



General Assembly

January Session, 2005

**Raised Bill No. 1156**

LCO No. 3849

\* SB01156HS\_APP031505 \*

Referred to Committee on Human Services

Introduced by:  
(HS)

***AN ACT CONCERNING DISCRIMINATION AWARDS RECEIVED BY  
RECIPIENTS OF STATE ASSISTANCE.***

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

1 Section 1. Subsection (c) of section 17b-93 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2005*):

4 (c) No claim shall be made, or lien applied, against any payment  
5 made pursuant to chapter 135, any payment made pursuant to section  
6 47-88d or 47-287, any moneys received as a settlement or award in a  
7 housing or employment discrimination case, any court-ordered  
8 retroactive rent abatement, including any made pursuant to subsection  
9 (e) of section 47a-14h, section 47a-4a, 47a-5, or 47a-57, or any security  
10 deposit refund pursuant to subsection (d) of section 47a-21 paid to a  
11 beneficiary of assistance under the state supplement program, medical  
12 assistance program, aid to families with dependent children program,  
13 temporary family assistance program or state-administered general  
14 assistance program.

15 Sec. 2. Section 46a-86 of the general statutes is repealed and the

16 following is substituted in lieu thereof (*Effective October 1, 2005*):

17 (a) If, upon all the evidence presented at the hearing conducted  
18 pursuant to section 46a-84, the presiding officer finds that a  
19 respondent has engaged in any discriminatory practice, the presiding  
20 officer shall state his findings of fact and shall issue and file with the  
21 commission and cause to be served on the respondent an order  
22 requiring the respondent to cease and desist from the discriminatory  
23 practice and further requiring the respondent to take such affirmative  
24 action as in the judgment of the presiding officer will effectuate the  
25 purpose of this chapter.

26 (b) In addition to any other action taken hereunder, upon a finding  
27 of a discriminatory employment practice, the presiding officer may  
28 order the hiring or reinstatement of employees, with or without back  
29 pay, or restoration to membership in any respondent labor  
30 organization, provided, liability for back pay shall not accrue from a  
31 date more than two years prior to the filing or issuance of the  
32 complaint and, provided further, interim earnings, including  
33 unemployment compensation and welfare assistance or amounts  
34 which could have been earned with reasonable diligence on the part of  
35 the person to whom back pay is awarded shall be deducted from the  
36 amount of back pay to which such person is otherwise entitled. The  
37 amount of any such deduction for interim unemployment  
38 compensation or welfare assistance shall be paid by the respondent to  
39 the commission which shall transfer such amount to the appropriate  
40 state or local agency.

41 (c) In addition to any other action taken hereunder, upon a finding  
42 of a discriminatory practice prohibited by section 46a-58, 46a-59, 46a-  
43 64, 46a-64c, 46a-81b, 46a-81d or 46a-81e, the presiding officer shall  
44 determine the damage suffered by the complainant, which damage  
45 shall include, but not be limited to, the expense incurred by the  
46 complainant for obtaining alternate housing or space, storage of goods  
47 and effects, moving costs and other costs actually incurred by him as a

48 result of such discriminatory practice and shall allow reasonable  
49 attorney's fees and costs.

50 (d) In addition to any other action taken hereunder, upon a finding  
51 of a discriminatory practice prohibited by section 46a-66 or 46a-81f, the  
52 presiding officer shall issue and file with the commission and cause to  
53 be served on the respondent an order requiring the respondent to pay  
54 the complainant the damages resulting from the discriminatory  
55 practice.

56 (e) If, upon all the evidence and after a complete hearing, the  
57 presiding officer finds that the respondent has not engaged in any  
58 alleged discriminatory practice, the presiding officer shall state his  
59 findings of fact and shall issue and file with the commission and cause  
60 to be served on the respondent an order dismissing the complaint.

61 (f) No payment received by a complainant under this chapter or  
62 under any equivalent federal antidiscrimination law, either as a  
63 settlement of a claim or as an award made in a judicial or  
64 administrative proceeding, shall be considered as income, resources or  
65 assets for the purpose of determining the eligibility of or amount of  
66 assistance to be received by such person under the state supplement  
67 program, medical assistance program, temporary family assistance  
68 program, state-administered general assistance program, or the  
69 temporary assistance for needy families program.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2005	17b-93(c)
Sec. 2	October 1, 2005	46a-86

**HS**                      *Joint Favorable C/R*    APP