granted. The executive director or the executive director's designee shall
1473 grant or reject reconsideration within ninety days of the sending of such finding or
1474 dismissal. The executive director or the executive director's designee shall conduct such
1475 additional proceedings as may be necessary to render a decision on the request.

1476
1477 (g) After finding that there is reasonable cause to believe that a discriminatory practice
1478 has been or is being committed as alleged in the complaint, an investigator shall
1479 attempt to eliminate the practice complained of by conference, conciliation and
1480 persuasion within fifty days of the finding. The refusal to accept a settlement shall not
1481 be grounds for dismissal of any complaint.

1482
1483 (h) No commissioner or employee of the commission may disclose, except to the parties
1484 or their representatives, what has occurred in the course of [such endeavors] **the**
1485 **commission's processing of a complaint**, provided the commission may publish the
1486 facts in the case and any complaint which has been dismissed and the terms of
1487 conciliation when a complaint has been adjusted. Each party and his **or her**



1488 representative shall have the right to inspect and copy documents, statements of
1489 witnesses and other evidence pertaining to the complaint, except as otherwise provided
1490 by federal law or the general statutes.

1491
1492 (i) In the investigation of any complaint filed pursuant to this chapter, [the commission] **a**
1493 **commission legal counsel** may issue subpoenas requiring the production of records
1494 and other documents.

1495
1496 (j) The executive director or the executive director's designee may enter an order of
1497 default against a respondent who (1) after notice, fails to answer a complaint in
1498 accordance with subsection (a) of this section or within such extension of time as may
1499 have been granted; (2) fails to answer interrogatories issued pursuant to subdivision
1500 (11) of section 46a-54 or fails to respond to a subpoena issued pursuant to subsection
1501 (i) of this section or subdivision (9) of section 46a-54, provided the executive director or
1502 the executive director's designee shall consider any timely filed objection; (3) after
1503 notice and without good cause, fails to attend a fact-finding conference; or (4) after
1504 notice and without good cause, fails to attend a mandatory mediation conference. Upon
1505 entry of an order of default, the executive director or the executive director's designee
1506 shall appoint a presiding officer to enter, after notice and hearing, an order eliminating
1507 the discriminatory practice complained of and making the complainant whole. **The**
1508 **respondent may make application to the executive director or the executive**
1509 **director's designee to lift the default.** The commission or the complainant may
1510 petition the Superior Court for enforcement of any order for relief pursuant to section
1511 46a-95.

1512
1513
1514 **Section 30.** Section 46a-84 of the general statutes as amended by section 6 of public
1515 act 11-237 is repealed and the following is substituted in lieu thereof:

1516
1517 (a) If the investigator fails to eliminate a discriminatory practice complained of pursuant
1518 to subsection (a) or (b) of section 46a-82 within fifty days of a finding of reasonable
1519 cause, the investigator shall, within ten days, certify the complaint and the results of the
1520 investigation to the executive director of the commission and to the Attorney General.
1521 **The investigator's conclusion that conciliation has failed shall be conclusive of**
1522 **the issue.**

1523
1524 (b) Upon certification of a complaint filed pursuant to subsection (a) or (b) of section
1525 46a-82, or upon the filing of a complaint pursuant to subsection (c) of said section, **or**
1526 **upon an early legal intervention decision made pursuant to subsection (c)(2)(a) of**
1527 **section 46a-83**, the [Chief Human Rights Referee] **chief referee** shall appoint[, for a
1528 complaint filed pursuant to said subsection (a) or (b),] a hearing officer[, hearing
1529 adjudicator] or [human rights] referee [, and for a complaint filed pursuant to said
1530 subsection (c), a hearing officer or human rights referee,] to act as a presiding officer to
1531 hear the complaint. **The chief referee may also appoint an individual authorized by**



1532 **subsection (e) of this section** [or] to conduct settlement negotiations. **The chief**
1533 **referee shall serve** [and shall cause to be issued and served] in the name of the
1534 commission [a written notice, together with] a copy of the complaint, as the same may
1535 have been amended, requiring the respondent to answer the charges of the complaint
1536 [at a hearing before the presiding officer or hearing adjudicator at a time and place to be
1537 specified in the notice] **together with a written notice requiring the respondent to**
1538 **appear at a hearing or settlement conference at the commission's office in**
1539 **Hartford, unless all parties mutually agree upon an alternative location, at a date**
1540 **and time specified in the notice.**
1541
1542

1543 (c) [The place of any hearing may be the office of the commission or another place
1544 designated by the commission.] A hearing on a complaint filed pursuant to subsection
1545 (a) or (b) of section 46a-82 shall be commenced by convening a hearing conference not
1546 later than forty-five days after the certification of the complaint. Such hearing shall be a
1547 de novo hearing on the merits of the complaint and not an appeal of the commission's
1548 processing of the complaint prior to its certification. A hearing on a complaint filed
1549 pursuant to subsection (c) of section 46a-82 shall be commenced by convening a
1550 hearing conference not later than twenty days after the date of notice of such complaint.
1551 Hearings shall proceed with reasonable dispatch and be concluded in accordance with
1552 the provisions of section 4-180.
1553

1554 (d) The case in support of the complaint shall be presented at the hearing by the
1555 Attorney General, who shall be counsel for the commission, or by a commission legal
1556 counsel as provided in section 46a-55[, as the case may be]. If the Attorney General or
1557 the commission legal counsel determines that a material mistake of law or fact has been
1558 made in the finding of reasonable cause on a complaint filed pursuant to subsection (a)
1559 or (b) of section 46a-82, the Attorney General or the commission legal counsel may
1560 withdraw the certification of the complaint and remand the file to the investigator for
1561 further action. **The investigator shall complete any required action not later than**
1562 **ninety days after receipt of such file.** The complainant may be represented by an
1563 attorney of the complainant's own choice. If the Attorney General or the commission
1564 legal counsel[, as the case may be,] determines that the interests of the state will not be
1565 adversely affected, the complainant or the attorney for the complainant shall present all
1566 or part of the case in support of the complaint. No commissioner may participate in the
1567 deliberations of the presiding officer in the case.
1568

1569 (e) A [hearing officer, hearing adjudicator, human rights] referee or attorney who
1570 volunteers service pursuant to subdivision (18) of section 46a-54 may supervise
1571 settlement endeavors[, or, in]. **In** employment discrimination cases only, the
1572 complainant and respondent, with the permission of the **chief referee,** [commission,]
1573 may engage in alternate dispute resolution endeavors for not more than three months.
1574 The cost of such alternate dispute resolution endeavors shall be borne by the
1575 complainant or the respondent, or both, and not by the commission. Any endeavors or



1576 negotiations for conciliation, settlement or alternate dispute resolution shall not be
1577 received in evidence.

1578
1579 (f) The respondent **shall** [may] file a written answer to the complaint under oath and
1580 appear at the hearing in person or otherwise, with or without counsel, and submit
1581 testimony and be fully heard. If the respondent fails to file a written answer prior to the
1582 hearing within the time limits established by regulation adopted by the commission in
1583 accordance with chapter 54 or fails to appear at the hearing **or settlement conference**
1584 after notice in accordance with section 4-177, the presiding **or settlement** officer [or
1585 hearing adjudicator] may enter an order of default and order such relief as is necessary
1586 to eliminate the discriminatory practice and make the complainant whole. The
1587 commission or the complainant may petition the Superior Court for enforcement of any
1588 such order for relief pursuant to the provisions of section 46a-95.

1589
1590 (g) The presiding officer [or hearing adjudicator] conducting any hearing shall permit
1591 reasonable amendment to any complaint or answer and the testimony taken at the
1592 hearing shall be under oath and be transcribed at the request of any party.

1593

1594

1595 **Section 31.** Section 46a-86 of the general statutes is repealed and the following is
1596 substituted in lieu thereof:

1597

1598 (a) If, upon all the evidence presented at the hearing conducted pursuant to section
1599 46a-84, the presiding officer finds that a respondent has engaged in any discriminatory
1600 practice, the presiding officer shall [state the presiding officer's] **make written** findings
1601 of fact and [shall issue and] file with the commission and [cause to be served] **serve** on
1602 the respondent an order requiring the respondent to: **(1)** cease and desist from the
1603 discriminatory practice; and [further requiring the respondent to] **(2)** take such
1604 affirmative action as **is necessary to** [in the judgment of the presiding officer will
1605 effectuate] **achieve** the purpose of this chapter **and make the complainant whole.**

1606

1607 (b) In addition to any other action taken under this section, upon a finding of a
1608 discriminatory employment practice, the presiding officer may order the hiring or
1609 reinstatement of [employees,] **persons** with or without back pay, or restoration to
1610 membership in any respondent labor organization[.], [provided, liability] **Liability** for
1611 back pay shall not accrue from a date more than two years prior to the filing or issuance
1612 of the complaint, [and, provided further, interim] **Interim** earnings, including
1613 unemployment compensation and welfare assistance or amounts which could have
1614 been earned with reasonable diligence on the part of the person to whom back pay is
1615 awarded, shall be deducted from the amount of back pay to which such person is
1616 otherwise entitled. The amount of any [such] deduction for interim unemployment
1617 compensation or welfare assistance shall be paid by the respondent to the commission,
1618 which shall transfer such amount to the appropriate state or local agency.

1619



1620 (c) In addition to any other action taken under this section, upon a finding of a
1621 discriminatory practice prohibited by section 46a-58, 46a-59, 46a-64[,] or 46a-64c,
1622 [46a-81b, 46a-81d or 46a-81e,] the presiding officer shall determine the damage
1623 suffered by the complainant, which damage shall include, but not be limited to, the
1624 expense incurred by the complainant for obtaining alternate housing or space, storage
1625 of goods and effects, moving costs and other costs actually incurred by the complainant
1626 as a result of such discriminatory practice and shall allow reasonable attorney's fees
1627 and costs.

1628
1629 (d) In addition to any other action taken under this section, upon a finding of a
1630 discriminatory practice prohibited by section 46a-66, [or 46a-81f,] the presiding officer
1631 shall [issue and] file with the commission and [cause to be served] serve on the
1632 respondent an order requiring the respondent to pay the complainant the damages
1633 resulting from the discriminatory practice.

1634
1635 (e) In addition to any other action taken under this section, upon a finding of
1636 noncompliance with antidiscrimination statutes or contract compliance provisions
1637 required under section 4a-60, [or 4a-60a] or the provisions of sections 46a-68c to 46a-
1638 68f, inclusive, the presiding officer shall [issue and] file with the commission and [cause
1639 to be served] serve on the respondent an order with respect to any remedial action
1640 imposed [by the presiding officer] pursuant to subsection (c) or (d) of section 46a-56.

1641
1642 (f) If, upon all the evidence and after a complete hearing, the presiding officer finds that
1643 the respondent has not engaged in any alleged discriminatory practice, the presiding
1644 officer shall [state the presiding officer's] make written findings of fact and shall [issue
1645 and] file with the commission and [cause to be served] serve on the respondent an
1646 order dismissing the complaint.

1647
1648 (g) Any payment received by a complainant under this chapter or under any equivalent
1649 federal antidiscrimination law, either as a settlement of a claim or as an award made in
1650 a judicial or administrative proceeding, shall not be considered as income, resources or
1651 assets for the purpose of determining the eligibility of or amount of assistance to be
1652 received by such person in the month of receipt or the three months following receipt
1653 under the state supplement program, Medicaid or any other medical assistance
1654 program, temporary family assistance program, state-administered general assistance
1655 program, or the temporary assistance for needy families program. After such time
1656 period, any remaining funds shall be subject to state and federal laws governing such
1657 programs, including, but not limited to, provisions concerning an "individual
1658 development [accounts] account", as defined in section 31-51ww.

1659
1660
1661 **Section 32.** Section 46a-87 of the general statutes is repealed and the following is
1662 substituted in lieu thereof:

1663



1664 (a) Contumacy or refusal to obey a subpoena issued pursuant to this chapter shall
1665 constitute contempt punishable, upon the application of the authority issuing such
1666 subpoena, by the [superior court] **Superior Court** for the judicial district **of Hartford,**
1667 **the judicial district** in which the hearing **or investigation** is held or **the judicial**
1668 **district** in which the witness resides or transacts business. **No objection that has not**
1669 **been raised before the commission to defeat or excuse compliance with the**
1670 **subpoena may be presented to or relied on by the court.**

1671
1672 (b) No person may be excused from [attending and] testifying or from producing
1673 records[,correspondence, documents] or other evidence in obedience to a subpoena[,]
1674 on the ground that the testimony or evidence required [of him] may tend to **self-**
1675 **incriminate** [him] or subject [him] **such person** to a penalty or forfeiture[.]. [but no] **No**
1676 **person, after having claimed the privilege against self-incrimination,** may be
1677 prosecuted or subjected to any penalty [or forfeiture for or on account of any
1678 transaction, matter or thing concerning which he is compelled, after having claimed his
1679 privilege against self-incrimination, to testify or produce evidence,] **for any matter**
1680 **revealed, if the testimony or production of evidence is compelled by this section,**
1681 except that [such] **no** person [so testifying] shall [not] be exempt from prosecution and
1682 punishment for perjury committed in so testifying. The immunity [herein] provided **in**
1683 **this section** shall extend only to natural persons [so] compelled to testify **or produce**
1684 **records** .

1685
1686
1687 **Section 33.** Section 46a-88 of the general statutes is repealed and the following is
1688 substituted in lieu thereof:

1689
1690 (a) Upon **the** failure of any person to answer interrogatories issued pursuant to
1691 subsection (11) of section 46a-54, the commission may file a petition with the
1692 interrogatories attached with the [superior court of] **Superior Court for** the judicial
1693 district **of Hartford, the judicial district** in which the violation is alleged to have
1694 occurred or **the judicial district** where such person resides or transacts business,
1695 requesting the court to order that an answer be filed.

1696
1697 (b) The commission shall [cause] **serve** a copy of the petition provided for in subsection
1698 (a) of this section [to be sent] by registered or certified mail to the person from whom
1699 such answers are sought or [his] **upon such person's** legal representative.

1700
1701 (c) The court shall assume jurisdiction over the proceedings provided for in this section
1702 and [may] **shall**, after hearing, or in the absence of objection, enter an order which it
1703 deems appropriate. **No objection that has not been raised before the commission**
1704 **to defeat or excuse compliance with the interrogatories may be presented to or**
1705 **relied on by the court.**

1706



1707 [(d) The proceedings provided for in this section shall conform to the rules of practice of
1708 the Superior Court.]

1709

1710

1711 **Section 34.** Section 46a-89 of the general statutes is repealed and the following is
1712 substituted in lieu thereof:

1713

1714 (a)(1) Whenever a complaint [is] filed [with or by the commission] pursuant to section
1715 46a-82 [alleging] **alleges** a violation of section 46a-60 [or 46a-81c,] and [a
1716 commissioner] **the executive director or the executive director's designee**
1717 believes[, upon review and the recommendation of the investigator assigned,] that
1718 equitable relief is required to prevent irreparable harm to the complainant, the
1719 [commissioner] **commission** may bring a petition [in equity] in the [superior court]
1720 **Superior Court** for the judicial district **of Hartford, the judicial district** in which the
1721 discriminatory practice which is the subject of the complaint occurred or the judicial
1722 district in which the respondent resides, provided this subdivision shall not apply to
1723 complaints against employers with less than fifty employees.

1724

1725 (2) The petition shall seek appropriate temporary injunctive relief against the respondent
1726 pending final disposition of the complaint pursuant to the procedures set forth in this
1727 chapter. The injunctive relief may include an order temporarily restraining the
1728 respondent from doing any act that would render ineffectual any order a presiding
1729 officer may render with respect to the complaint.

1730

1731 (3) Upon service on the respondent of notice pursuant to section 46a-89a, the
1732 respondent shall be temporarily restrained from taking any action that would render
1733 ineffectual the temporary injunctive relief [prayed for] **requested** in the petition,
1734 provided nothing in this section shall be construed to prevent the respondent from
1735 having any employment duties[,] enjoined under this section and section 46a-89a from
1736 being carried out by another employee and the notice shall so provide.

1737

1738 (b) (1) Whenever a complaint filed pursuant to section 46a-82 alleges a violation of
1739 section 46a-64[,] **or** 46a-64c [46a-81d or 46a-81e,] and [a commissioner] **the**
1740 **executive director or designee** believes that injunctive relief is required or that the
1741 imposition of punitive damages or a civil penalty would be appropriate, the commission
1742 may bring a petition in the [superior court] **Superior Court** for the judicial district **of**
1743 **Hartford, the judicial district** in which the discriminatory practice which is the subject
1744 of the complaint occurred or the judicial district in which the respondent resides.

1745

1746 (2) The petition shall seek: (A) [Appropriate] **appropriate** injunctive relief, including
1747 temporary or permanent orders or decrees restraining and enjoining the respondent
1748 from selling or renting to anyone other than the complainant or otherwise making
1749 unavailable to the complainant any dwelling or commercial property with respect to
1750 which the complaint is made, pending the final determination of such complaint by the



1751 commission or such petition by the court; (B) an award of damages based on the
1752 remedies available under subsection (c) of section 46a-86; (C) an award of punitive
1753 damages payable to the complainant, not to exceed fifty thousand dollars; (D) a civil
1754 penalty payable to the state against the respondent to vindicate the public interest: (i)
1755 [In] in an amount not exceeding ten thousand dollars, if the respondent has not been
1756 adjudged to have committed any prior discriminatory housing practice; (ii) in an amount
1757 not exceeding twenty-five thousand dollars, if the respondent has been adjudged to
1758 have committed one other discriminatory housing practice during the five-year period
1759 prior to the date of the filing of this complaint; and (iii) in an amount not exceeding fifty
1760 thousand dollars, if the respondent has been adjudged to have committed two or more
1761 discriminatory housing practices during the seven-year period prior to the date of the
1762 filing of the complaint, except that if the acts constituting the discriminatory housing
1763 practice that is the object of the complaint are committed by the same natural person
1764 who has been previously adjudged to have committed acts constituting a discriminatory
1765 housing practice, then the civil penalties set forth in clauses (ii) and (iii) of this
1766 subparagraph may be imposed without regard to the period of time within which any
1767 subsequent discriminatory housing practice occurred; or (E) two or more of such
1768 remedies.

1769
1770 (3) Upon service on the respondent of notice pursuant to section 46a-89a, the
1771 respondent shall be temporarily restrained from selling or renting the dwelling or
1772 commercial property which is the subject of the complaint to anyone other than the
1773 complainant, or from otherwise making such dwelling or commercial property
1774 unavailable to the complainant, until the court or judge has decided the petition for
1775 temporary injunctive relief and the notice shall so provide.

1776
1777
1778 **Section 35.** Section 46a-89a of the general statutes is repealed and the following is
1779 substituted in lieu thereof:

1780
1781 (a) The **Superior Court** [court, or any judge of the court when such court is not actually
1782 in session,] may grant an injunction [forthwith,] **immediately**, if the circumstances of the
1783 case demand it, or the court [or judge] may cause immediate notice of the petition to be
1784 given to the adverse party[, that he may] **to** show cause why such injunction should not
1785 be granted[; but no]. **No** temporary injunction may be granted without notice to the
1786 adverse party, unless it clearly appears from the specific facts shown by affidavit or by
1787 verified complaint that irreparable loss or damage will result to the complainant before
1788 the matter can be heard.

1789
1790 (b) The court, [or any judge thereof,] after hearing, shall issue a temporary injunction
1791 upon a finding that irreparable loss or damage will result to the complainant in that: (1)
1792 there is a substantial probability of loss of meaningful relief including but not limited to
1793 the availability of an employment opportunity or the rental or sale of a dwelling or



1794 commercial property; or (2) there is a substantial probability of interference with the
1795 ability of the commission to provide meaningful relief as authorized by this chapter.

1796
1797 (c) Upon rendering a decision in favor of the commission on the petition for temporary
1798 injunctive relief, the court [or judge] shall simultaneously enter an order granting
1799 temporary injunctive relief and such other relief as deemed necessary and remand the
1800 complaint to the commission for further proceedings pursuant to this chapter.

1801
1802 (d) Upon rendering a decision in favor of the respondent on the petition for temporary
1803 injunctive relief, the court [or judge] shall simultaneously enter an order dissolving any
1804 injunctive relief, order, decree, temporary relief or restraining order [theretofore]
1805 **previously** issued [against the respondent in the matter] and remand the matter to the
1806 commission.

1807
1808 (e) Commencement of proceedings pursuant to section 46a-89, this section or section
1809 46a-90a shall not bar the commission from processing the complaint pursuant to the
1810 procedures set forth in this chapter.

1811
1812
1813 **Section 36.** Section 46a-90a of the general statutes is repealed and the following is
1814 substituted in lieu thereof:

1815
1816 (a) The [chairperson of the commission] **chief referee** shall schedule a date for a
1817 hearing pursuant to section 46a-84 to be held within forty-five days of any temporary
1818 injunctive relief or restraining order issued pursuant to section 46a-89a. Such temporary
1819 injunctive relief or restraining order shall remain in effect until the presiding officer
1820 renders [his] **a** decision on the complaint. If the commission does not conduct its
1821 hearing procedure with reasonable [dispatch] **speed**, the court, on the motion of the
1822 respondent and for good cause shown, shall remove such temporary injunction and
1823 assume jurisdiction of all civil proceedings arising out of the complaint and shall set the
1824 matter for hearing on the merits. The presiding officer shall render [his] **a** decision within
1825 twenty days after the close of evidence and the filing of briefs.

1826
1827 (b) When the presiding officer finds that the respondent has engaged in any
1828 discriminatory practice prohibited by section 46a-60, 46a-64[,], **or** 46a-64c [46a-81c,
1829 46a-81d or 46a-81e] and grants relief on the complaint[, which relief requires that such]
1830 **requiring that a** temporary injunction remain in effect, the commission [chairperson]
1831 may, through the procedure outlined in subsection (a) of section 46a-95, petition the
1832 court which granted the original temporary injunction to make the injunction permanent.

1833
1834 (c) Upon issuance of a permanent injunction, the case shall be returned to the
1835 commission for such further action as is authorized by this chapter.

1836



1837 (d) Any temporary injunction issued under [the provisions of] section 46a-89a shall
1838 remain in effect during any appeal under section 46a-94a[,] or any enforcement
1839 procedure under section 46a-95, unless removed by the court [or a judge thereof].
1840

1841

1842 **Section 37.** Section 46a-94 of the general statutes is repealed and the following is
1843 substituted in lieu thereof:

1844

1845 (a) An appeal to the Appellate Court shall lie from any judgment, injunctive relief, order
1846 or decree entered pursuant to section 46a-89, 46a-89a or 46a-90a.

1847

1848 (b) In any appeal to the Appellate Court under [the provisions of] this section, any judge
1849 of the Appellate Court, on written application, after oral hearing: (1) [May] **may** order a
1850 party who has filed a notice of intent to appeal either to appeal or withdraw such notice
1851 of appeal[,] and (2) may make such orders as will expedite the appeal.

1852

1853

1854 **Section 38.** Section 46a-94a of the general statutes is repealed and the following is
1855 substituted in lieu thereof:

1856

1857 (a) The [Commission on Human Rights and Opportunities] **commission**, any
1858 respondent or any complainant aggrieved by a final order of a presiding officer **may**
1859 **appeal to the Superior Court in accordance with section 4-183.** [or any] **Any**
1860 **complainant may appeal to the Superior Court in accordance with section 4-183, if**
1861 **the complainant is** aggrieved by: **(1)** the dismissal of [his] **a** complaint [by the
1862 commission] for failure to attend a mandatory mediation session, as provided in
1863 subsection (c) of section 46a-83[,] **(2)** a finding of no reasonable cause, as provided in
1864 subsection (d) of [said] section 46a-83; or **(3) a** rejection of reconsideration, [of any
1865 dismissal] as provided in subsection [(e)] **(f)** of [said] section 46a-83. [may appeal
1866 therefrom in accordance with section 4-183. The court on appeal shall also have
1867 jurisdiction to grant to the commission, respondent or complainant such temporary relief
1868 or restraining order as it deems just and suitable, and in like manner to make and enter
1869 a decree enforcing or modifying and enforcing as so modified or setting aside, in whole
1870 or in part, the order sought to be reviewed]. **The court shall conduct the appeal in**
1871 **accordance with section 4-183.**

1872

1873 (b) Notwithstanding the provisions of subsection (a) of this section, a complainant may
1874 not appeal the dismissal of his complaint if [he] **the complainant** has been granted a
1875 release pursuant to section 46a-101.

1876

1877 (c) The commission on its own motion may, whenever justice so requires, reopen any
1878 matter previously closed by the commission in accordance with the provisions of this
1879 subsection, provided such matter has not been appealed to the Superior Court pursuant
1880 to section 4-183. Notice of such reopening shall be given to all parties. A complainant or



1881 respondent may, for good cause shown, in the interest of justice, apply in writing for the
1882 reopening of a previously closed proceeding provided such application is filed with the
1883 commission within two years of the commission's final decision.

1884
1885 (c) The commission on its own motion may, whenever justice so requires, reopen any
1886 matter previously closed [by the commission] in accordance with [the provisions of] this
1887 subsection, provided such matter has not been appealed to the Superior Court pursuant
1888 to **subsection (a) of this** section [4-183]. Notice of such reopening shall be given to all
1889 parties. A complainant or respondent may, for good cause shown, in the interest of
1890 justice, apply in writing for the reopening of a previously closed proceeding, provided
1891 such application is filed with the **executive director of the** commission within two years
1892 of the commission's final decision **and provided further that the complainant (1) has**
1893 **not been issued a release of jurisdiction pursuant to section 46a-83a and filed a**
1894 **civil action; or (2) requested and received from the commission a release of**
1895 **jurisdiction pursuant to section 46a-101.**

1896
1897 (d) The standards for reopening a matter may include, but are not limited to: (1) [A] a
1898 material mistake of fact or law has occurred; (2) the finding is arbitrary or capricious; (3)
1899 the finding is clearly erroneous in view of the reliable, probative and substantial
1900 evidence on the whole record; and (4) new evidence has been discovered which
1901 materially affects the merits of the case and which, for good reasons, was not presented
1902 during the investigation.

1903
1904
1905 **Section 39.** Subsection (a) of section 46a-95 of the general statutes is repealed and
1906 the following is substituted in lieu thereof:

1907
1908 (a) The commission through the Attorney General, a commission legal counsel, or the
1909 complainant may petition the superior court for the judicial district of Hartford, the
1910 judicial district where any discriminatory practice occurred or the judicial district in which
1911 any person charged with a discriminatory practice resides or transacts business for the
1912 enforcement of any order issued by a presiding officer under the provisions of this
1913 chapter and for appropriate temporary relief [of] **or** a restraining order.

1914
1915
1916 **Section 40.** Section 46a-97 of the general statutes is repealed and the following is
1917 substituted in lieu thereof:

1918
1919 [(a)] Any employer, employment agency or labor organization [which] **that** fails to post
1920 such notices of statutory provisions as the commission may require pursuant to
1921 subsections (13) , **(14)** , **(15)** of section 46a-54 shall be subject to a fine of not more
1922 than two hundred fifty dollars.

1923



1924 **Section 41.** Section 46a-98 of the general statutes is repealed and the following is
1925 substituted in lieu thereof:

1926
1927 (a) In lieu of, but not in addition to, filing a complaint [with the Commission on Human
1928 Rights and Opportunities] pursuant to section 46a-82, any person claiming to be
1929 aggrieved by a violation of section 46a-66 [or 46a-81f] may bring an action under this
1930 section against a creditor, as defined in section 46a-65, in the [superior court] **Superior**
1931 **Court** for the judicial district in which such aggrieved person resides or in which the
1932 alleged violation took place.

1933
1934 (b) Any [such] creditor who fails to comply with any requirement of section 46a-66 [or
1935 46a-81f] or the regulations adopted pursuant to section 46a-67 shall be liable to an
1936 aggrieved person in an amount equal to the sum of any actual damages sustained by
1937 such person.

1938
1939 (c) Any [such] creditor who fails to comply with any requirement of section 46a-66 [or
1940 46a-81f] or the regulations adopted pursuant to section 46a-67 shall be liable to an
1941 aggrieved person for punitive damages in an amount not greater than one thousand
1942 dollars, as determined by the court, in addition to any actual damages provided in
1943 subsection (b) of this section.

1944
1945 (d) Any [such] creditor who fails to comply with any requirement of section 46a-66 [or
1946 46a-81f] or the regulations adopted pursuant to section 46a-67 may be liable for
1947 punitive damages in the case of a class action in such amount as the court may allow,
1948 provided the total recovery of punitive damages shall not exceed the lesser of five
1949 thousand dollars or one per cent of the net worth of the creditor. In determining the
1950 amount of award in any class action, the court shall consider, among other relevant
1951 factors, the amount of any actual damages awarded, the frequency and persistence of
1952 failures of compliance by the creditor, the resources of the creditor, the number of
1953 persons adversely affected[,], and the extent to which the creditor's failure of compliance
1954 was intentional.

1955
1956 (e) No action may be brought under this section except within one year from the date of
1957 the occurrence of the violation.

1958
1959
1960 **Section 42.** Section 46a-98a of the general statutes is repealed and the following is
1961 substituted in lieu thereof:

1962
1963 Any person claiming to be aggrieved by a violation of section 46a-64c [or 46a-81e] or
1964 by a breach of a conciliation agreement entered into pursuant to this chapter[,], may
1965 bring an action in the [superior court] **Superior Court**, or the housing session of said
1966 court, if appropriate, within one year of the date of the alleged discriminatory practice or
1967 of a breach of a conciliation agreement [entered into pursuant to this chapter]. No action



1968 pursuant to this section may be brought [in the Superior Court] regarding the alleged
1969 discriminatory practice after the commission has obtained a conciliation agreement
1970 pursuant to section 46a-83 or commenced a hearing pursuant to section 46a-84, except
1971 for an action to enforce the [conciliation] agreement. The court shall have the power to
1972 grant relief[,] by injunction or otherwise, as it deems just and suitable. [In addition to the
1973 penalties provided for under subsection (g) of section 46a-64c or subsection (f) of
1974 section 46a-81e, the] **The** court may grant any relief which a presiding officer may grant
1975 [in a proceeding] under section 46a-86 or which the court may grant in a proceeding
1976 under section 46a-89. The commission, through its counsel or the Attorney General,
1977 may intervene as a matter of right in any action brought pursuant to this section without
1978 permission of the court or the parties.

1979
1980 **Section 43.** Section 46a-99 of the general statutes is repealed and the following is
1981 substituted in lieu thereof:

1982
1983 Any person claiming to be aggrieved by a violation of any provision of sections 46a-70
1984 to 46a-78, inclusive, [or sections 46a-81h to 46a-81o, inclusive,] may petition the
1985 [superior court] **Superior Court** for appropriate relief and [said] **the** court shall have the
1986 power to grant such relief[,] by injunction or otherwise, as it deems just and suitable.

1987
1988
1989 **Section 44.** Section 46a-100 of the general statutes is repealed and the following is
1990 substituted in lieu thereof:

1991
1992 Any person who has [timely] filed a complaint with the [Commission on Human Rights
1993 and Opportunities] **commission** in accordance with section 46a-82 and who has
1994 obtained a release **of jurisdiction** [from the commission] in accordance with section
1995 46a-83a or 46a-101[,] may [also] bring an action in the [superior court] **Superior Court**
1996 for the judicial district in which the discriminatory practice is alleged to have occurred,
1997 **the judicial district** [or] in which the respondent transacts business **or the judicial**
1998 **district in which the complainant resides**, except any action involving a state agency
1999 or official may be brought in the [superior court for] the judicial district of Hartford.

2000
2001
2002 **Section 45.** Section 46a-101 of the general statutes is repealed and the following is
2003 substituted in lieu thereof:

2004
2005 (a) No action may be brought in accordance with section 46a-100, unless the
2006 complainant has received a release **of jurisdiction** from the commission in accordance
2007 with the provisions of this section.

2008
2009 (b) The complainant and the respondent[, by themselves or their attorneys,] may jointly
2010 request that the complainant receive a release from the commission at any time from
2011 the date of filing the complaint. The complainant [or the complainant's attorney] may



2012 request a release from the commission if the complaint is still pending after the
2013 expiration of one hundred eighty days from the date of its filing or after a merit
2014 assessment review in accordance with subsection (b) of section 46a-83, whichever is
2015 earlier. The executive director or the executive director's designee shall conduct an
2016 expedited merit assessment review in accordance with subsection (b) of section 46a-83
2017 if the commission receives a request for a release of jurisdiction from the complainant
2018 [or the complainant's attorney] prior to one hundred eighty days from the date a
2019 complaint is filed.

2020
2021 (c) The executive director [of the commission] **or the executive director's designee**
2022 shall grant a release **of jurisdiction**, allowing the complainant to bring a civil action,
2023 within ten business days after receipt of the request for the release, except that if a case
2024 is scheduled for public hearing, the executive director **or the executive director's**
2025 **designee** may decline to issue a release. The commission may defer acting on a
2026 request for a release for thirty days if the executive director [of the commission,] or [his]
2027 **the executive director's** designee[,] certifies that [he has] **there is** reason to believe
2028 that the complaint may be resolved within that period.

2029
2030 (d) Upon granting a release, the commission shall dismiss or otherwise administratively
2031 dispose of the discriminatory practice complaint pending with the commission without
2032 cost or penalty assessed to any party.

2033
2034 (e) Any action brought by the complainant in accordance with section 46a-100 shall be
2035 brought within ninety days of the receipt of the release from the commission.

2036
2037
2038 **Section 46.** Section 46a-102 of the general statutes is repealed and the following
2039 substituted in lieu thereof:

2040
2041 Any action brought in accordance with section 46a-100 shall be brought within two
2042 years of the date of filing of the complaint with the commission[, except that an action
2043 may be brought within six months of October 1, 1991, with respect to an alleged
2044 violation provided a complaint concerning such violation has been pending with the
2045 commission for more than one year as of October 1, 1991, unless the complaint has
2046 been scheduled for a hearing].

2047
2048
2049 **Section 47.** Section 46a-103 of the general statutes is repealed and the following
2050 substituted in lieu thereof:

2051
2052 The complainant [or his attorney] shall serve a copy of the complaint in an action
2053 brought in accordance with section 46a-100 on the **executive director of the**
2054 commission at the same time all other parties [in such action] are served. Service on
2055 the commission shall be for the purpose of providing legal notice of the action and shall



2056 not [thereby] make the commission a necessary party [to the action]. The commission,
2057 through its counsel or the Attorney General, may intervene as a matter of right in any
2058 action brought in accordance with section 46a-100 **without permission of the court or**
2059 **the parties.**

2060
2061

2062 **Section 48.** Section 46b-3800 of the general statutes is repealed and the following
2063 substituted in lieu thereof:

2064

2065 Whenever in the general statutes the terms "spouse", "family", "immediate family",
2066 "dependent", "next of kin" or any other term that denotes the spousal relationship are
2067 used or defined, a party to a civil union **or a marriage as recognized by the state of**
2068 **Connecticut** shall be included in such use or definition, and wherever in the general
2069 statutes, except sections 7-45 and 17b-137a, subdivision (4) of section 45a-727a, and
2070 sections 46b-20 to 46b-34, inclusive, 46b-38nn and 46b-150d, the term "marriage" is
2071 used or defined, a civil union **or a marriage as recognized by the state of**
2072 **Connecticut** shall be included in such use or definition. Wherever in the general
2073 statutes[, except sections 46a-60, 46a-64, 46a-64c and 46a-66,] the term "marital status
2074 is used or defined, civil union status **or a marriage as recognized by the state of**
2075 **Connecticut** shall be included in such use or definition.

2076
2077

2078 **Section 49.** Section 53-37 of the general statutes is repealed and the following is
2079 substituted in lieu thereof.

2080

2081 **(a) Any person who[, by his advertisement,] ridicules or holds up to contempt any**
2082 **person or class of persons[, on account] because of the [creed, religion, color,**
2083 **denomination, nationality or race] race, color, religion, age, sex, gender identity or**
2084 **expression, sexual orientation, marital status, national origin, ancestry, present**
2085 **or past history of mental disability, intellectual disability, learning disability or**
2086 **physical disability** of such person or class of persons[,.] shall be fined not more than
2087 fifty dollars or imprisoned not more than thirty days or both.

2088

2089 **(b) Any person who violates any provision of section 46a-58 shall be guilty of a**
2090 **class A misdemeanor, except that if property is damaged as a consequence of**
2091 **such violation in an amount in excess of one thousand dollars, such person shall**
2092 **be guilty of a class D felony.**

2093

2094 **(c) Any person who violates any provision of section 46a-64 shall be fined not**
2095 **less than twenty-five or more than one hundred dollars or imprisoned not more**
2096 **than thirty days, or both.**

2097



2098 **(d) Any person who violates any provision of this section 46a-64c shall be fined**
2099 **not less than twenty-five or more than one hundred dollars or imprisoned not**
2100 **more than thirty days, or both.**

2101

2102

2103 **Section 50.** Sections 4a-60a, 46a-51, subsection (e) of section 46a-52, sections 46a-
2104 61, 46a-62, 46a-63, 46a-64b, 46a-65, 46a-82a, 46a-82b, 46a-82c, 46a-82d, sections
2105 46a-81a through 46a-81o, inclusive, and section 46a-81r are repealed.