General Assembly

Amendment

January Session, 2013

LCO No. **7657**

SB0116407657SD0

Offered by:
SEN. COLEMAN, 2nd Dist.

To: Subst. Senate Bill No. **1164** File No. 707 Cal. No. 537

"AN ACT CONCERNING REVISIONS TO STATUTES CONCERNING HUMAN RIGHTS AND OPPORTUNITIES."

Strike everything after the enacting clause and substitute the following in lieu thereof:

"Section 1. Section 1-1f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

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

(a) An individual is blind if **[**his**]** such individual's central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or if **[**his**]** such individual's 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;

14 (b) An individual is physically disabled or has a physical disability,
15 as defined in section 46a-51, as amended by this act, if [he] such
16 individual has any chronic physical [handicap] disability, infirmity or
17 impairment, whether congenital or resulting from bodily injury,
18 organic processes or changes or from illness, including, but not limited
19 to, blindness, epilepsy, deafness or hearing impairment or reliance on a
20 wheelchair or other remedial appliance or device.

21 Sec. 2. Section 46a-51 of the general statutes is repealed and the
22 following is substituted in lieu thereof (*Effective July 1, 2013*):

23 As used in section [4a-60a] 4a-60, as amended by this act, section 53-
24 37, as amended by this act, section 9 of this act and this chapter:

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

30 [(1)] (2) "Blind" refers to an individual whose central visual acuity
31 does not exceed 20/200 in the better eye with correcting lenses, or
32 whose visual acuity is greater than 20/200 but is accompanied by a
33 limitation in the fields of vision such that the widest diameter of the
34 visual field subtends an angle no greater than twenty degrees;

35 (3) "Board of commissioners" means the commissioners of the
36 Commission on Human Rights and Opportunities appointed pursuant
37 to section 46a-52, as amended by this act, acting as a body;

38 [(2)] (4) "Commission" means, unless the context clearly indicates a
39 different meaning or intent, the professional staff of the Commission
40 on Human Rights and Opportunities [created by section 46a-52]
41 including the executive director or the executive director's designee
42 lawfully exercising the powers and duties ascribed to the commission;

43 [(3)] (5) "Commission legal counsel" means [a member of the legal
44 staff employed by] a member of the professional staff of the
45 commission [pursuant to section 46a-54] whose position requires
46 admittance to practice law in the state of Connecticut;

47 [(4)] (6) "Commissioner" means [a] an individual member of the
48 [commission] board of commissioners;

49 (7) "Complainant" means any person, whether acting on his or her
50 own behalf or through an attorney, who files a complaint pursuant to
51 section 46a-82, as amended by this act;

52 [(5)] (8) "Court" means the Superior Court or any judge of said
53 court;

54 (9) "Covered multifamily dwellings" means buildings consisting of
55 four or more units if such buildings have one or more elevators, and
56 ground floor units in other buildings consisting of four or more units;

57 (10) "Credit" means the right granted by a creditor to a person to
58 defer payment of debt or to incur debt and defer its payment, or
59 purchase property or services and defer payment therefor, including,
60 but not limited to, the right to incur and defer debt which is secured by
61 residential real property;

62 (11) "Credit sale" means any transaction with respect to which credit
63 is granted;

64 (12) "Credit transaction" means any invitation to apply for credit,
65 application for credit, extension of credit or credit sale;

66 (13) "Creditor" means any person who regularly extends or arranges
67 for the extension of credit for which the payment of a finance charge or
68 interest is required whether in connection with loans, sale of property
69 or services or otherwise;

70 [(6)] (14) "Discrimination" includes segregation and separation;

71 (15) "Discrimination because of religion" includes, but is not limited
72 to, discrimination related to all aspects of religious observances and
73 practice as well as belief, unless, in the context of an employer-
74 employee relationship, an employer demonstrates that the employer is
75 unable to reasonably accommodate to an employee's or prospective
76 employee's religious observance or practice without undue hardship
77 on the conduct of the employer's business;

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

81 **[**(7)**]** (17) "Discriminatory employment practice" means any
82 discriminatory practice specified in section 46a-60, as amended by this
83 act, or **[**46a-81c**]** section 9 of this act;

84 (18) "Discriminatory housing practice" means any discriminatory
85 practice specified in section 46a-64c, as amended by this act;

86 **[**(8)**]** (19) "Discriminatory practice" means a violation of any
87 requirement established by the commission pursuant to subdivisions
88 (13) to (16), inclusive, of section 46a-54, as amended by this act, or a
89 violation of section 4a-60, as amended by this act, **[**4a-60a,**]** 4a-60g, as
90 amended by this act, 46a-58, as amended by this act, 46a-59, as
91 amended by this act, 46a-60, as amended by this act, 46a-64, as
92 amended by this act, 46a-64c, as amended by this act, 46a-66, as
93 amended by this act, 46a-68, as amended by this act, 46a-68c to 46a-68f,
94 inclusive, or 46a-70 to 46a-78, inclusive, as amended by this act, or
95 subsection (a) of section 46a-80 or **[**sections 46a-81b to 46a-81o,
96 inclusive**]** section 9 of this act;

97 (20) "Dwelling" means any building, structure, mobile
98 manufactured home park or portion thereof that is occupied as, or
99 designed or intended for occupancy as, a residence by one or more
100 families, and any vacant land that is offered for sale or lease for the

101 construction or location thereon of any such building, structure,
102 mobile manufactured home park or portion thereof;

103 [(9)] (21) "Employee" means any person employed by an employer
104 but shall not include any individual employed by such individual's
105 parents, spouse or child, or in the domestic service of any person;

106 [(10)] (22) "Employer" includes the state and all political
107 subdivisions thereof and means any person or employer with three or
108 more persons in such person's or employer's employ;

109 [(11)] (23) "Employment agency" means any person undertaking
110 with or without compensation to procure employees or opportunities
111 to work;

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

114 (25) "Fair Housing Act" means Title VIII of the Civil Rights Act of
115 1968, as amended, and known as the federal Fair Housing Act (42 USC
116 3600-3619);

117 (26) "Familial status" means (A) one or more individuals who have
118 not attained the age of eighteen years being domiciled with (i) a parent
119 or another person having legal custody of such individual or
120 individuals, or (ii) the designee of such parent or other person having
121 such custody with the written permission of such parent or other
122 person; or (B) any individual who is pregnant or is in the process of
123 securing legal custody of any individual who has not attained the age
124 of eighteen years;

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

126 (28) "Gender identity or expression" means an individual's gender-
127 related identity, appearance or behavior, whether or not that gender-
128 related identity, appearance or behavior is different from that

129 traditionally associated with the individual's physiology or assigned
130 sex at birth, which gender-related identity can be shown by providing
131 evidence including, but not limited to, medical history, care or
132 treatment of the gender-related identity, consistent and uniform
133 assertion of the gender-related identity or any other evidence that the
134 gender-related identity is sincerely held, part of an individual's core
135 identity or not being asserted for an improper purpose;

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

147 (30) "Intellectual disability" means intellectual disability as defined
148 in section 1-1g, as amended by this act;

149 (31) "Invitation to apply for credit" means any communication, oral
150 or written, by a creditor that encourages or prompts an application for
151 credit;

152 **[**(12)**]** (32) "Labor organization" means any organization which exists
153 for the purpose, in whole or in part, of collective bargaining or of
154 dealing with employers concerning grievances, terms or conditions of
155 employment, or of other mutual aid or protection in connection with
156 employment;

157 **[**(13) "Intellectual disability" means intellectual disability as defined
158 in section 1-1g;**]**

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

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

168 (35) "Marital status" means being single, married as recognized by
169 the state, widowed, separated or divorced;

170 (36) "Mental disability" means having, a record of having or being
171 regarded as having one or more mental disorders, as defined in the
172 most recent edition of the American Psychiatric Association's
173 "Diagnostic and Statistical Manual of Mental Disorders";

174 (37) "Minority business enterprise" means any contractor,
175 subcontractor or supplier of materials, fifty-one per cent or more of the
176 capital stock, if any, or assets of which is owned by a person or persons
177 who: (A) Are active in the daily affairs of the enterprise; (B) have the
178 power to direct the management and policies of the enterprise; and (C)
179 are members of a minority, as defined in subsection (a) of section 32-
180 9n;

181 (38) "Mobile manufactured home park" means a plot of land upon
182 which two or more mobile manufactured homes occupied for
183 residential purposes are located;

184 **[**(14)**]** (39) "Person" means one or more individuals, partnerships,
185 associations, corporations, limited liability companies, legal
186 representatives, trustees, trustees in bankruptcy, receivers and the state
187 and all political subdivisions and agencies thereof;

188 (40) "Person claiming to be aggrieved" means any person who
189 claims to have been injured by a discriminatory practice;

190 [(15) "Physically disabled" refers to] (41) "Physical disability" means
191 any [individual who has any] chronic physical [handicap] disability,
192 infirmity or impairment, whether congenital or resulting from bodily
193 injury, organic processes or changes or from illness, including, but not
194 limited to, blindness, epilepsy, deafness or hearing impairment or
195 reliance on a wheelchair or other remedial appliance or device;

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

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

204 (44) "Referee" means a human rights referee appointed pursuant to
205 section 46a-57, as amended by this act;

206 (45) "Residential-real-estate-related transaction" means (A) the
207 making or purchasing of loans or providing other financial assistance
208 for purchasing, constructing, improving, repairing or maintaining a
209 dwelling, or secured by residential real estate; or (B) the selling,
210 brokering or appraising of residential real property;

211 [(16)] (46) "Respondent" means any person, whether acting on his or
212 her own behalf or through an attorney, alleged in a complaint filed
213 pursuant to section 46a-82, as amended by this act, to have committed
214 a discriminatory practice;

215 [(17) "Discrimination on the basis of sex" includes but is not limited
216 to discrimination related to pregnancy, child-bearing capacity,

217 sterilization, fertility or related medical conditions;

218 (18) "Discrimination on the basis of religious creed" includes but is
219 not limited to discrimination related to all aspects of religious
220 observances and practice as well as belief, unless an employer
221 demonstrates that the employer is unable to reasonably accommodate
222 to an employee's or prospective employee's religious observance or
223 practice without undue hardship on the conduct of the employer's
224 business;

225 (19) "Learning disability" refers to an individual who exhibits a
226 severe discrepancy between educational performance and measured
227 intellectual ability and who exhibits a disorder in one or more of the
228 basic psychological processes involved in understanding or in using
229 language, spoken or written, which may manifest itself in a diminished
230 ability to listen, speak, read, write, spell or to do mathematical
231 calculations;

232 (20) "Mental disability" refers to an individual who has a record of,
233 or is regarded as having one or more mental disorders, as defined in
234 the most recent edition of the American Psychiatric Association's
235 "Diagnostic and Statistical Manual of Mental Disorders"; and

236 (21) "Gender identity or expression" means a person's gender-
237 related identity, appearance or behavior, whether or not that gender-
238 related identity, appearance or behavior is different from that
239 traditionally associated with the person's physiology or assigned sex at
240 birth, which gender-related identity can be shown by providing
241 evidence including, but not limited to, medical history, care or
242 treatment of the gender-related identity, consistent and uniform
243 assertion of the gender-related identity or any other evidence that the
244 gender-related identity is sincerely held, part of a person's core
245 identity or not being asserted for an improper purpose.**]**

246 <u>(47) "Sexual orientation" means heterosexuality, homosexuality or</u>

247 bisexuality, or having a history of or being identified as such; and

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

251 Sec. 3. Section 46a-52 of the general statutes is repealed and the
252 following is substituted in lieu thereof (*Effective July 1, 2013*):

253 (a) The [commission] board of commissioners of the Commission on
254 Human Rights and Opportunities shall consist of nine persons. On and
255 after October 1, 2000, such persons shall be appointed with the advice
256 and consent of both houses of the General Assembly. (1) On or before
257 July 15, 1990, the Governor shall appoint five members of the
258 [commission] board of commissioners, three of whom shall serve for
259 terms of five years and two of whom shall serve for terms of three
260 years. Upon the expiration of such terms, and thereafter, the Governor
261 shall appoint either two or three members, as appropriate, to serve for
262 terms of five years. On or before July 14, 1990, the president pro
263 tempore of the Senate, the minority leader of the Senate, the speaker of
264 the House of Representatives and the minority leader of the House of
265 Representatives shall each appoint one member to serve for a term of
266 three years. Upon the expiration of such terms, and thereafter,
267 [members] commissioners so appointed shall serve for terms of three
268 years. (2) If any vacancy occurs, the appointing authority making the
269 initial appointment shall appoint a person to serve for the remainder of
270 the unexpired term. The Governor shall select one of the [members of
271 the commission] commissioners to serve as chairperson of the board of
272 commissioners for a term of one year. The [commission] board of
273 commissioners shall meet at least once during each two-month period
274 and at such other times as the chairperson deems necessary. Special
275 meetings shall be held on the request of a majority of the [members of
276 the commission] board of commissioners after notice in accordance
277 with the provisions of section 1-225.

278 (b) [Except as provided in section 46a-57, the members of the
279 commission] The commissioners shall serve without pay, but their
280 reasonable expenses, including educational training expenses and
281 expenses for necessary stenographic and clerical help, shall be paid by
282 the state upon approval of the Commissioner of Administrative
283 Services. Not later than two months after appointment to the
284 [commission] board of commissioners, each [member of the
285 commission] commissioner shall receive a minimum of ten hours of
286 introductory training prior to voting on any [commission] matter
287 before the board of commissioners. Each year following such
288 introductory training, each [member] commissioner shall receive five
289 hours of follow-up training. Such introductory and follow-up training
290 shall consist of instruction on the laws governing discrimination in
291 employment, housing, public accommodation and credit, affirmative
292 action and the procedures of the commission. Such training shall be
293 organized by the [managing director] supervising attorney of the legal
294 division of the commission. Any [member] commissioner who fails to
295 complete such training shall not vote on any [commission] matter
296 before the board of commissioners. Any [member] commissioner who
297 fails to comply with such introductory training requirement within six
298 months of appointment shall be deemed to have resigned from office.
299 Any [member] commissioner who fails to attend three consecutive
300 meetings or who fails to attend fifty per cent of all meetings held
301 during any calendar year shall be deemed to have resigned from office.

302 (c) [On or before July 15, 1989, the commission] The board of
303 commissioners shall appoint an executive director who shall be the
304 chief executive officer of the Commission on Human Rights and
305 Opportunities to serve for a term [expiring on July 14, 1990. Upon the
306 expiration of such term and thereafter, the executive director shall be
307 appointed for a term] of four years. The executive director shall be
308 supervised and annually evaluated by the [commission] board of
309 commissioners. The executive director shall serve at the pleasure of the
310 [commission] board of commissioners but no longer than four years

311 from July fifteenth in the year of his or her appointment unless
312 reappointed pursuant to the provisions of this subsection. The
313 executive director shall receive an annual salary within the salary
314 range of a salary group established by the Commissioner of
315 Administrative Services for the position. The executive director shall
316 (1) [shall] conduct comprehensive planning with respect to the
317 functions of the commission; (2) [shall] coordinate the activities of the
318 commission; and (3) [shall] cause the administrative organization of
319 the commission to be examined with a view to promoting economy
320 and efficiency. In accordance with established procedures, the
321 executive director may enter into such contractual agreements as may
322 be necessary for the discharge of the director's duties.

323 (d) The executive director may appoint no more than two deputy
324 directors with the approval of a majority of the [members of the
325 commission] board of commissioners. The deputy directors shall be
326 supervised by the executive director and shall assist the executive
327 director in the administration of the commission, the effectuation of its
328 statutory responsibilities and such other duties as may be assigned by
329 the executive director. Deputy directors shall serve at the pleasure of
330 the executive director and without tenure. The executive director may
331 remove a deputy director with the approval of a majority of the
332 [members of the commission] board of commissioners.

333 (e) The commission shall be within the Labor Department for
334 administrative purposes only.

335 Sec. 4. Section 46a-54 of the general statutes is repealed and the
336 following is substituted in lieu thereof (*Effective July 1, 2013*):

337 The commission shall have the following powers and duties:

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

340 (2) To organize the commission into a division of affirmative action

341 monitoring and contract compliance, a division of discriminatory
342 practice complaints, a housing discrimination unit, a legal division and
343 such other divisions, bureaus or units as may be necessary for the
344 efficient conduct of business; [of the commission;]

345 (3) To employ legal staff and commission legal counsel as necessary
346 to perform the duties and responsibilities under [section 46a-55] this
347 chapter. All commission legal counsel shall be part of the legal division
348 except those commission legal counsel who supervise contracts with
349 the federal Department of Housing and Urban Development. One
350 commission legal counsel shall serve as supervising attorney [. Each
351 commission legal counsel shall be admitted to practice law in this
352 state] of the legal division;

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

356 (5) To adopt, publish, amend and rescind regulations, in
357 consultation with the board of commissioners, consistent with and to
358 effectuate the provisions of this chapter;

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

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

364 (8) To receive, initiate as provided in section 46a-82, as amended by
365 this act, investigate and mediate discriminatory practice complaints;

366 (9) By itself or [with or by hearing officers or human rights referees]
367 by presiding officers, to hold hearings, subpoena witnesses and
368 compel their attendance, administer oaths, take the testimony of any
369 person under oath and require the production for examination of any

370 books and papers relating to any matter under investigation or in
371 question;

372 (10) To make rules as to the procedure for the issuance of subpoenas
373 by individual commissioners [, hearing officers and human rights
374 referees] and presiding officers;

375 (11) To require written answers to interrogatories under oath
376 relating to any complaint under investigation pursuant to this chapter
377 alleging any discriminatory practice, [as defined in subdivision (8) of
378 section 46a-51,] and to adopt regulations, in accordance with the
379 provisions of chapter 54, for the procedure for the issuance of
380 interrogatories and compliance with interrogatory requests;

381 (12) To [utilize such] accept voluntary and uncompensated services
382 [of] from private individuals, agencies and organizations; [as may
383 from time to time be offered and needed and with the cooperation of
384 such agencies, (A) to study the problems of discrimination in all or
385 specific fields of human relationships, and (B) to foster through
386 education and community effort or otherwise good will among the
387 groups and elements of the population of the state;]

388 (13) To require the posting by an employer, employment agency or
389 labor organization of such notices regarding statutory provisions as
390 the commission shall provide;

391 (14) To require the posting, by any respondent or other person
392 subject to the requirements of section 46a-64, as amended by this act,
393 or 46a-64c, as amended by this act, [46a-81d or 46a-81e,] of such notices
394 of statutory provisions as it deems desirable;

395 (15) (A) To require an employer having three or more employees to
396 post in a prominent and accessible location information concerning the
397 illegality of sexual harassment and the remedies available to victims of
398 sexual harassment; and (B) to require an employer having fifty or more
399 employees to provide two hours of training and education [to all

400 supervisory employees within one year of October 1, 1992, and]
401 relating to the illegality of sexual harassment to all new supervisory
402 employees within six months of their assumption of a supervisory
403 position, provided any employer who has provided such training and
404 education to any such employees after October 1, 1991, shall not be
405 required to provide such training and education a second time. Such
406 training and education shall include information concerning the
407 federal and state statutory provisions concerning sexual harassment
408 and the remedies available to victims of sexual harassment. As used in
409 this subdivision, "sexual harassment" [shall have] has the same
410 meaning as set forth in subdivision [(8)] (6) of subsection (a) of section
411 46a-60, as amended by this act, and "employer" shall include the
412 General Assembly;

413 (16) To require each state agency that employs one or more
414 employees to (A) provide a minimum of three hours of diversity
415 training and education [(i) to all supervisory and nonsupervisory
416 employees, not later than July 1, 2002, with priority for such training to
417 supervisory employees, and (ii)] to all newly hired supervisory and
418 nonsupervisory employees, not later than six months after their
419 assumption of a position with a state agency, with priority for such
420 training to supervisory employees. Such training and education shall
421 include information concerning the federal and state statutory
422 provisions concerning discrimination and hate crimes directed at
423 protected classes and the remedies available to victims of
424 discrimination and hate crimes, standards for working with and
425 serving persons from diverse populations and strategies for addressing
426 differences that may arise from diverse work environments; and (B)
427 submit an annual report to the [Commission on Human Rights and
428 Opportunities] commission concerning the status of the diversity
429 training and education required under subparagraph (A) of this
430 subdivision. The information in such annual reports shall be reviewed
431 by the commission for the purpose of submitting an annual summary
432 report to the General Assembly. [Notwithstanding the provisions of

433 this section, if a state agency has provided such diversity training and
434 education to any of its employees prior to October 1, 1999, such state
435 agency shall not be required to provide such training and education a
436 second time to such employees.] The requirements of this subdivision
437 shall be accomplished within available appropriations. As used in this
438 subdivision, "employee" [shall include] includes any part-time
439 employee who works more than twenty hours per week;

440 (17) To require each agency to submit information demonstrating its
441 compliance with subdivision (16) of this section as part of its
442 affirmative action plan and to receive and investigate complaints
443 concerning the failure of a state agency to comply with the
444 requirements of subdivision (16) of this section; and

445 (18) To enter into contracts for and accept grants of private or
446 federal funds and to accept gifts, donations or bequests, including
447 donations of service by attorneys and other individuals.

448 Sec. 5. Section 46a-56 of the general statutes is repealed and the
449 following is substituted in lieu thereof (*Effective July 1, 2013*):

450 (a) The commission shall:

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

454 (2) Compile facts concerning discrimination in employment,
455 violations of civil liberties and other related matters;

456 (3) Investigate and proceed in all cases of discriminatory practices as
457 provided in this chapter and noncompliance with the provisions of
458 section 4a-60, as amended by this act, [or 4a-60a] or sections 46a-68c to
459 46a-68f, inclusive;

460 (4) From time to time [, but not less than once a year,] report to the

461 Governor, [as provided in section 4-60,] making recommendations for
462 the removal of such injustices as it may find to exist and such other
463 recommendations as it deems advisable and describing the
464 investigations, proceedings and hearings it has conducted and their
465 outcome, the decisions it has rendered and the other work it has
466 performed;

467 (5) Monitor state contracts to determine whether they are in
468 compliance with [sections] section 4a-60, as amended by this act, [and
469 4a-60a,] and those provisions of the general statutes [which] that
470 prohibit discrimination; and

471 (6) Compile data concerning state contracts with [female and]
472 minority business enterprises and submit a report annually to the
473 General Assembly concerning the employment of such business
474 enterprises as contractors and subcontractors.

475 (b) The [commission] board of commissioners may, when it is
476 deemed in the best interests of the state, exempt a contractor or
477 subcontractor from [the requirements of] complying with any or all of
478 the provisions of section 4a-60, as amended by this act, [4a-60a,] 46a-
479 68c, 46a-68d or 46a-68e in any specific contract. Exemptions under [the
480 provisions of this section] this subsection may include, but not be
481 limited to, the following: [instances:] (1) [If the] The work is to be or
482 has been performed outside the state and no recruitment of workers
483 within [the limits of] the state is involved; (2) [those involving] the
484 contract involves less than a specified [amounts] amount of money or
485 specified numbers of workers; [(3) to the extent that they involve
486 subcontracts] or (3) the subcontract falls below a specified tier. The
487 [commission] board of commissioners may also exempt facilities of a
488 contractor [which] that are in all respects separate and distinct from
489 activities of the contractor related to the performance of the contract,
490 provided such an exemption shall not interfere with or impede [the
491 effectuation of the purposes of] compliance with this section and
492 sections 4a-60, as amended by this act, [4a-60a,] 4a-60g, as amended by

493 this act, 4a-62 and 46a-68b to 46a-68k, inclusive, as amended by this
494 act.

495 (c) If the commission determines through its monitoring and
496 compliance procedures that a contractor or subcontractor is not
497 complying with antidiscrimination statutes or contract provisions
498 required under section 4a-60, as amended by this act, or [4a-60a or the
499 provisions of] sections 46a-68c to 46a-68f, inclusive, the commission
500 may issue a complaint pursuant to subsection (c) of section 46a-82, as
501 amended by this act. Such complaint shall be scheduled for a hearing
502 before a [hearing officer or human rights] referee [appointed] assigned
503 to act as a presiding officer. Such hearing shall be held in accordance
504 with chapter 54 and section 46a-84, as amended by this act. If, after
505 such hearing, the presiding officer makes a finding of noncompliance
506 with antidiscrimination statutes or contract provisions required under
507 section 4a-60, as amended by this act, or [4a-60a or the provisions of]
508 sections 46a-68c to 46a-68f, inclusive, the presiding officer shall order
509 such relief as is necessary to achieve full compliance with any
510 antidiscrimination statute and required contract provisions. The
511 presiding officer may: (1) Order the state to retain the two per cent of
512 the total contract price per month on any existing contract with such
513 contractor that the state withheld pursuant to section 46a-68d and
514 transfer the funds to the State Treasurer for deposit in the special fund
515 described in subsection (e) of this section; (2) prohibit the contractor
516 from participation in any further contracts with state agencies until:
517 (A) The expiration of a period of two years from the date of the finding
518 of noncompliance, or (B) the presiding officer determines that the
519 contractor has adopted policies consistent with such statutes, provided
520 the presiding officer shall make such determination within forty-five
521 days of such finding of noncompliance; (3) publish, or cause to be
522 published, the names of contractors or unions that the presiding officer
523 has found to be in noncompliance with such provisions; (4) notify the
524 Attorney General that, in cases in which there is substantial [or
525 material] violation or the threat of substantial [or material] violation of

526 [the contractual provisions set forth in] section 4a-60, as amended by
527 this act, [or 4a-60a,] appropriate proceedings should be brought to
528 enforce such provisions, including the enjoining [, within the
529 limitations of applicable law,] of organizations, individuals or groups
530 [who] that prevent [directly or indirectly,] or seek to prevent [directly
531 or indirectly,] compliance with [the provisions of] section 4a-60, as
532 amended by this act; [or 4a-60a;] (5) recommend to the Equal
533 Employment Opportunity Commission or the Department of Justice
534 that appropriate proceedings be instituted under Title VII of the Civil
535 Rights Act of 1964, or related laws, when necessary; (6) recommend to
536 the appropriate prosecuting authority that criminal proceedings be
537 brought for the furnishing of false information to any contracting
538 agency or to the commission; [as the case may be;] (7) order the
539 contractor to bring itself into compliance with antidiscrimination
540 statutes or contract provisions required under section 4a-60, as
541 amended by this act, [or 4a-60a] or sections 46a-68c to 46a-68f,
542 inclusive, within a period of thirty days or, for good cause shown,
543 within an additional period of thirty days, and, if such contractor fails
544 to bring itself into such compliance within such time period and such
545 noncompliance is substantial [or material] or there is a pattern of
546 noncompliance, recommend to the contracting agency that such
547 agency declare the contractor to be in breach of the contract and that
548 such agency pursue all available remedies; [or] (8) order the
549 contracting agency to refrain from entering into further contracts, or
550 extensions or other modifications of existing contracts, with any
551 noncomplying contractor, until such contractor has satisfied the
552 commission that such contractor has established and will carry out
553 personnel and employment policies [in compliance] that comply with
554 antidiscrimination statutes and [the provisions of] section 4a-60, as
555 amended by this act, [or 4a-60a] and sections 46a-68c to 46a-68f,
556 inclusive; or (9) order two or more such remedies or other relief
557 designed to achieve full compliance with antidiscrimination statutes
558 and required contract provisions. The commission shall adopt
559 regulations, in accordance with chapter 54, to implement the

560 provisions of this section.

561 (d) If the commission determines, through its monitoring and
562 compliance procedures, [and after a complaint is filed and a hearing is
563 held pursuant to subsection (c) of this section,] that, with respect to a
564 state contract, a contractor, subcontractor, service provider or supplier
565 of materials has (1) fraudulently qualified as a minority business
566 enterprise, or (2) performed services or supplied materials on behalf of
567 another contractor, subcontractor, service provider or supplier of
568 materials knowing (A) that such other contractor, subcontractor,
569 service provider or supplier has fraudulently qualified as a minority
570 business enterprise in order to appear to comply with
571 antidiscrimination statutes or contract provisions required under
572 section 4a-60, as amended by this act, [or 4a-60a,] and (B) that such
573 services or materials are to be used in connection with a contract
574 entered into pursuant to subsection (b) of section 4a-60g, [the hearing
575 officer or human rights referee before whom such hearing was held]
576 the commission may issue a complaint pursuant to subsection (c) of
577 section 46a-82, as amended by this act. Such complaint shall be
578 scheduled for a hearing before a referee assigned by the chief referee to
579 act as a presiding officer. Such hearing shall be held in accordance with
580 chapter 54 and section 46a-84, as amended by this act. If, after such
581 hearing, the presiding officer makes a finding that a contractor,
582 subcontractor, service provider or supplier of materials has violated
583 this subsection, the presiding officer shall assess a civil penalty of not
584 more than ten thousand dollars upon such contractor, subcontractor,
585 service provider or supplier of materials.

586 (e) The Attorney General, upon complaint of the commission, shall
587 institute a civil action in the superior court for the judicial district of
588 Hartford to recover [such] any penalty assessed pursuant to subsection
589 (d) of this section. Any penalties recovered pursuant to this subsection
590 shall be deposited in a special fund and shall be held by the State
591 Treasurer separate and apart from all other moneys, funds and

592 accounts. The resources in such fund shall, pursuant to regulations
593 adopted by the commission in accordance with the provisions of
594 chapter 54, be used to assist minority business enterprises. **[**As used in
595 this section, "minority business enterprise" means any contractor,
596 subcontractor or supplier of materials fifty-one per cent or more of the
597 capital stock, if any, or assets of which is owned by a person or
598 persons: (i) Who are active in the daily affairs of the enterprise; (ii) who
599 have the power to direct the management and policies of the
600 enterprise; and (iii) who are members of a minority, as defined in
601 subsection (a) of section 32-9n.**]**

602 Sec. 6. Section 46a-57 of the general statutes is repealed and the
603 following is substituted in lieu thereof (*Effective July 1, 2013*):

604 **[**(a) (1) The Governor shall appoint three human rights referees for
605 terms commencing October 1, 1998, and four human rights referees for
606 terms commencing January 1, 1999. The human rights referees so
607 appointed shall serve for a term of one year.

608 (2) (A) On and after October 1, 1999, the Governor shall appoint
609 seven human rights referees with the advice and consent of both
610 houses of the General Assembly. The Governor shall appoint three
611 human rights referees to serve for a term of two years commencing
612 October 1, 1999. The Governor shall appoint four human rights
613 referees to serve for a term of three years commencing January 1, 2000.
614 Thereafter, human rights referees shall serve for a term of three years.

615 (B) On and after July 1, 2001, there shall be five human rights
616 referees. Each of the human rights referees serving on July 1, 2001,
617 shall complete the term to which such referee was appointed.
618 Thereafter, human rights referees shall be appointed by the Governor,
619 with the advice and consent of both houses of the General Assembly,
620 to serve for a term of three years.

621 (C) On and after July 1, 2004, there shall be seven human rights

622 referees. Each of the human rights referees serving on July 1, 2004,
623 shall complete the term to which such referee was appointed and shall
624 serve until his successor is appointed and qualified. Thereafter, human
625 rights referees shall be appointed by the Governor, with the advice and
626 consent of both houses of the General Assembly, to serve for a term of
627 three years.

628 (D) On and after October 5, 2009, and until July 1, 2011, there shall
629 be five human rights referees. Each of the human rights referees
630 serving on October 5, 2009, shall serve until the term to which such
631 referee was appointed is completed, or until July 1, 2011, whichever is
632 earlier, and shall serve until a successor is appointed and qualified. In
633 the case of a vacancy, a successor shall be appointed by the Governor,
634 with the advice and consent of both houses of the General Assembly,
635 to serve until July 1, 2011.

636 (E) On and after July 1, 2011, there**]**

637 <u>(a) (1) There</u> shall be three human rights referees who shall **[**(i)**]** <u>(A)</u>
638 be appointed by the Governor with the advice and consent of both
639 houses of the General Assembly, and **[**(ii)**]** <u>(B)</u> serve for a term of three
640 years.

641 **[**(3)**]** <u>(2)</u> When the General Assembly is not in session, any vacancy
642 shall be filled pursuant to the provisions of section 4-19. The Governor
643 may remove any human rights referee for cause.

644 (b) **[**Human rights referees**]** <u>Referees</u> shall serve full-time and shall
645 conduct the settlement negotiations and hearings authorized by the
646 provisions of this chapter. A **[**human rights**]** referee shall have the
647 powers granted to **[**hearing officers and**]** presiding officers by chapter
648 54 and this chapter. A **[**human rights**]** referee shall be an attorney
649 admitted to the practice of law in this state. Any commissioner of the
650 Superior Court who is able and willing to hear discriminatory practice
651 complaints may submit his or her name to the Governor for

652 consideration for appointment. [as a human rights referee. No human
653 rights] No referee shall appear before the commission or another
654 [hearing] presiding officer for one year after leaving office.

655 (c) [On or after October 1, 1998, the executive director] The
656 Governor shall designate one [human rights] referee to serve as [Chief
657 Human Rights Referee] chief referee for a term of one year. The [Chief
658 Human Rights Referee] chief referee, in consultation with the executive
659 director, shall supervise and assign [the human rights referees]
660 presiding officers to conduct settlement negotiations and hearings on
661 complaints [, including complaints for which a trial on the merits has
662 not commenced prior to October 1, 1998,] on a rotating basis. The
663 commission, in consultation with the executive director and [Chief
664 Human Rights Referee] chief referee, shall adopt regulations and rules
665 of practice, in accordance with chapter 54, to ensure consistent
666 procedures governing contested case proceedings.

667 (d) When serving as a presiding officer as provided in section 46a-
668 84, as amended by this act, each [human rights] referee [or hearing
669 officer] shall have the same subpoena powers as are granted to
670 [commissioners] the commission by subdivision (9) of section 46a-54,
671 as amended by this act. Each presiding officer shall also have the
672 power to determine a reasonable fee to be paid to an expert witness [,
673 including, but not limited to, any practitioner of the healing arts, as
674 defined in section 20-1, dentist, registered nurse or licensed practical
675 nurse, as defined in section 20-87a, and real estate appraiser when any
676 such expert witness is summoned by the commission to give expert
677 testimony, in person or by deposition, in any contested case
678 proceeding, pursuant to section 46a-84. Such fee shall be paid to the
679 expert witness in lieu of all other witness fees.] called by the
680 commission to give expert testimony in person or by deposition
681 pursuant to section 46a-84, as amended by this act. Such fee shall be
682 paid to the expert witness in lieu of all other witness fees. As used in
683 this subsection, "expert witness" includes, but is not limited to, any

684 practitioner of the healing arts, as defined in section 20-1, dentist
685 licensed under chapter 379, registered nurse or licensed practical nurse
686 licensed under chapter 378, and real estate appraiser licensed under
687 chapter 400g.

688 Sec. 7. Section 46a-58 of the general statutes is repealed and the
689 following is substituted in lieu thereof (*Effective July 1, 2013*):

690 (a) It shall be a discriminatory practice in violation of this section for
691 any person to subject, or cause to be subjected, any other person to the
692 deprivation of any rights, privileges or immunities, secured or
693 protected by the Constitution or laws of this state or of the United
694 States, **[**on account**]** because of **[**religion, national origin, alienage,
695 color,**]** race, color, religion, age, sex, gender identity or expression,
696 sexual orientation, **[**blindness**]** marital status, national origin, ancestry,
697 mental disability, intellectual disability, learning disability or physical
698 disability.

699 (b) Any person who intentionally desecrates any public property,
700 monument or structure, or any religious object, symbol or house of
701 religious worship, or any cemetery, or any private structure not owned
702 by such person, shall be in violation of subsection (a) of this section.
703 For the purposes of this subsection, "desecrate" means to mar, deface
704 or damage as a demonstration of irreverence or contempt.

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

709 (d) Any person who places a noose or a simulation thereof on any
710 public property, or on any private property without the written
711 consent of the owner, and with intent to intimidate or harass any other
712 person **[**on account**]** because of **[**religion, national origin, alienage,
713 color,**]** race, color, religion, age, sex, gender identity or expression,

714 sexual orientation, [blindness] marital status, national origin, ancestry,
715 mental disability, intellectual disability, learning disability or physical
716 disability, shall be in violation of subsection (a) of this section.

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

721 Sec. 8. Subsection (a) of section 46a-59 of the general statutes is
722 repealed and the following is substituted in lieu thereof (*Effective July*
723 *1, 2013*):

724 (a) It shall be a discriminatory practice in violation of this section for
725 any association, board or other organization the principal purpose of
726 which is the furtherance of the professional, trade or occupational
727 interests of its members, [whose] if the profession, trade or occupation
728 requires a state license, to refuse to accept a person as a member of
729 such association, board or organization because of [his] race, [national
730 origin, creed] color, religion, age, sex, gender identity or expression,
731 [or color] sexual orientation, marital status, national origin, ancestry,
732 mental disability, intellectual disability, learning disability or physical
733 disability.

734 Sec. 9. (NEW) (*Effective July 1, 2013*) It shall be a discriminatory
735 practice in violation of this section:

736 (1) For any person to retaliate or otherwise discriminate against any
737 person because such person has opposed any discriminatory practice
738 or because such person has filed a complaint, testified or assisted in
739 any proceeding under chapter 814c of the general statutes; or

740 (2) For any person to aid, abet, incite, compel or coerce the doing of
741 any act declared to be a discriminatory practice or to attempt to aid,
742 abet, incite, compel or coerce the doing of any such act.

743 Sec. 10. Subsection (a) of section 46a-60 of the general statutes is
744 repealed and the following is substituted in lieu thereof (*Effective July*
745 *1, 2013*):

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

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

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

765 (3) For a labor organization, **[**because of the race, color, religious
766 creed, age, sex, gender identity or expression, marital status, national
767 origin, ancestry, present or past history of mental disability,
768 intellectual disability, learning disability or physical disability,
769 including, but not limited to, blindness of any individual**]** except in the
770 case of a bona fide occupational qualification or need, to exclude from
771 full membership rights or to expel from its membership **[**such**]** any
772 individual or to discriminate in any way against any of its members or
773 against any employer or any individual employed by an employer **[**,

774 unless such action is based on a bona fide occupational qualification]
775 because of such individual's race, color, religion, age, sex, gender
776 identity or expression, sexual orientation, marital status, national
777 origin, ancestry, mental disability, intellectual disability, learning
778 disability or physical disability;

779 [(4) For any person, employer, labor organization or employment
780 agency to discharge, expel or otherwise discriminate against any
781 person because such person has opposed any discriminatory
782 employment practice or because such person has filed a complaint or
783 testified or assisted in any proceeding under section 46a-82, 46a-83 or
784 46a-84;

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

788 [(6)] (4) For any person, employer, employment agency or labor
789 organization, except in the case of a bona fide occupational
790 qualification or need, to advertise employment opportunities in such a
791 manner as to restrict such employment so as to discriminate against
792 individuals because of their race, color, [religious creed] religion, age,
793 sex, gender identity or expression, sexual orientation, marital status,
794 national origin, ancestry, [present or past history of] mental disability,
795 intellectual disability, learning disability or physical disability; [,
796 including, but not limited to, blindness;]

797 [(7)] (5) For an employer, by the employer or the employer's agent:
798 (A) To terminate a woman's employment because of her pregnancy;
799 (B) to refuse to grant to that employee a reasonable leave of absence for
800 disability resulting from her pregnancy; (C) to deny to that employee,
801 who is disabled as a result of pregnancy, any compensation to which
802 she is entitled as a result of the accumulation of disability or leave
803 benefits accrued pursuant to plans maintained by the employer; (D) to
804 fail or refuse to reinstate the employee to her original job or to an

805 equivalent position with equivalent pay and accumulated seniority,
806 retirement, fringe benefits and other service credits upon her
807 signifying her intent to return unless, in the case of a private employer,
808 the employer's circumstances have so changed as to make it impossible
809 or unreasonable to do so; (E) to fail or refuse to make a reasonable
810 effort to transfer a pregnant employee to any suitable temporary
811 position which may be available in any case in which an employee
812 gives written notice of her pregnancy to her employer and the
813 employer or pregnant employee reasonably believes that continued
814 employment in the position held by the pregnant employee may cause
815 injury to the employee or fetus; (F) to fail or refuse to inform the
816 pregnant employee that a transfer pursuant to subparagraph (E) of this
817 subdivision may be appealed under the provisions of this chapter; or
818 (G) to fail or refuse to inform employees of the employer, by any
819 reasonable means, that they must give written notice of their
820 pregnancy **[**in order**]** to be eligible for transfer to a temporary position;

821 **[**(8)**]** (6) For an employer, by the employer or the employer's agent,
822 for an employment agency, by itself or its agent, or for any labor
823 organization, by itself or its agent, to harass or to permit the sexual
824 harassment of any employee, person seeking employment or member
825 **[**on the basis**]** because of sex, sexual orientation or gender identity or
826 expression. "Sexual harassment" shall, for the purposes of this section,
827 be defined as any unwelcome sexual advances or requests for sexual
828 favors or any conduct of a sexual nature when (A) submission to such
829 conduct is made either explicitly or implicitly a term or condition of an
830 individual's employment, (B) submission to or rejection of such
831 conduct by an individual is used as the basis for employment decisions
832 affecting such individual, or (C) such conduct has the purpose or effect
833 of substantially interfering with an individual's work performance or
834 creating an intimidating, hostile or offensive working environment;

835 **[**(9)**]** (7) For an employer, by the employer or the employer's agent,
836 for an employment agency, by itself or its agent, or for any labor

837 organization, by itself or its agent, to request or require information
838 from an employee, person seeking employment or member relating to
839 the individual's child-bearing age or plans, pregnancy, function of the
840 individual's reproductive system, use of birth control methods, or the
841 individual's familial responsibilities, unless such information is
842 directly related to a bona fide occupational qualification or need,
843 provided an employer, through a physician, may request from an
844 employee any such information which is directly related to workplace
845 exposure to substances which may cause birth defects or constitute a
846 hazard to an individual's reproductive system or to a fetus if the
847 employer first informs the employee of the hazards involved in
848 exposure to such substances;

849 **[**(10)**]** (8) For an employer, by the employer or the employer's agent,
850 after informing an employee, pursuant to subdivision **[**(9)**]** (7) of this
851 subsection, of a workplace exposure to substances which may cause
852 birth defects or constitute a hazard to an employee's reproductive
853 system or to a fetus, to fail or refuse, upon the employee's request, to
854 take reasonable measures to protect the employee from the exposure
855 or hazard identified, or to fail or refuse to inform the employee that the
856 measures taken may be the subject of a complaint filed under the
857 provisions of this chapter. Nothing in this subdivision is intended to
858 prohibit an employer from taking reasonable measures to protect an
859 employee from exposure to such substances. For the purpose of this
860 subdivision, "reasonable measures" shall be those measures **[**which**]**
861 that are consistent with business necessity and are least disruptive of
862 the terms and conditions of the employee's employment;

863 **[**(11)**]** (9) For an employer, by the employer or the employer's agent,
864 for an employment agency, by itself or its agent, or for any labor
865 organization, by itself or its agent: (A) To request or require genetic
866 information from an employee, person seeking employment or
867 member, or (B) to discharge, expel or otherwise discriminate against
868 any person on the basis of genetic information. For the purpose of this

869 subdivision, "genetic information" means the information about genes,
870 gene products or inherited characteristics that may derive from an
871 individual or a family member.

872 Sec. 11. Subsection (a) of section 4a-60 of the general statutes is
873 repealed and the following is substituted in lieu thereof (*Effective July*
874 *1, 2013*):

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

878 (1) The contractor agrees and warrants that in the performance of
879 the contract such contractor will not discriminate or permit
880 discrimination against any person or group of persons **[**on the
881 grounds**]** because of race, color, **[**religious creed**]** religion, age, **[**marital
882 status, national origin, ancestry,**]** sex, gender identity or expression,
883 **[**intellectual disability, mental disability**]** sexual orientation, marital
884 status, national origin, ancestry, mental disability, intellectual
885 disability, learning disability or physical disability, **[**including, but not
886 limited to, blindness,**]** unless it is shown by such contractor that such
887 disability prevents performance of the work involved, in any manner
888 prohibited by the laws of the United States or of the state of
889 Connecticut; and the contractor further agrees to take affirmative
890 action to **[**insure**]** ensure that applicants with job-related qualifications
891 are employed and that employees are treated when employed without
892 regard to their race, color, **[**religious creed**]** religion, age, **[**marital
893 status, national origin, ancestry,**]** sex, gender identity or expression,
894 **[**intellectual disability, mental disability**]** sexual orientation, marital
895 status, national origin, ancestry, mental disability, intellectual
896 disability, learning disability or physical disability, **[**including, but not
897 limited to, blindness,**]** unless it is shown by such contractor that such
898 disability prevents performance of the work involved;

899 (2) The contractor agrees, in all solicitations or advertisements for

900 employees placed by or on behalf of the contractor, to state that it is an
901 "affirmative action-equal opportunity employer" in accordance with
902 regulations adopted by the commission;

903 (3) The contractor agrees to provide each labor union or
904 representative of workers with which such contractor has a collective
905 bargaining agreement or other contract or understanding and each
906 vendor with which such contractor has a contract or understanding, a
907 notice to be provided by the commission advising the labor union or
908 workers' representative of the contractor's commitments under this
909 section, and to post copies of the notice in conspicuous places available
910 to employees and applicants for employment;

911 (4) The contractor agrees to comply with each provision of this
912 section and sections 46a-68e and 46a-68f and with each regulation or
913 relevant order issued by said commission pursuant to sections 46a-56,
914 as amended by this act, 46a-68e, **[**and**]** 46a-68f and 46a-86, as amended
915 by this act; and

916 (5) The contractor agrees to provide the Commission on Human
917 Rights and Opportunities with such information requested by the
918 commission, and permit access to pertinent books, records and
919 accounts, concerning the employment practices and procedures of the
920 contractor as relate to the provisions of this section and section 46a-56,
921 as amended by this act.

922 Sec. 12. Subsection (b) of section 4a-60 of the general statutes is
923 repealed and the following is substituted in lieu thereof (*Effective July*
924 *1, 2013*):

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

929 Sec. 13. Subsection (d) of section 4a-60 of the general statutes is

930 repealed and the following is substituted in lieu thereof (*Effective July*
931 *1, 2013*):

932 (d) For the purposes of this section, "contract" includes any
933 extension or modification of the contract, "contractor" includes any
934 successors or assigns of the contractor, "marital status" **[**means being
935 single, married as recognized by the state of Connecticut, widowed,
936 separated or divorced**]** has the same meaning as provided in
937 subdivision (35) of section 46a-51, as amended by this act, and "mental
938 disability" **[**means one or more mental disorders, as defined in the
939 most recent edition of the American Psychiatric Association's
940 "Diagnostic and Statistical Manual of Mental Disorders", or a record of
941 or regarding a person as having one or more such disorders**]** has the
942 same meaning as provided in subdivision (36) of section 46a-51, as
943 amended by this act. For the purposes of this section, "contract" does
944 not include a contract where each contractor is (1) a political
945 subdivision of the state, including, but not limited to, a municipality,
946 (2) a quasi-public agency, as defined in section 1-120, (3) any other
947 state, as defined in section 1-267, (4) the federal government, (5) a
948 foreign government, or (6) an agency of a subdivision, agency, state or
949 government described in subparagraph (1), (2), (3), (4) or (5) of this
950 subsection.

951 Sec. 14. Subdivision (7) of subsection (a) of section 4a-60g of the
952 general statutes is repealed and the following is substituted in lieu
953 thereof (*Effective July 1, 2013*):

954 (7) "Individual with a disability" means an individual **[**(A) having a
955 physical or mental impairment that substantially limits one or more of
956 the major life activities of the individual, which mental impairment
957 may include, but is not limited to, having one or more mental
958 disorders, as defined in the most recent edition of the American
959 Psychiatric Association's "Diagnostic and Statistical Manual of Mental
960 Disorders", or (B) having a record of such an impairment**]** who has a
961 mental disability or physical disability, as those terms are defined in

962 section 46a-51, as amended by this act.

963 Sec. 15. Section 46a-64 of the general statutes is repealed and the
964 following is substituted in lieu thereof (*Effective July 1, 2013*):

965 (a) It shall be a discriminatory practice in violation of this section: (1)
966 To deny any person within the jurisdiction of this state full and equal
967 accommodations in any [place of] public accommodation, resort or
968 amusement because of race, [creed,] color, [national origin, ancestry]
969 religion, age, sex, gender identity or expression, sexual orientation,
970 marital status, [age, lawful source of income, intellectual disability]
971 national origin, ancestry, mental disability, [or] intellectual disability,
972 learning disability, physical disability [, including, but not limited to,
973 blindness or deafness of the applicant] or lawful source of income,
974 subject only to the conditions and limitations established by law and
975 applicable alike to all persons; (2) to discriminate, segregate or separate
976 on account of race, [creed,] color, [national origin, ancestry] religion,
977 age, sex, gender identity or expression, sexual orientation, marital
978 status, [age, lawful source of income, intellectual disability] national
979 origin, ancestry, mental disability, intellectual disability, learning
980 disability, [or] physical disability [, including, but not limited to,
981 blindness or deafness] or lawful source of income; (3) for a [place of]
982 public accommodation, resort or amusement to restrict or limit the
983 right of a mother to breast-feed her child; (4) for a [place of] public
984 accommodation, resort or amusement to fail or refuse to post a notice,
985 in a conspicuous place, that any blind, deaf, [or] mobility impaired
986 person or person with a mental or physical disability, accompanied by
987 [his] a guide dog wearing a harness or an orange-colored leash and
988 collar, may enter such premises or facilities; or (5) to deny any (A)
989 blind, deaf [or] mobility impaired person, (B) person with a mental or
990 physical disability or [any] (C) person training a dog as a guide dog
991 [for a blind person or a dog to assist a deaf or mobility impaired
992 person,] or an assistance dog accompanied by [his] a guide dog or
993 assistance dog, full and equal access to any [place of] public

994 accommodation, resort or amusement. Any blind, deaf [or] mobility
995 impaired person, person with a mental or physical disability or [any]
996 person training a dog as a guide dog [for a blind person or a dog to
997 assist a deaf or mobility impaired person] or an assistance dog may
998 keep [his] a guide dog or assistance dog [with him] at all times in such
999 [place of] public accommodation, resort or amusement at no extra
1000 charge, provided the dog wears a harness or an orange-colored leash
1001 and collar and is in the direct custody of such person. The blind, deaf
1002 [or] mobility impaired person, person with a mental or physical
1003 disability or person training a dog as a guide dog [for a blind person or
1004 a dog to assist a deaf or mobility impaired person] or an assistance dog
1005 shall be liable for any damage done to the premises or facilities by [his]
1006 such dog. For purposes of this subdivision, "guide dog" or "assistance
1007 dog" includes a dog being trained as a guide dog or assistance dog and
1008 ["person training a dog as a guide dog for a blind person or a dog to
1009 assist a deaf or mobility impaired person"] "person training a dog as a
1010 guide dog or an assistance dog" means a person who is employed by
1011 and authorized to engage in designated training activities by a guide
1012 dog organization or assistance dog organization that complies with the
1013 criteria for membership in a professional association of guide dog or
1014 assistance dog schools and who carries photographic identification
1015 indicating such employment and authorization.

1016 (b) (1) The provisions of this section with respect to the prohibition
1017 of [sex] discrimination because of sex shall not apply to (A) the rental
1018 of sleeping accommodations provided by associations and
1019 organizations which rent all such sleeping accommodations on a
1020 temporary or permanent basis for the exclusive use of persons of the
1021 same sex or (B) separate bathrooms or locker rooms based on sex. (2)
1022 The provisions of this section with respect to the prohibition of
1023 discrimination [on the basis] because of age shall not apply to minors
1024 or to special discount or other public or private programs to assist
1025 persons sixty years of age and older. (3) The provisions of this section
1026 with respect to the prohibition of discrimination [on the basis] because

1027 of physical disability shall not require any person to modify [his] such
1028 person's property in any way or provide a higher degree of care for a
1029 physically disabled person [, including, but not limited to blind or deaf
1030 persons,] than for a person not physically disabled, unless otherwise
1031 required by state or federal law. (4) The provisions of this section with
1032 respect to the prohibition of discrimination [on the basis of creed]
1033 because of religion shall not apply to the practice of granting
1034 preference in admission of residents into a nursing home as defined in
1035 section 19a-490, if (A) the nursing home is owned, operated by or
1036 affiliated with a religious organization [,] exempt from taxation for
1037 federal income tax purposes, and (B) the class of persons granted
1038 preference in admission is consistent with the religious mission of the
1039 nursing home. (5) The provisions of this section with respect to the
1040 prohibition of discrimination [on the basis] because of lawful source of
1041 income shall not prohibit the denial of full and equal accommodations
1042 solely on the basis of insufficient income.

1043 (c) Any person who violates any provision of this section shall be
1044 guilty of a class D misdemeanor.

1045 Sec. 16. Section 46a-64c of the general statutes is repealed and the
1046 following is substituted in lieu thereof (*Effective July 1, 2013*):

1047 (a) It shall be a discriminatory practice in violation of this section:

1048 (1) To refuse to sell or rent after the making of a bona fide offer, or
1049 to refuse to negotiate for the sale or rental of, or otherwise make
1050 unavailable or deny, a dwelling to any person because of race, [creed,
1051 color, national origin, ancestry, sex, gender identity or expression,
1052 marital status, age] color, religion, age, sex, gender identity or
1053 expression, sexual orientation, marital status, national origin, ancestry,
1054 mental disability, intellectual disability, learning disability, physical
1055 disability, lawful source of income or familial status.

1056 (2) To discriminate against any person in the terms, conditions [,] or

1057 privileges of sale or rental of a dwelling, or in the provision of services
1058 or facilities in connection therewith, because of race, [creed, color,
1059 national origin, ancestry, sex, gender identity or expression, marital
1060 status, age] color, religion, age, sex, gender identity or expression,
1061 sexual orientation, marital status, national origin, ancestry, mental
1062 disability, intellectual disability, learning disability, physical disability,
1063 lawful source of income or familial status.

1064 (3) To make, print or publish, or cause to be made, printed or
1065 published any notice, statement [,] or advertisement, with respect to
1066 the sale or rental of a dwelling, that indicates any preference,
1067 limitation, or discrimination based on race, [creed, color, national
1068 origin, ancestry, sex, gender identity or expression, marital status, age,
1069 lawful source of income, familial status, learning disability or physical
1070 or mental disability] color, religion, age, sex, gender identity or
1071 expression, sexual orientation, marital status, national origin, ancestry,
1072 mental disability, intellectual disability, learning disability, physical
1073 disability, lawful source of income or familial status, or [an] any
1074 intention to make any such preference, limitation or discrimination.

1075 (4) (A) To represent to any person because of race, [creed, color,
1076 national origin, ancestry, sex, gender identity or expression, marital
1077 status, age, lawful source of income, familial status, learning disability
1078 or physical or mental disability] color, religion, age, sex, gender
1079 identity or expression, sexual orientation, marital status, national
1080 origin, ancestry, mental disability, intellectual disability, learning
1081 disability, physical disability, lawful source of income or familial status
1082 that any dwelling is not available for inspection, sale or rental when
1083 such dwelling is in fact so available.

1084 (B) It shall be a violation of this subdivision for any person to
1085 restrict or attempt to restrict the choices of any buyer or renter to
1086 purchase or rent a dwelling (i) to an area which is substantially
1087 populated, even if less than a majority, by persons of the same
1088 protected class as the buyer or renter, (ii) while such person is

1089 authorized to offer for sale or rent another dwelling which meets the
1090 housing criteria as expressed by the buyer or renter to such person,
1091 and (iii) such other dwelling is in an area which is not substantially
1092 populated by persons of the same protected class as the buyer or
1093 renter. As used in this subdivision, "area" means municipality,
1094 neighborhood or other geographic subdivision which may include an
1095 apartment or condominium complex; and "protected class" means race,
1096 **[**creed, color, national origin, ancestry, sex, gender identity or
1097 expression, marital status, age, lawful source of income, familial status,
1098 learning disability or physical or mental disability**]** color, religion, age,
1099 sex, gender identity or expression, sexual orientation, marital status,
1100 national origin, ancestry, mental disability, intellectual disability,
1101 learning disability, physical disability, lawful source of income or
1102 familial status.

1103 (5) For profit, to induce or attempt to induce any person to sell or
1104 rent any dwelling by representations regarding the entry or
1105 prospective entry into the neighborhood of a person or persons of a
1106 particular race, **[**creed, color, national origin, ancestry, sex, gender
1107 identity or expression, marital status, age, lawful source of income,
1108 familial status, learning disability or physical or mental disability**]**
1109 color, religion, age, sex, gender identity or expression, sexual
1110 orientation, marital status, national origin, ancestry, mental disability,
1111 intellectual disability, learning disability, physical disability, lawful
1112 source of income or familial status.

1113 (6) (A) To discriminate in the sale or rental, or to otherwise make
1114 unavailable or deny, a dwelling to any buyer or renter because of a
1115 learning disability, intellectual disability or physical or mental
1116 disability of: (i) Such buyer or renter; (ii) a person residing in or
1117 intending to reside in such dwelling after it is so sold, rented, or made
1118 available; or (iii) any person associated with such buyer or renter.

1119 (B) To discriminate against any person in the terms, conditions or
1120 privileges of sale or rental of a dwelling, or in the provision of services

1121 or facilities in connection with such dwelling, because of a learning
1122 disability, intellectual disability or physical or mental disability of: (i)
1123 Such person; or (ii) a person residing in or intending to reside in such
1124 dwelling after it is so sold, rented, or made available; or (iii) any
1125 person associated with such person.

1126 (C) For purposes of this subdivision, discrimination includes: (i) A
1127 refusal to permit, at the expense of a person with a learning disability,
1128 intellectual disability or physical or mental disability, reasonable
1129 modifications of existing premises occupied or to be occupied by such
1130 person if such modifications may be necessary to afford such person
1131 full enjoyment of the premises; except that, in the case of a rental, the
1132 landlord may, where it is reasonable to do so, condition permission for
1133 a modification on the renter agreeing to restore the interior of the
1134 premises to the condition that existed before the modification,
1135 reasonable wear and tear excepted; (ii) a refusal to make reasonable
1136 accommodations in rules, policies, practices or services, when such
1137 accommodations may be necessary to afford such person equal
1138 opportunity to use and enjoy a dwelling; (iii) in connection with the
1139 design and construction of covered multifamily dwellings for the first
1140 occupancy after March 13, 1991, a failure to design and construct those
1141 dwellings in such manner that they comply with the requirements of
1142 Section 804(f) of the Fair Housing Act or the provisions of the state
1143 building code as adopted pursuant to the provisions of sections 29-269
1144 and 29-273, whichever requires greater accommodation. [**"Covered**
1145 **multifamily dwellings" means buildings consisting of four or more**
1146 **units if such buildings have one or more elevators, and ground floor**
1147 **units in other buildings consisting of four or more units.**]

1148 (7) For any person or other entity engaging in residential real-estate-
1149 related transactions to discriminate against any person in making
1150 available such a transaction, or in the terms or conditions of such a
1151 transaction, because of race, [creed, color, national origin, ancestry, sex,
1152 gender identity or expression, marital status, age, lawful source of

1153 income, familial status, learning disability or physical or mental
1154 disability] color, religion, age, sex, gender identity or expression,
1155 sexual orientation, marital status, national origin, ancestry, mental
1156 disability, intellectual disability, learning disability, physical disability,
1157 lawful source of income or familial status.

1158 (8) To deny any person access to or membership or participation in
1159 any multiple-listing service, real estate brokers' organization or other
1160 service, organization [,] or facility relating to the business of selling or
1161 renting dwellings, or to discriminate against [him] such person in the
1162 terms or conditions of such access, membership or participation, [on
1163 account] because of race, [creed, color, national origin, ancestry, sex,
1164 gender identity or expression, marital status, age, lawful source of
1165 income, familial status, learning disability or physical or mental
1166 disability] color, religion, age, sex, gender identity or expression,
1167 sexual orientation, marital status, national origin, ancestry, mental
1168 disability, intellectual disability, learning disability, physical disability,
1169 lawful source of income or familial status.

1170 (9) To coerce, intimidate, threaten [,] or interfere with any person in
1171 the exercise or enjoyment of, or on account of [his] such person having
1172 exercised or enjoyed, or on account of [his] such person having aided
1173 or encouraged any other person in the exercise or enjoyment of, any
1174 right granted or protected by this section.

1175 (b) (1) The provisions of this section shall not apply to (A) the rental
1176 of a room or rooms in a single-family dwelling unit, if the owner
1177 actually maintains and occupies part of such living quarters as [his]
1178 such owner's residence, or (B) a unit in a dwelling containing living
1179 quarters occupied or intended to be occupied by no more than two
1180 families living independently of each other, if the owner actually
1181 maintains and occupies the other such living quarters as [his] such
1182 owner's residence. (2) The provisions of this section with respect to the
1183 prohibition of discrimination [on the basis] because of marital status
1184 shall not be construed to prohibit the denial of a dwelling to a man or a

1185 woman who are both unrelated by blood and not married to each
1186 other. (3) The provisions of this section with respect to the prohibition
1187 of discrimination [on the basis] because of age shall not apply to
1188 minors, to special discount or other public or private programs to
1189 assist persons sixty years of age and older or to housing for older
1190 persons, [as defined in section 46a-64b,] provided there is no
1191 discrimination [on the basis] because of age among older persons
1192 eligible for such housing. (4) The provisions of this section with respect
1193 to the prohibition of discrimination [on the basis] because of familial
1194 status shall not apply to housing for older persons [as defined in
1195 section 46a-64b] or to a unit in a dwelling containing units for no more
1196 than four families living independently of each other, if the owner of
1197 such dwelling resides in one of the units. (5) The provisions of this
1198 section with respect to the prohibition of discrimination [on the basis]
1199 because of lawful source of income shall not prohibit the denial of full
1200 and equal accommodations solely on the basis of insufficient income.
1201 (6) The provisions of this section with respect to the prohibition of
1202 discrimination [on the basis] because of sex shall not apply to the
1203 rental of sleeping accommodations to the extent they utilize shared
1204 bathroom facilities when such sleeping accommodations are provided
1205 by associations and organizations which rent such sleeping
1206 accommodations on a temporary or permanent basis for the exclusive
1207 use of persons of the same sex based on considerations of privacy and
1208 modesty.

1209 (c) Nothing in this section limits the applicability of any reasonable
1210 state statute or municipal ordinance restricting the maximum number
1211 of persons permitted to occupy a dwelling.

1212 (d) Nothing in this section [or section 46a-64b] shall be construed to
1213 invalidate or limit any state statute or municipal ordinance that
1214 requires dwellings to be designed and constructed in a manner that
1215 affords persons with physical or mental disabilities greater access than
1216 is required by this section. [or section 46a-64b.]

1217 (e) Nothing in this section prohibits a person engaged in the
1218 business of furnishing appraisals of real property [to take] from taking
1219 into consideration factors other than race, [creed, color, national origin,
1220 ancestry, sex, gender identity or expression, marital status, age, lawful
1221 source of income, familial status, learning disability or physical or
1222 mental disability] color, religion, age, sex, gender identity or
1223 expression, sexual orientation, marital status, national origin, ancestry,
1224 mental disability, intellectual disability, learning disability, physical
1225 disability, lawful source of income or familial status.

1226 (f) Notwithstanding any other provision of this chapter, complaints
1227 alleging a violation of this section shall be investigated within one
1228 hundred days of filing and a final administrative disposition shall be
1229 made within one year of filing unless it is impracticable to do so. If the
1230 [Commission on Human Rights and Opportunities] commission is
1231 unable to complete its investigation or make a final administrative
1232 determination within such time frames, it shall notify the complainant
1233 and the respondent in writing of the reasons for not doing so.

1234 (g) For purposes of this section, "mental disability" and "physical
1235 disability" include any handicap, as defined in the Fair Housing Act.

1236 [(g)] (h) Any person who violates any provision of this section shall
1237 be guilty of a class D misdemeanor.

1238 Sec. 17. Subsection (a) of section 46a-66 of the general statutes is
1239 repealed and the following is substituted in lieu thereof (*Effective July*
1240 *1, 2013*):

1241 (a) It shall be a discriminatory practice in violation of this section for
1242 any creditor to discriminate [on the basis] because of [sex, gender
1243 identity or expression, age,] race, color, [religious creed] religion, age,
1244 sex, gender identity or expression, sexual orientation, marital status,
1245 national origin, ancestry, [marital status] mental disability, intellectual
1246 disability, learning disability [, blindness] or physical disability against

1247 any person eighteen years of age or over in any credit transaction.

1248 Sec. 18. Section 46a-67 of the general statutes is repealed and the
1249 following is substituted in lieu thereof (*Effective July 1, 2013*):

1250 (a) The Banking Commissioner shall cooperate with the commission
1251 in its enforcement of sections **[**46a-65**]** 46a-66 to 46a-67, inclusive, as
1252 amended by this act, **[**46a-81f**]** and 46a-98, as amended by this act.

1253 (b) The Banking Commissioner shall comply with the commission's
1254 request for information, reasonable investigatory assistance and the
1255 promulgation of regulations which may be required for the effective
1256 administration of sections **[**46a-65**]** 46a-66 to 46a-67, inclusive, as
1257 amended by this act, **[**46a-81f**]** and 46a-98, as amended by this act.

1258 Sec. 19. Section 46a-68a of the general statutes is repealed and the
1259 following is substituted in lieu thereof (*Effective July 1, 2013*):

1260 (a) The **[**commission**]** board of commissioners may issue a certificate
1261 of noncompliance if the affirmative action plan required by section
1262 46a-68, as amended by this act, is disapproved.

1263 (b) The issuance of a certificate of noncompliance shall bar the
1264 agency, department, board or commission in noncompliance with
1265 section 46a-68, as amended by this act, from filling a position or
1266 position classification by hire or promotion upon receipt of the
1267 certificate, the provisions of any state law or regulation to the contrary
1268 notwithstanding, until: (1) The commission and board of
1269 commissioners determines that the agency has achieved compliance
1270 with section 46a-68, as amended by this act, and withdraws the
1271 certificate; **[**or**]** (2) the commission, at a hearing requested by the
1272 agency, department, board or commission receiving the certificate and
1273 conducted by a presiding officer appointed by the **[**chairperson of the
1274 commission**]** chief referee, is unable to show cause why the certificate
1275 of noncompliance should not be rescinded or a court, upon appeal, so
1276 determines; or (3) the Commissioner of Administrative Services and

1277 the Secretary of the Office of Policy and Management certify to the
1278 commission and the board of commissioners that the agency in
1279 noncompliance with section 46a-68, as amended by this act, requires
1280 immediate filling of the vacancy because failure to fill the position or
1281 position classification will cause an emergency situation to exist
1282 jeopardizing the public welfare. A separate certificate of exemption
1283 shall be required for each vacancy in a position or position
1284 classification with respect to which the Commissioner of
1285 Administrative Services and the Secretary of the Office of Policy and
1286 Management certify that an emergency situation exists.

1287 (c) Hearings under this section shall be conducted in accordance
1288 with sections 4-176e to 4-182, inclusive.

1289 (d) The commission shall adopt regulations in accordance with
1290 chapter 54 to implement this section.

1291 Sec. 20. Subsection (a) of section 46a-70 of the general statutes is
1292 repealed and the following is substituted in lieu thereof (*Effective July*
1293 *1, 2013*):

1294 (a) State officials and supervisory personnel shall recruit, appoint,
1295 assign, train, evaluate and promote state personnel on the basis of
1296 merit and qualifications, without regard for race, color, **[**religious
1297 creed, sex, gender identity or expression, marital status, age, national
1298 origin, ancestry, intellectual disability, mental disability, learning
1299 disability or physical disability, including but not limited to, blindness**]**
1300 religion, age, sex, gender identity or expression, sexual orientation,
1301 marital status, national origin, ancestry, mental disability, intellectual
1302 disability, learning disability or physical disability, unless it is shown
1303 by such state officials or supervisory personnel that such disability
1304 prevents performance of the work involved.

1305 Sec. 21. Section 46a-70a of the general statutes is repealed and the
1306 following is substituted in lieu thereof (*Effective July 1, 2013*):

1307 (a) The Judicial Branch shall develop and implement an equal
1308 employment opportunities plan pursuant to federal law that commits
1309 the Judicial Branch to a program of equal employment opportunities in
1310 all aspects of personnel and administration. The Chief Court
1311 Administrator shall be responsible for developing, implementing and
1312 filing the plan with the **[**Commission on Human Rights and
1313 Opportunities**]** commission.

1314 (b) The Judicial Branch shall comply with the provisions of
1315 subsection (b) of section 46a-68, section 46a-68g, subsections (a), (b)
1316 and (c) of section 46a-70, as amended by this act, subsections (a), (b)
1317 and (d) of section 46a-71, as amended by this act, and subsections (a)
1318 and (c) of section 46a-77, as amended by this act. **[**, subsections (a), (b)
1319 and (c) of section 46a-81h and section 46a-81i.**]**

1320 (c) The Criminal Justice Commission shall comply with the
1321 provisions of subsections (a) and (b) of section 46a-68, sections 46a-68g,
1322 46a-70, as amended by this act, and 46a-71, as amended by this act, and
1323 subsections (a) and (c) of section 46a-77, as amended by this act. **[**and
1324 sections 46a-81h and 46a-81i.**]**

1325 Sec. 22. Subsection (a) of section 46a-71 of the general statutes is
1326 repealed and the following is substituted in lieu thereof (*Effective July*
1327 *1, 2013*):

1328 (a) All services of every state agency shall be performed without
1329 discrimination **[**based upon**]** because of race, color, **[**religious creed,
1330 sex, gender identity or expression, marital status, age, national origin,
1331 ancestry, intellectual disability, mental disability, learning disability or
1332 physical disability, including, but not limited to, blindness**]** religion,
1333 age, sex, gender identity or expression, sexual orientation, marital
1334 status, national origin, ancestry, mental disability, intellectual
1335 disability, learning disability or physical disability.

1336 Sec. 23. Subsection (b) of section 46a-72 of the general statutes is

1337 repealed and the following is substituted in lieu thereof (*Effective July*
1338 *1, 2013*):

1339 (b) Any job request indicating an intention to exclude any person
1340 because of race, color, **[**religious creed, sex, gender identity or
1341 expression, marital status, age, national origin, ancestry, intellectual
1342 disability, mental disability, learning disability or physical disability,
1343 including, but not limited to, blindness**]** religion, age, sex, gender
1344 identity or expression, sexual orientation, marital status, national
1345 origin, ancestry, mental disability, intellectual disability, learning
1346 disability or physical disability shall be rejected, unless it is shown by
1347 such public or private **[**employers**]** employer that such disability
1348 prevents performance of the work involved.

1349 Sec. 24. Subsection (a) of section 46a-73 of the general statutes is
1350 repealed and the following is substituted in lieu thereof (*Effective July*
1351 *1, 2013*):

1352 (a) No state department, board or agency may grant, deny or revoke
1353 the license or charter of any person **[**on the grounds**]** because of race,
1354 color, **[**religious creed, sex, gender identity or expression, marital
1355 status, age, national origin, ancestry, intellectual disability, mental
1356 disability, learning disability or physical disability, including, but not
1357 limited to, blindness**]** religion, age, sex, gender identity or expression,
1358 sexual orientation, marital status, national origin, ancestry, mental
1359 disability, intellectual disability, learning disability or physical
1360 disability, unless it is shown by such state department, board or
1361 agency that such disability prevents performance of the work
1362 involved.

1363 Sec. 25. Subsection (a) of section 46a-75 of the general statutes is
1364 repealed and the following is substituted in lieu thereof (*Effective July*
1365 *1, 2013*):

1366 (a) All educational, counseling **[**,**]** and vocational guidance

1367 programs, and all apprenticeship and on-the-job training programs of
1368 state agencies [,] or in which state agencies participate, shall be open to
1369 all qualified persons, without regard to race, color, [religious creed,
1370 sex, gender identity or expression, marital status, age, national origin,
1371 ancestry, intellectual disability, mental disability, learning disability or
1372 physical disability, including, but not limited to, blindness] religion,
1373 age, sex, gender identity or expression, sexual orientation, marital
1374 status, national origin, ancestry, mental disability, intellectual
1375 disability, learning disability or physical disability.

1376 Sec. 26. Subsection (a) of section 46a-76 of the general statutes is
1377 repealed and the following is substituted in lieu thereof (*Effective July*
1378 *1, 2013*):

1379 (a) Race, color, [religious creed, sex, gender identity or expression,
1380 marital status, age, national origin, ancestry, intellectual disability,
1381 mental disability, learning disability or physical disability, including,
1382 but not limited to, blindness] religion, age, sex, gender identity or
1383 expression, sexual orientation, marital status, national origin, ancestry,
1384 mental disability, intellectual disability, learning disability or physical
1385 disability shall not be considered as limiting factors in state-
1386 administered programs involving the distribution of funds to qualify
1387 applicants for benefits authorized by law.

1388 Sec. 27. Subsection (c) of section 46a-77 of the general statutes is
1389 repealed and the following is substituted in lieu thereof (*Effective July*
1390 *1, 2013*):

1391 (c) Each state agency shall comply [in all of its services, programs
1392 and activities] with [the provisions of] the Americans with Disabilities
1393 Act [(42 USC 12101)] to the [same] extent that it provides rights and
1394 protections for persons with physical or mental disabilities beyond
1395 those provided for by the laws of this state.

1396 Sec. 28. Section 46a-81p of the general statutes is repealed and the

1397 following is substituted in lieu thereof (*Effective July 1, 2013*):

1398 The provisions of [sections 4a-60a] section 4a-60, as amended by this
1399 act, and [46a-81a to 46a-81o, inclusive,] this chapter concerning the
1400 prohibition of discrimination because of sexual orientation shall not
1401 apply to a religious corporation, entity, association, educational
1402 institution or society with respect to the employment of individuals to
1403 perform work connected with the carrying on by such corporation,
1404 entity, association, educational institution or society of its activities, or
1405 with respect to matters of discipline, faith, internal organization or
1406 ecclesiastical rule, custom or law which are established by such
1407 corporation, entity, association, educational institution or society.

1408 Sec. 29. Section 46a-82 of the general statutes is repealed and the
1409 following is substituted in lieu thereof (*Effective July 1, 2013*):

1410 (a) Any person claiming to be aggrieved by an alleged
1411 discriminatory practice [, except for an alleged violation of section 4a-
1412 60g or 46a-68 or the provisions of sections 46a-68c to 46a-68f, inclusive,
1413 may, by himself or herself or by such person's attorney, make, sign
1414 and] may file with the commission a complaint in writing under oath,
1415 [which] except that a complaint alleging a violation of section 46a-64c,
1416 as amended by this act, need not be filed under oath. The complaint
1417 shall state the name and address of the person alleged to have
1418 committed the discriminatory practice, [and which shall set forth the
1419 particulars thereof] any act alleged to be a discriminatory practice and
1420 [contain] such other information as may be required by the
1421 commission. After the filing of a complaint, [pursuant to this
1422 subsection,] the commission shall [serve upon the person claiming to
1423 be aggrieved] provide the complainant with a notice that: (1)
1424 Acknowledges receipt of the complaint; and (2) advises of the time
1425 frames and choice of forums available under this chapter.

1426 (b) The commission legal counsel, whenever [it] the commission
1427 legal counsel has reason to believe that any person has been engaged

1428 or is engaged in a discriminatory practice, may issue a complaint,
1429 except for a violation of subsection (a) of section 46a-80.

1430 (c) The commission legal counsel, whenever [it] the commission
1431 legal counsel has reason to believe that any contractor, [or]
1432 subcontractor, service provider or supplier of materials is not
1433 complying with antidiscrimination statutes or contract provisions
1434 required under section 4a-60, as amended by this act, [4a-60a or] 4a-
1435 60g, as amended by this act, or [the provisions of] sections 46a-68c to
1436 46a-68f, inclusive, may issue a complaint.

1437 (d) The commission legal counsel may issue a complaint if: (1) An
1438 affirmative action plan filed pursuant to section 46a-68, as amended by
1439 this act, is in violation of any of the provisions of section 4-61u or 4-
1440 61w, sections 46a-54 to 46a-64, inclusive, as amended by this act,
1441 section 46a-64c, as amended by this act, or sections 46a-70 to 46a-78,
1442 inclusive, as amended by this act; or (2) an agency, department, board
1443 or commission fails to submit an affirmative action plan required
1444 under section 46a-68, as amended by this act.

1445 (e) Any employer whose employees, or any of them, refuse or
1446 threaten to refuse to comply with [the provisions of] section 46a-60, as
1447 amended by this act, [or 46a-81c] may file with the commission a
1448 written complaint under oath asking for assistance by conciliation or
1449 other remedial action.

1450 (f) Any complaint filed pursuant to this section must be filed within
1451 one hundred and eighty days after the alleged act of discrimination. [,
1452 except that any complaint by a person claiming to be aggrieved by a
1453 violation of subsection (a) of section 46a-80 must be filed within thirty
1454 days of the alleged act of discrimination.]

1455 Sec. 30. Section 46a-82e of the general statutes is repealed and the
1456 following is substituted in lieu thereof (*Effective July 1, 2013*):

1457 (a) Notwithstanding the failure of the [Commission on Human

1458 Rights and Opportunities] commission to comply with the time
1459 requirements of sections 46a-83, as amended by this act, and 46a-84, as
1460 amended by this act, [with respect to a complaint before the
1461 commission,] the jurisdiction of the commission over any [such]
1462 complaint shall be retained.

1463 (b) The commission shall report annually to the judiciary committee
1464 of the General Assembly and the Governor: (1) The number of cases in
1465 the previous fiscal year that exceeded the time frame, including
1466 authorized extensions, set forth in subsection [(e)] (f) of section 46a-83,
1467 as amended by this act; (2) the reasons for the failure to comply with
1468 the time frame; (3) the number of actions brought pursuant to
1469 subsection (d) of this section and the results thereof; and (4) the
1470 commission's recommendations for legislative action, if any, necessary
1471 for the commission to meet the statutory time frame.

1472 (c) If a complaint has been pending for more than twenty-one
1473 months from the date of filing and the commission has not issued a
1474 finding of reasonable cause or no reasonable cause, the executive
1475 director shall notify the complainant by first class mail, facsimile
1476 machine, electronic mail or a file transfer protocol site that the
1477 complainant has the right to request a release of jurisdiction in
1478 accordance with section 46a-101, as amended by this act. The executive
1479 director or the executive director's designee shall investigate the cause
1480 for the delay in issuing a finding. After such investigation, the
1481 executive director may, given the facts and circumstances of the case,
1482 schedule a date [certain] for issuance of a finding. [of reasonable cause
1483 or no reasonable cause.]

1484 (d) (1) If a complaint has been pending for more than two years after
1485 the date of filing pursuant to section 46a-82, as amended by this act,
1486 and if the investigator fails to issue a finding of reasonable cause or no
1487 reasonable cause by the date ordered by the executive director [of the
1488 commission] pursuant to subsection (c) of this section, the complainant
1489 or respondent may petition the superior court for the judicial district of

1490 Hartford for an order requiring the commission to issue a finding [of
1491 reasonable cause or no reasonable cause] by a specified date. [certain.]
1492 The petitioner shall submit the petition on forms prescribed by the
1493 Office of the Chief Court Administrator.

1494 (2) The clerk, upon receipt of the petition and if the clerk finds it to
1495 be in the proper form, shall fix a date for the hearing and sign the
1496 notice of hearing. The hearing date shall be no more than thirty days
1497 after the clerk signs the notice. Service shall be made on the
1498 commission and all persons named in the discriminatory practice
1499 complaint at least twenty days prior to the date of hearing by United
1500 States mail, certified or registered, postage prepaid, return receipt
1501 requested, without the use of a state marshal or other officer. Service
1502 on the commission shall be made on the executive director. [of the
1503 commission or a commission legal counsel.] Within five days of
1504 service, the petitioner shall file with the court an affidavit stating the
1505 date and manner in which a copy of the petition was served and attach
1506 to the affidavit the return receipts indicating delivery of the petition. If
1507 the return receipts are not available at the time the petitioner files such
1508 affidavit, such receipts shall be filed with the court immediately after
1509 the petitioner receives such receipts.

1510 (3) Within ten days after receipt of the petition, any party, including
1511 the commission, may file an answer. The commission and all persons
1512 named in the [discriminatory practice complaint] petition shall have
1513 the right to appear and be heard at the hearing.

1514 (4) If the commission and parties agree on a date, [certain,] the court
1515 shall order the commission to issue a finding of reasonable cause or no
1516 reasonable cause by said date. If the allegations of the petition are
1517 contested, the court shall hold a hearing [on the petition] and issue an
1518 appropriate order. [Hearing of oral argument on the petition] Hearings
1519 held pursuant to this subdivision shall take precedence over other
1520 matters in the court, as provided in section 46a-96. The court [shall]
1521 may award court costs and attorney's fees to the petitioner, provided

1522 [such party] the petitioner is a "person", as defined in section 4-184a,
1523 unless the commission shows good cause for not issuing the finding of
1524 reasonable cause or no reasonable cause [within two years of the date
1525 of filing or] by the date ordered by the executive director for the
1526 investigator to issue such finding. [, whichever is later.] An award of
1527 court costs and attorney's fees shall be subject to the court's discretion,
1528 but shall not exceed a total of five hundred dollars.

1529 (5) This subsection shall not apply to complaints initiated by the
1530 commission or to pattern or practice or systemic cases.

1531 Sec. 31. Section 46a-83 of the general statutes is repealed and the
1532 following is substituted in lieu thereof (*Effective July 1, 2013*):

1533 (a) Within [twenty] fifteen days after the filing of any discriminatory
1534 practice complaint pursuant to subsection (a) or (b) of section 46a-82,
1535 as amended by this act, or an amendment to such complaint adding an
1536 additional respondent, the commission shall provide the respondent
1537 by first class mail, facsimile machine, electronic mail or a file transfer
1538 protocol site with the complaint and a notice advising of the
1539 procedural rights and obligations of a respondent under this chapter.
1540 The respondent shall either (1) file a written answer to the complaint as
1541 provided in subsection (b) of this section, or (2) not later than ten days
1542 after the date of receipt of the complaint, provide written notification
1543 to the complainant and the commission that the respondent has elected
1544 to participate in no-fault conciliation. The commission shall conduct a
1545 no-fault conciliation conference not later than thirty days after the date
1546 of receiving the respondent's request for conciliation.

1547 (b) The respondent shall file a written answer to the complaint and,
1548 if applicable, a response to the commission's Schedule A request for
1549 information under oath with the commission within thirty days of
1550 receipt of the complaint or within thirty days of the date after the
1551 commission determines that the no-fault conciliation conference was
1552 unsuccessful, provided a respondent may request, and the commission

1553 may grant [, for good cause shown,] one extension of time of fifteen
1554 days within which to file an answer to a complaint. The answer to any
1555 complaint alleging a violation of section 46a-64c, as amended by this
1556 act, [or 46a-81e] shall be filed within ten days of receipt. Unless the
1557 date of receipt of a complaint by the respondent is otherwise proven, a
1558 complaint sent by first class mail shall be considered to be received not
1559 later than two days after the date of mailing. A complaint sent by
1560 facsimile machine, electronic mail or file transfer protocol site shall be
1561 considered to be received on the date on which it was sent. Responses
1562 to any amendment to the complaint shall be subject to the time frames
1563 prescribed in this subsection.

1564 [(b)] (c) Within [ninety] sixty days of the filing of the respondent's
1565 answer to the complaint, the executive director or the executive
1566 director's designee shall conduct a merit assessment review. The merit
1567 assessment review shall include the complaint, the respondent's
1568 answer and the responses to the commission's requests for
1569 information, if any, and the complainant's comments, if any, to the
1570 respondent's answer and information responses. If the executive
1571 director or the executive director's designee determines that the
1572 complaint fails to state a claim for relief or is frivolous on its face, that
1573 the respondent is exempt from the provisions of this chapter or that
1574 there is no reasonable possibility that investigating the complaint will
1575 result in a finding of reasonable cause, the executive director or the
1576 executive director's designee shall dismiss the complaint and send
1577 notice of dismissal pursuant to section 46a-86a, as amended by this act.
1578 Within fifteen days of the sending of the notice of dismissal, the
1579 complainant may request a release of jurisdiction allowing the
1580 complainant to bring a civil action under section 46a-100, as amended
1581 by this act. If the complainant does not request a release of jurisdiction,
1582 commission legal counsel shall conduct a legal review of any
1583 complaint dismissed pursuant to this subsection and shall reinstate or
1584 deny reinstatement of the complaint within [sixty] thirty days of the
1585 sending of the notice of dismissal. The executive director or the

1586 executive director's designee shall send notice of any action taken
1587 pursuant to the merit assessment review and the legal review
1588 conducted pursuant to this subsection in accordance with section 46a-
1589 86a, as amended by this act. This subsection and subdivisions (1), (2)
1590 and (3) of subsection (d) of this section shall not apply to any
1591 complaint alleging a violation of section 46a-64c, as amended by this
1592 act. [or 46a-81e.] The executive director shall report the results of the
1593 merit assessment reviews made pursuant to this subsection to the
1594 commission quarterly during each year.

1595 [(c)] (d) (1) If a complaint is not dismissed after the merit assessment
1596 review pursuant to subsection [(b)] (c) of this section or if a complaint
1597 is reinstated after legal review pursuant to said subsection [(b)] (c), the
1598 executive director or the executive director's designee shall assign an
1599 investigator or commission legal counsel to hold a mandatory
1600 mediation conference within sixty days of sending notice of action
1601 taken pursuant to the merit assessment review or legal review. The
1602 investigator or commission legal counsel assigned to conduct the
1603 mediation session shall not be assigned to investigate the complaint.
1604 The mandatory mediation conference may not be scheduled for the
1605 same time as a fact-finding conference held pursuant to subsection
1606 [(d)] (e) of this section. The mediator may hold additional mediation
1607 conferences to accommodate settlement discussions.

1608 (2) [If] For complaints filed on or before December 31, 2013, if the
1609 complaint is not resolved after the mandatory mediation conference,
1610 the complainant, the respondent or the commission may at any time
1611 after such conference request early legal intervention. If a request for
1612 early legal intervention is made, the executive director or the executive
1613 director's designee shall determine within ninety days of the request
1614 whether [(A)] the complaint should be (A) heard immediately
1615 pursuant to section 46a-84, as amended by this act, (B) [the complaint
1616 should be processed] investigated pursuant to subsection [(d)] (e) of
1617 this section by an investigator working under a regional manager or

1618 commission legal counsel, [or (C) the complainant should be] (C)
1619 administratively dismissed, or (D) released from the jurisdiction of the
1620 commission. In making such determination, the executive director or
1621 the executive director's designee may hold additional proceedings and
1622 may utilize and direct commission staff. If the executive director or the
1623 executive director's designee determines that the complaint should be
1624 processed pursuant to subsection [(d)] (e) of this section, the executive
1625 director or the executive director's designee may recommend that the
1626 investigator make a finding of no reasonable cause. [If the executive
1627 director or the executive director's designee recommends that the
1628 investigator make a finding of no reasonable cause, the] The
1629 investigator shall make such a finding unless the investigator believes
1630 the executive director, [or] the executive director's designee or
1631 commission legal counsel made a mistake of fact. If the investigator
1632 intends to make a finding of reasonable cause after the executive
1633 director, [or] the executive director's designee or commission legal
1634 counsel recommends otherwise, the investigator shall consult with the
1635 executive director, [or] the executive director's designee or commission
1636 legal counsel before making such finding.

1637 (3) For complaints filed after December 31, 2013, if the complaint is
1638 not resolved after the mandatory mediation conference, commission
1639 legal counsel shall determine not later than ninety days after the date
1640 of the mandatory mediation conference, whether the complaint should
1641 be: (A) Heard immediately pursuant to section 46a-84, as amended by
1642 this act, (B) investigated pursuant to subsection (e) of this section by an
1643 investigator working under a regional manager or commission legal
1644 counsel, (C) administratively dismissed, or (D) released from the
1645 jurisdiction of the commission. In making such determination,
1646 commission legal counsel may hold additional proceedings and may
1647 utilize and direct commission staff. For complaints investigated
1648 pursuant to subsection (e) of this section, commission legal counsel
1649 shall direct the investigation and shall review and approve all
1650 determinations of reasonable cause or no reasonable cause proposed

1651 by the investigator.

1652 [(3)] (4) If the complaint is not resolved after the mandatory
1653 mediation conference, the complainant or the respondent may request
1654 the commission to hold additional mediation conferences.

1655 [(4)] (5) The commission may dismiss the complaint if (A) a
1656 complainant, after notice and without good cause, fails to attend a
1657 mandatory mediation conference; or (B) the respondent has eliminated
1658 the discriminatory practice complained of, taken steps to prevent a like
1659 occurrence in the future and offered full relief to the complainant, even
1660 though the complainant has refused such relief.

1661 [(d)] (e) If the complaint is not resolved after the mandatory
1662 mediation conference held pursuant to subsection [(c)] (d) of this
1663 section or the executive director or commission legal counsel
1664 determines that the complaint should be processed pursuant to this
1665 subsection in accordance with subdivision (2) or (3) of subsection [(c)]
1666 (d) of this section, the executive director or the executive director's
1667 designee shall assign an investigator to process the complaint within
1668 fifteen days after the [mandatory mediation conference] date on which
1669 the mediation failed or the decision to conduct an investigation was
1670 made, as applicable. The investigator may conduct a fact-finding
1671 conference, a complete investigation, including, but not limited to,
1672 individual witness interviews, requests for voluntary disclosure of
1673 information, subpoenas of witnesses or documents, requests for
1674 admission of facts, interrogatories, site visits or any other lawful means
1675 of finding facts, or any combination thereof for the purpose of
1676 determining if there is reasonable cause for believing that a
1677 discriminatory practice has been or is being committed as alleged in
1678 the complaint. [As used in this section and section 46a-84, "reasonable
1679 cause" means a bona fide belief that the material issues of fact are such
1680 that a person of ordinary caution, prudence and judgment could
1681 believe the facts alleged in the complaint.] The executive director or the
1682 executive director's designee may dismiss the complaint if the

1683 complainant, after notice **[**,**]** and without good cause, fails to attend a
1684 fact-finding conference.

1685 **[**(e)**]** (f) (1) Before issuing a finding of reasonable cause or no
1686 reasonable cause, the investigator shall afford each party and each
1687 party's representative an opportunity to provide written or oral
1688 comments on all evidence in the commission's file, except as otherwise
1689 provided by federal law or the general statutes. The investigator shall
1690 consider such comments before making a finding. The investigator
1691 shall make a finding of reasonable cause or no reasonable cause in
1692 writing and shall list the factual findings on which it is based not later
1693 than one hundred ninety days from the date of the merit assessment
1694 review, except that for good cause shown, the executive director or the
1695 executive director's designee may grant no more than two extensions
1696 of the investigation of three months each.

1697 (2) If the investigator makes a finding that there is reasonable cause
1698 to believe that a violation of section 46a-64c, as amended by this act,
1699 has occurred, the complainant and the respondent shall have twenty
1700 days from sending of the reasonable cause finding to elect a civil action
1701 in lieu of an administrative hearing pursuant to section 46a-84, as
1702 amended by this act. If either the complainant or the respondent
1703 requests a civil action, the commission, through the Attorney General
1704 or a commission legal counsel, shall commence an action pursuant to
1705 subsection (b) of section 46a-89, as amended by this act, within ninety
1706 days of receipt of the notice of election. If the Attorney General or a
1707 commission legal counsel believes that injunctive relief, punitive
1708 damages or a civil penalty would be appropriate, such relief, damages
1709 or penalty may also be sought. The jurisdiction of the Superior Court
1710 in an action brought under this subdivision shall be limited to such
1711 claims, counterclaims, defenses or the like that could be presented at
1712 an administrative hearing before the commission, had the complaint
1713 remained with the commission for disposition. A complainant may
1714 intervene as a matter of right in a civil action without permission of the

1715 court or the parties. If the Attorney General or commission legal
1716 counsel, as the case may be, determines that the interests of the state
1717 will not be adversely affected, the complainant or attorney for the
1718 complainant shall present all or part of the case in support of the
1719 complaint. If the Attorney General or a commission legal counsel
1720 determines that a material mistake of law or fact has been made in the
1721 finding of reasonable cause, the Attorney General or a commission
1722 legal counsel may decline to bring a civil action and shall remand the
1723 file to the investigator for further action. The investigator shall
1724 complete any such action not later than ninety days after receipt of
1725 such file.

1726 **[**(f)**]** (g) If the investigator issues a finding of no reasonable cause or
1727 if the complaint is dismissed pursuant to subdivision (5) of subsection
1728 (d) of this section or for failure to attend a fact-finding conference
1729 pursuant to subsection (e) of this section, the complainant may file a
1730 written request for reconsideration with the executive director or the
1731 executive director's designee, not later than fifteen days from the
1732 sending of such finding or dismissal. A request for reconsideration
1733 shall state specifically the reasons why reconsideration should be
1734 granted. **[**The executive director or the executive director's designee**]**
1735 Commission legal counsel shall grant or reject reconsideration within
1736 ninety days of the sending of such finding or dismissal. **[**The executive
1737 director or the executive director's designee**]** Commission legal counsel
1738 shall conduct such additional proceedings as may be necessary to
1739 render a decision on the request.

1740 **[**(g)**]** (h) After finding that there is reasonable cause to believe that a
1741 discriminatory practice has been or is being committed as alleged in
1742 the complaint, an investigator shall attempt to eliminate the practice
1743 complained of by conference, conciliation and persuasion within fifty
1744 days of the finding. The refusal to accept a settlement shall not be
1745 grounds for dismissal of any complaint.

1746 **[**(h)**]** (i) No commissioner or employee of the commission may

1747 disclose, except to the parties or their representatives, what has
1748 occurred in the course of [such endeavors] the commission's
1749 processing of a complaint, provided the commission may publish the
1750 facts in the case and any complaint which has been dismissed and the
1751 terms of conciliation when a complaint has been adjusted. Each party
1752 and his or her representative shall have the right to inspect and copy
1753 documents, statements of witnesses and other evidence pertaining to
1754 the complaint, except as otherwise provided by federal law or the
1755 general statutes.

1756 [(i)] (j) In the investigation of any complaint filed pursuant to this
1757 chapter, [the] commission legal counsel may issue subpoenas requiring
1758 the production of records and other documents or compelling the
1759 attendance of witnesses.

1760 [(j)] (k) The executive director or the executive director's designee
1761 may enter an order of default against a respondent who (1) after
1762 notice, fails to answer a complaint or fails to respond to the
1763 commission's Schedule A request for information in accordance with
1764 subsection (a) of this section or within such extension of time as may
1765 have been granted; (2) fails to answer interrogatories issued pursuant
1766 to subdivision (11) of section 46a-54, as amended by this act, or fails to
1767 respond to a subpoena issued pursuant to subsection [(i)] (j) of this
1768 section or subdivision (9) of section 46a-54, as amended by this act,
1769 provided the executive director or the executive director's designee
1770 shall consider any timely filed objection; (3) after notice and without
1771 good cause, fails to attend a fact-finding conference; or (4) after notice
1772 and without good cause, fails to attend a mandatory mediation
1773 conference. Upon entry of an order of default, the [executive director
1774 or the executive director's designee] chief referee shall appoint a
1775 presiding officer to enter, after notice and hearing, an order
1776 eliminating the discriminatory practice complained of and making the
1777 complainant whole. The respondent may make application to the
1778 executive director or the executive director's designee to vacate the

1779 default. The commission or the complainant may petition the Superior
1780 Court for enforcement of any order for relief pursuant to section 46a-
1781 95.

1782 Sec. 32. Section 46a-84 of the general statutes is repealed and the
1783 following is substituted in lieu thereof (*Effective July 1, 2013*):

1784 (a) If the investigator fails to eliminate a discriminatory practice
1785 complained of pursuant to subsection (a) or (b) of section 46a-82, as
1786 amended by this act, within fifty days of a finding of reasonable cause,
1787 the investigator shall, within ten days, certify the complaint and the
1788 results of the investigation to the executive director of the commission
1789 and to the Attorney General. The investigator's conclusion that
1790 conciliation has failed shall be conclusive on the issue.

1791 (b) Upon certification of a complaint filed pursuant to subsection (a)
1792 or (b) of section 46a-82, as amended by this act, or upon the filing of a
1793 complaint pursuant to subsection (c) of said section, or upon a decision
1794 to send a complaint directly to public hearing made pursuant to
1795 subdivision (2) or (3) of subsection (d) of section 46a-83, as amended
1796 by this act, the **[**Chief Human Rights Referee**]** chief referee shall
1797 appoint **[**, for a complaint filed pursuant to said subsection (a) or (b), a
1798 hearing officer, hearing adjudicator or human rights referee, and for a
1799 complaint filed pursuant to said subsection (c), a hearing officer or
1800 human rights referee,**]** a referee to act as a presiding officer to hear the
1801 complaint. **[**or**]** The chief referee may appoint an individual authorized
1802 by subsection (e) of this section or a referee to conduct settlement
1803 negotiations. **[**and shall cause to be issued and served**]** The chief
1804 referee shall serve in the name of the commission a **[**written notice,
1805 together with a**]** copy of the complaint, as the same may have been
1806 amended, requiring the respondent to answer the charges of the
1807 complaint **[**at a hearing before the presiding officer or hearing
1808 adjudicator at a time and place to be specified in the notice**]** with a
1809 written notice requiring the respondent to appear at a hearing or
1810 settlement conference at the commission's administrative office in

1811 Hartford, unless all parties mutually agree to an alternative location, at
1812 a date and time specified in such notice. A hearing on a complaint filed
1813 pursuant to subsection (a) or (b) of section 46a-82, as amended by this
1814 act, shall be commenced by convening a hearing conference not later
1815 than forty-five days after the certification of the complaint. Such
1816 hearing shall be a de novo hearing on the merits of the complaint and
1817 not an appeal of the commission's processing of the complaint prior to
1818 its certification. A hearing on a complaint filed pursuant to subsection
1819 (c) of section 46a-82, as amended by this act, shall be commenced by
1820 convening a hearing conference not later than twenty days after the
1821 date of notice of such complaint. Hearings shall proceed with
1822 reasonable dispatch and be concluded in accordance with the
1823 provisions of section 4-180.

1824 **[**(c) The place of any hearing may be the office of the commission or
1825 another place designated by the commission.**]**

1826 **[**(d)**]** (c) The case in support of the complaint shall be presented at
1827 the hearing by the Attorney General, who shall be counsel for the
1828 commission, or by a commission legal counsel as provided in section
1829 46a-55. **[**, as the case may be.**]** If the Attorney General or the
1830 commission legal counsel determines that a material mistake of law or
1831 fact has been made in the finding of reasonable cause on a complaint
1832 filed pursuant to subsection (a) or (b) of section 46a-82, as amended by
1833 this act, or the Attorney General or the commission legal counsel
1834 determines that a case sent to public hearing pursuant to subsection (d)
1835 of section 46a-83, as amended by this act, should be further
1836 investigated, the Attorney General or the commission legal counsel
1837 may withdraw the certification of the complaint or the decision to send
1838 the complaint to public hearing and remand the file to the investigator
1839 for further action. The investigator shall complete any required action
1840 not later than ninety days after receipt of such file. The complainant
1841 may be represented by an attorney of the complainant's own choice. If
1842 the Attorney General or the commission legal counsel **[**, as the case

1843 may be,] determines that the interests of the state will not be adversely
1844 affected, the complainant or the attorney for the complainant shall
1845 present all or part of the case in support of the complaint. No
1846 commissioner may participate in the deliberations of the presiding
1847 officer in the case.

1848 [(e)] (d) A [hearing officer, hearing adjudicator, human rights]
1849 referee or attorney who volunteers service pursuant to subdivision (18)
1850 of section 46a-54, as amended by this act, may supervise settlement
1851 endeavors. [, or, in] In employment discrimination cases only, the
1852 complainant and respondent, with the permission of the [commission]
1853 chief referee, may engage in alternate dispute resolution endeavors for
1854 not more than three months. The cost of such alternate dispute
1855 resolution endeavors shall be borne by the complainant or the
1856 respondent, or both, and not by the commission. Any endeavors or
1857 negotiations for conciliation, settlement or alternate dispute resolution
1858 shall not be received in evidence.

1859 [(f)] (e) The respondent [may] shall file a written answer to the
1860 complaint under oath and appear at the hearing in person or
1861 otherwise, with or without counsel, and submit testimony and be fully
1862 heard. If the respondent fails to file a written answer prior to the
1863 hearing within the time limits established by regulation adopted by the
1864 commission in accordance with chapter 54 or fails to appear at the
1865 hearing or settlement conference after notice in accordance with
1866 section 4-177, the presiding officer or [hearing adjudicator] a referee or
1867 an attorney who volunteers services under subsection (d) of this
1868 section may enter an order of default and order such relief as is
1869 necessary to eliminate the discriminatory practice and make the
1870 complainant whole. The commission or the complainant may petition
1871 the Superior Court for enforcement of any such order for relief
1872 pursuant to the provisions of section 46a-95, as amended by this act.

1873 [(g)] (f) The presiding officer [or hearing adjudicator] conducting
1874 any hearing shall permit reasonable amendment to any complaint or

1875 answer and the testimony taken at the hearing shall be under oath and
1876 be transcribed at the request of any party.

1877 Sec. 33. Section 46a-86 of the general statutes is repealed and the
1878 following is substituted in lieu thereof (*Effective July 1, 2013*):

1879 (a) If, upon all the evidence presented at the hearing conducted
1880 pursuant to section 46a-84, as amended by this act, the presiding
1881 officer finds that a respondent has engaged in any discriminatory
1882 practice, the presiding officer shall **[**state the presiding officer's**]** make
1883 written findings of fact and **[**shall issue and**]** file with the commission
1884 and **[**cause to be served**]** serve on the respondent an order requiring
1885 the respondent to (1) cease and desist from the discriminatory practice,
1886 and **[**further requiring the respondent to**]** (2) take such affirmative
1887 action as **[**in the judgment of the presiding officer will effectuate**]** is
1888 necessary to achieve the purpose of this chapter.

1889 (b) In addition to any other action taken under this section, upon a
1890 finding of a discriminatory employment practice, the presiding officer
1891 may order the hiring or reinstatement of **[**employees**]** any person, with
1892 or without back pay, or restoration to membership in any respondent
1893 labor organization. **[**, provided, liability**]** Liability for back pay shall
1894 not accrue from a date more than two years prior to the filing or
1895 issuance of the complaint. **[**and, provided further, interim**]** Interim
1896 earnings, including unemployment compensation and welfare
1897 assistance or amounts which could have been earned with reasonable
1898 diligence on the part of the person to whom back pay is awarded shall
1899 be deducted from the amount of back pay to which such person is
1900 otherwise entitled. The amount of any **[**such**]** deduction for interim
1901 unemployment compensation or welfare assistance shall be paid by
1902 the respondent to the commission which shall transfer such amount to
1903 the appropriate state or local agency.

1904 (c) In addition to any other action taken under this section, upon a
1905 finding of a discriminatory practice prohibited by section 46a-58, as

1906 amended by this act, 46a-59, as amended by this act, 46a-64, as
1907 amended by this act, or 46a-64c, as amended by this act, [46a-81b, 46a-
1908 81d or 46a-81e,] the presiding officer shall determine the damage
1909 suffered by the complainant, which damage shall include, but not be
1910 limited to, the expense incurred by the complainant for obtaining
1911 alternate housing or space, storage of goods and effects, moving costs
1912 and other costs actually incurred by the complainant as a result of such
1913 discriminatory practice and shall allow reasonable attorney's fees and
1914 costs. The amount of attorney's fees allowed shall not be contingent
1915 upon the amount of damages requested by or awarded to the
1916 complainant.

1917 (d) In addition to any other action taken under this section, upon a
1918 finding of a discriminatory practice prohibited by section 46a-66, as
1919 amended by this act, [or 46a-81f,] the presiding officer shall [issue and]
1920 file with the commission and [cause to be served] serve on the
1921 respondent an order requiring the respondent to pay the complainant
1922 the damages resulting from the discriminatory practice.

1923 (e) In addition to any other action taken under this section, upon a
1924 finding of noncompliance with antidiscrimination statutes or contract
1925 provisions required under section 4a-60, as amended by this act, [or 4a-
1926 60a] or the provisions of sections 46a-68c to 46a-68f, inclusive, the
1927 presiding officer shall [issue and] file with the commission and [cause
1928 to be served] serve on the respondent an order with respect to any
1929 remedial action imposed [by the presiding officer] pursuant to
1930 subsection (c) or (d) of section 46a-56, as amended by this act.

1931 (f) If, upon all the evidence and after a complete hearing, the
1932 presiding officer finds that the respondent has not engaged in any
1933 alleged discriminatory practice, the presiding officer shall [state the
1934 presiding officer's] make written findings of fact and shall [issue and]
1935 file with the commission and [cause to be served] serve on the
1936 respondent an order dismissing the complaint.

1937 (g) Any payment received by a complainant under this chapter or
1938 under any equivalent federal antidiscrimination law, either as a
1939 settlement of a claim or as an award made in a judicial or
1940 administrative proceeding, shall not be considered as income,
1941 resources or assets for the purpose of determining the eligibility of or
1942 amount of assistance to be received by such person in the month of
1943 receipt or the three months following receipt under the state
1944 supplement program, Medicaid or any other medical assistance
1945 program, temporary family assistance program, state-administered
1946 general assistance program, or the temporary assistance for needy
1947 families program. After such time period, any remaining funds shall
1948 be subject to state and federal laws governing such programs,
1949 including, but not limited to, provisions concerning an individual
1950 development [accounts] account, as defined in section 31-51ww.

1951 Sec. 34. Section 46a-87 of the general statutes is repealed and the
1952 following is substituted in lieu thereof (*Effective July 1, 2013*):

1953 (a) Contumacy or refusal to obey a subpoena issued pursuant to this
1954 chapter shall constitute contempt punishable, upon the application of
1955 the authority issuing such subpoena, by the superior court for the
1956 judicial district of Hartford, the [Superior Court for the] judicial district
1957 in which the hearing is held or the investigation is conducted or the
1958 judicial district in which the witness resides or transacts business. An
1959 objection that has not been raised before the commission to defeat or
1960 excuse compliance with the subpoena may not be presented to or
1961 relied on by the court.

1962 (b) No person may be excused from [attending and] testifying or
1963 from producing records [, correspondence, documents] or other
1964 evidence in obedience to a subpoena [,] on the ground that the
1965 testimony or evidence required of [him] such person may tend to
1966 incriminate [him] such person or subject [him] such person to a
1967 penalty or forfeiture. [, but no person] No person, after having claimed
1968 the privilege against self-incrimination, may be prosecuted or

1969 subjected to any penalty [or forfeiture for or on account of any
1970 transaction, matter or thing concerning which he is compelled, after
1971 having claimed his privilege against self-incrimination, to testify or
1972 produce evidence] for any matter revealed by such testimony or
1973 production, provided such testimony or production is compelled by
1974 this section, except that [such person so testifying shall not] no such
1975 person shall be exempt from prosecution and punishment for perjury
1976 committed in so testifying. The immunity [herein] provided in this
1977 subsection shall extend only to natural persons [so] compelled to
1978 testify or produce records or other evidence.

1979 Sec. 35. Section 46a-88 of the general statutes is repealed and the
1980 following is substituted in lieu thereof (*Effective July 1, 2013*):

1981 (a) Upon the failure of any person to answer interrogatories issued
1982 pursuant to subsection (11) of section 46a-54, as amended by this act,
1983 the commission may file a petition with the interrogatories attached
1984 with the [Superior Court of] superior court for the judicial district of
1985 Hartford, the judicial district in which the violation is alleged to have
1986 occurred or [where] the judicial district in which such person resides
1987 or transacts business, requesting the court to order that an answer be
1988 filed.

1989 (b) The commission shall [cause] serve a copy of the petition
1990 provided for in subsection (a) of this section [to be sent] by registered
1991 or certified mail to the person from whom such answers are sought or
1992 [his] such person's legal representative.

1993 (c) The court shall assume jurisdiction over the proceedings
1994 provided for in this section and [may] shall, after hearing [,] or in the
1995 absence of objection, enter an order which it deems appropriate. An
1996 objection that has not been raised before the commission to defeat or
1997 excuse compliance with the interrogatories may not be presented to or
1998 relied on by the court.

1999 [(d) The proceedings provided for in this section shall conform to
2000 the rules of practice of the Superior Court.]

2001 Sec. 36. Section 46a-89 of the general statutes is repealed and the
2002 following is substituted in lieu thereof (*Effective July 1, 2013*):

2003 (a) (1) Whenever a complaint [is filed with or by the commission]
2004 filed pursuant to section 46a-82, as amended by this act, [alleging]
2005 alleges a violation of section 46a-60, as amended by this act, or [46a-
2006 81c, and a commissioner believes, upon review and the
2007 recommendation of the investigator assigned,] section 9 of this act, and
2008 the commission believes that equitable relief is required to prevent
2009 irreparable harm to the complainant, the [commissioner] commission
2010 may bring a petition [in equity] in the superior court for the judicial
2011 district of Hartford, the judicial district in which the discriminatory
2012 practice [which] that is the subject of the complaint occurred or the
2013 judicial district in which the respondent resides, provided this
2014 subdivision shall not apply to complaints against employers with less
2015 than fifty employees.

2016 (2) The petition shall seek appropriate temporary injunctive relief
2017 against the respondent pending final disposition of the complaint
2018 pursuant to the procedures set forth in this chapter. The injunctive
2019 relief may include an order temporarily restraining the respondent
2020 from doing any act that would render ineffectual any order a presiding
2021 officer may render with respect to the complaint.

2022 (3) Upon service on the respondent of notice pursuant to section
2023 46a-89a, as amended by this act, the respondent shall be temporarily
2024 restrained from taking any action that would render ineffectual the
2025 temporary injunctive relief [prayed for] requested in the petition,
2026 provided nothing in this section shall be construed to prevent the
2027 respondent from having any employment duties [,] enjoined under
2028 this section and section 46a-89a, as amended by this act, from being
2029 carried out by another employee and the notice shall so provide.

2030 (b) (1) Whenever a complaint filed pursuant to section 46a-82, as
2031 amended by this act, alleges a violation of section 46a-64, as amended
2032 by this act, or 46a-64c, as amended by this act, [46a-81d or 46a-81e, and
2033 a commissioner] and the commission believes that injunctive relief is
2034 required or that the imposition of punitive damages or a civil penalty
2035 would be appropriate, the commission may bring a petition in the
2036 superior court for the judicial district in [which] that the
2037 discriminatory practice which is the subject of the complaint occurred
2038 or the judicial district in which the respondent resides.

2039 (2) The petition shall seek: (A) Appropriate injunctive relief,
2040 including temporary or permanent orders or decrees restraining and
2041 enjoining the respondent from selling or renting to anyone other than
2042 the complainant or otherwise making unavailable to the complainant
2043 any dwelling or commercial property with respect to which the
2044 complaint is made, pending the final determination of such complaint
2045 by the commission or such petition by the court; (B) an award of
2046 damages based on the remedies available under subsection (c) of
2047 section 46a-86, as amended by this act; (C) an award of punitive
2048 damages payable to the complainant, not to exceed fifty thousand
2049 dollars; (D) a civil penalty payable to the state against the respondent
2050 to vindicate the public interest: (i) In an amount not exceeding ten
2051 thousand dollars, if the respondent has not been adjudged to have
2052 committed any prior discriminatory housing practice; (ii) in an amount
2053 not exceeding twenty-five thousand dollars, if the respondent has been
2054 adjudged to have committed one other discriminatory housing
2055 practice during the five-year period prior to the date of the filing of
2056 this complaint; and (iii) in an amount not exceeding fifty thousand
2057 dollars, if the respondent has been adjudged to have committed two or
2058 more discriminatory housing practices during the seven-year period
2059 prior to the date of the filing of the complaint; except that if the acts
2060 constituting the discriminatory housing practice that is the object of the
2061 complaint are committed by the same natural person who has been
2062 previously adjudged to have committed acts constituting a

2063 discriminatory housing practice, then the civil penalties set forth in
2064 clauses (ii) and (iii) of this subparagraph may be imposed without
2065 regard to the period of time within which any subsequent
2066 discriminatory housing practice occurred; or (E) two or more of such
2067 remedies.

2068 (3) Upon service on the respondent of notice pursuant to section
2069 46a-89a, as amended by this act, the respondent shall be temporarily
2070 restrained from selling or renting the dwelling or commercial property
2071 which is the subject of the complaint to anyone other than the
2072 complainant, or from otherwise making such dwelling or commercial
2073 property unavailable to the complainant, until the court or judge has
2074 decided the petition for temporary injunctive relief and the notice shall
2075 so provide.

2076 Sec. 37. Section 46a-89a of the general statutes is repealed and the
2077 following is substituted in lieu thereof (*Effective July 1, 2013*):

2078 (a) The **[**court, or any judge of the court when such court is not
2079 actually in session,**]** Superior Court may grant an injunction
2080 **[**forthwith**]** immediately, if the circumstances of the case demand it, or
2081 the court **[**or judge**]** may cause immediate notice of the petition to be
2082 given to the adverse party **[**, that he may**]** to show cause why such
2083 injunction should not be granted. **[**; but no**]** No temporary injunction
2084 may be granted without notice to the adverse party unless it clearly
2085 appears from the specific facts shown by affidavit or by verified
2086 complaint that irreparable loss or damage will result to the
2087 complainant before the matter can be heard.

2088 (b) The court, **[**or any judge thereof,**]** after hearing, shall issue a
2089 temporary injunction upon a finding that irreparable loss or damage
2090 will result to the complainant in that (1) there is a substantial
2091 probability of loss of meaningful relief including but not limited to the
2092 availability of an employment opportunity or the rental or sale of a
2093 dwelling or commercial property, or (2) there is a substantial

2094 probability of interference with the ability of the commission to
2095 provide meaningful relief as authorized by this chapter.

2096 (c) Upon rendering a decision in favor of the commission on the
2097 petition for temporary injunctive relief, the court [or judge] shall
2098 simultaneously enter an order granting temporary injunctive relief and
2099 such other relief as deemed necessary and remand the complaint to the
2100 commission for further proceedings pursuant to this chapter.

2101 (d) Upon rendering a decision in favor of the respondent on the
2102 petition for temporary injunctive relief, the court [or judge] shall
2103 simultaneously enter an order dissolving any injunctive relief, order,
2104 decree, temporary relief or restraining order [theretofore] previously
2105 issued [against the respondent in the matter] and remand the matter to
2106 the commission.

2107 (e) Commencement of proceedings pursuant to section 46a-89, as
2108 amended by this act, this section or section 46a-90a, as amended by
2109 this act, shall not bar the commission from processing the complaint
2110 pursuant to the procedures set forth in this chapter.

2111 Sec. 38. Section 46a-90a of the general statutes is repealed and the
2112 following is substituted in lieu thereof (*Effective July 1, 2013*):

2113 (a) The [chairperson of the commission] chief referee shall schedule
2114 a date for a hearing pursuant to section 46a-84, as amended by this act,
2115 to be held within forty-five days of any temporary injunctive relief or
2116 restraining order issued pursuant to section 46a-89a, as amended by
2117 this act. Such temporary injunctive relief or restraining order shall
2118 remain in effect until the presiding officer renders [his] a decision on
2119 the complaint. If the commission does not conduct its hearing
2120 procedure with reasonable [dispatch] speed, the court, on the motion
2121 of the respondent and for good cause shown, shall remove such
2122 temporary injunction and assume jurisdiction of all civil proceedings
2123 arising out of the complaint and shall set the matter for hearing on the

2124 merits. The presiding officer shall render [his] a decision within twenty
2125 days after the close of evidence and the filing of briefs.

2126 (b) When the presiding officer finds that the respondent has
2127 engaged in any discriminatory practice prohibited by section 46a-60, as
2128 amended by this act, 46a-64, as amended by this act, 46a-64c, as
2129 amended by this act, [46a-81c, 46a-81d or 46a-81e] or section 9 of this
2130 act and grants relief on the complaint [, which relief requires that such]
2131 requiring that a temporary injunction remain in effect, the commission
2132 [chairperson] may, through the procedure outlined in subsection (a) of
2133 section 46a-95, as amended by this act, petition the court which
2134 granted the original temporary injunction to make the injunction
2135 permanent.

2136 (c) Upon issuance of a permanent injunction, the case shall be
2137 returned to the commission for such further action as is authorized by
2138 this chapter.

2139 (d) Any temporary injunction issued under [the provisions of]
2140 section 46a-89a, as amended by this act, shall remain in effect during
2141 any appeal under section 46a-94a, as amended by this act, or any
2142 enforcement procedure under section 46a-95, as amended by this act,
2143 unless removed by the court. [or a judge thereof.]

2144 Sec. 39. Section 46a-94 of the general statutes is repealed and the
2145 following is substituted in lieu thereof (*Effective July 1, 2013*):

2146 (a) An appeal to the Appellate Court shall lie from any judgment,
2147 injunctive relief, order or decree entered pursuant to section 46a-89, as
2148 amended by this act, 46a-89a, as amended by this act, or 46a-90a, as
2149 amended by this act.

2150 (b) In any appeal to the Appellate Court under [the provisions of]
2151 this section, any judge of the Appellate Court, on written application,
2152 after oral hearing: (1) May order a party who has filed a notice of intent
2153 to appeal either to appeal or withdraw such notice of appeal, and (2)

2154 may make such orders as will expedite the appeal.

2155 Sec. 40. Section 46a-94a of the general statutes is repealed and the
2156 following is substituted in lieu thereof (*Effective July 1, 2013*):

2157 (a) The [Commission on Human Rights and Opportunities]
2158 commission, any respondent or any complainant aggrieved by a final
2159 order of a presiding officer [or any complainant] may appeal to the
2160 Superior Court in accordance with section 4-183. Any complainant
2161 may appeal to the Superior Court in accordance with section 4-183 if
2162 the complainant is aggrieved by (1) the dismissal of [his] a complaint
2163 [by the commission] for failure to attend a mandatory mediation
2164 session or the administrative dismissal of a complaint, as provided in
2165 subsection [(c)] (d) of section 46a-83, as amended by this act, (2) a
2166 finding of no reasonable cause, as provided in subsection [(e)] (f) of
2167 [said] section 46a-83, as amended by this act, or (3) a rejection of
2168 reconsideration, [of any dismissal] as provided in subsection [(f)] (g) of
2169 [said] section 46a-83, as amended by this act. [, may appeal therefrom
2170 in accordance with section 4-183. The court on appeal shall also have
2171 jurisdiction to grant to the commission, respondent or complainant
2172 such temporary relief or restraining order as it deems just and suitable,
2173 and in like manner to make and enter a decree enforcing or modifying
2174 and enforcing as so modified or setting aside, in whole or in part, the
2175 order sought to be reviewed.] The court shall conduct the appeal in
2176 accordance with section 4-183.

2177 (b) Notwithstanding the provisions of subsection (a) of this section,
2178 a complainant may not appeal the dismissal of [his] any complaint if
2179 [he] such complainant has been granted a release pursuant to section
2180 46a-101, as amended by this act.

2181 (c) The commission on its own motion may, whenever justice so
2182 requires, reopen any matter previously closed [by the commission] in
2183 accordance with [the provisions of] this subsection, provided such
2184 matter has not been appealed to the Superior Court pursuant to

2185 subsection (a) of this section. [4-183.] Notice of such reopening shall be
2186 given to all parties. A complainant or respondent may, for good cause
2187 shown, in the interest of justice, apply in writing for the reopening of a
2188 previously closed proceeding, provided such application is filed with
2189 the executive director of the commission within two years of the
2190 commission's final decision and the complainant has (1) not been
2191 issued a release of jurisdiction pursuant to section 46a-83a, as amended
2192 by this act, and filed a civil action, or (2) requested and received a
2193 release of jurisdiction from the commission pursuant to section 46a-
2194 101, as amended by this act.

2195 (d) The standards for reopening a matter may include, but are not
2196 limited to: (1) A material mistake of fact or law has occurred; (2) the
2197 finding is arbitrary or capricious; (3) the finding is clearly erroneous in
2198 view of the reliable, probative and substantial evidence on the whole
2199 record; and (4) new evidence has been discovered which materially
2200 affects the merits of the case and which, for good reasons, was not
2201 presented during the investigation.

2202 Sec. 41. Subsection (a) of section 46a-95 of the general statutes is
2203 repealed and the following is substituted in lieu thereof (*Effective July*
2204 *1, 2013*):

2205 (a) The commission, through the Attorney General or a commission
2206 legal counsel, or the complainant may petition the superior court for
2207 the judicial district of Hartford, the judicial district [where] in which
2208 any discriminatory practice occurred or the judicial district in which
2209 any person charged with a discriminatory practice resides or transacts
2210 business for the enforcement of any order issued by a presiding officer
2211 under this chapter and for appropriate temporary relief [of] or a
2212 restraining order.

2213 Sec. 42. Section 46a-97 of the general statutes is repealed and the
2214 following is substituted in lieu thereof (*Effective July 1, 2013*):

2215 (a) Any employer, employment agency or labor organization
2216 [which] that fails to post such notices of statutory provisions as the
2217 commission may require pursuant to subsection (13) or (15) of section
2218 46a-54, as amended by this act, shall be subject to a fine of not more
2219 than two hundred fifty dollars.

2220 (b) Any person who fails to post such notices of statutory provisions
2221 as the commission may require pursuant to subsection (14) of section
2222 46a-54, as amended by this act, shall be fined not more than two
2223 hundred fifty dollars.

2224 Sec. 43. Section 46a-98 of the general statutes is repealed and the
2225 following is substituted in lieu thereof (*Effective July 1, 2013*):

2226 (a) In lieu of, but not in addition to, filing a complaint [with the
2227 Commission on Human Rights and Opportunities] pursuant to section
2228 46a-82, as amended by this act, any person claiming to be aggrieved by
2229 a violation of section 46a-66, as amended by this act, [or 46a-81f] may
2230 bring an action under this section against a creditor [, as defined in
2231 section 46a-65,] in the superior court for the judicial district in which
2232 such aggrieved person resides or in which the alleged violation took
2233 place.

2234 (b) Any [such] creditor who fails to comply with any requirement of
2235 section 46a-66, as amended by this act, [or 46a-81f] or the regulations
2236 adopted pursuant to section 46a-67, as amended by this act, shall be
2237 liable to an aggrieved person in an amount equal to the sum of any
2238 actual damages sustained by such person.

2239 (c) Any [such] creditor who fails to comply with any requirement of
2240 section 46a-66, as amended by this act, [or 46a-81f] or the regulations
2241 adopted pursuant to section 46a-67, as amended by this act, shall be
2242 liable to an aggrieved person for punitive damages in an amount not
2243 greater than one thousand dollars, as determined by the court, in
2244 addition to any actual damages provided in subsection (b) of this

2245 section.

2246 (d) Any [such] creditor who fails to comply with any requirement of
2247 section 46a-66, as amended by this act, [or 46a-81f] or the regulations
2248 adopted pursuant to section 46a-67, as amended by this act, may be
2249 liable for punitive damages in the case of a class action in such amount
2250 as the court may allow, provided the total recovery of punitive
2251 damages shall not exceed the lesser of five thousand dollars or one per
2252 cent of the net worth of the creditor. In determining the amount of
2253 award in any class action, the court shall consider, among other
2254 relevant factors, the amount of any actual damages awarded, the
2255 frequency and persistence of failures of compliance by the creditor, the
2256 resources of the creditor, the number of persons adversely affected [,]
2257 and the extent to which the creditor's failure of compliance was
2258 intentional.

2259 (e) No action may be brought under this section except within one
2260 year from the date of the occurrence of the violation.

2261 Sec. 44. Section 46a-98a of the general statutes is repealed and the
2262 following is substituted in lieu thereof (*Effective July 1, 2013*):

2263 Any person claiming to be aggrieved by a violation of section 46a-
2264 64c, as amended by this act, [or 46a-81e] or by a breach of a conciliation
2265 agreement entered into pursuant to this chapter [,] may bring an action
2266 in the Superior Court, or the housing session of said court, if
2267 appropriate, within one year of the date of the alleged discriminatory
2268 practice or of a breach of a conciliation agreement. [entered into
2269 pursuant to this chapter.] No action pursuant to this section may be
2270 brought [in the Superior Court] regarding the alleged discriminatory
2271 practice after the commission has obtained a conciliation agreement
2272 pursuant to section 46a-83, as amended by this act, or commenced a
2273 hearing pursuant to section 46a-84, as amended by this act, except for
2274 an action to enforce the [conciliation] agreement. The court shall have
2275 the power to grant relief, by injunction or otherwise, as it deems just

2276 and suitable. [In addition to the penalties provided for under
2277 subsection (g) of section 46a-64c or subsection (f) of section 46a-81e,
2278 the] The court may grant any relief which a presiding officer may grant
2279 [in a proceeding] under section 46a-86, as amended by this act, or
2280 which the court may grant in a proceeding under section 46a-89, as
2281 amended by this act. The commission, through commission legal
2282 counsel or the Attorney General, may intervene as a matter of right in
2283 any action brought pursuant to this section without permission of the
2284 court or the parties.

2285 Sec. 45. Section 46a-99 of the general statutes is repealed and the
2286 following is substituted in lieu thereof (*Effective July 1, 2013*):

2287 Any person claiming to be aggrieved by a violation of any provision
2288 of sections 46a-70 to 46a-78, inclusive, as amended by this act, [or
2289 sections 46a-81h to 46a-81o, inclusive,] may petition the Superior Court
2290 for appropriate relief and [said] the court shall have the power to grant
2291 such relief, by injunction or otherwise, as it deems just and suitable.

2292 Sec. 46. Section 46a-100 of the general statutes is repealed and the
2293 following is substituted in lieu thereof (*Effective July 1, 2013*):

2294 Any person who has [timely] filed a complaint with the
2295 [Commission on Human Rights and Opportunities] commission in
2296 accordance with section 46a-82, as amended by this act, and who has
2297 obtained a release [from the commission] of jurisdiction in accordance
2298 with section 46a-83a, as amended by this act, or 46a-101, as amended
2299 by this act, may also bring an action in the superior court for the
2300 judicial district in which the discriminatory practice is alleged to have
2301 occurred, [or] the judicial district in which the respondent transacts
2302 business or the judicial district in which the complainant resides,
2303 except any action involving a state agency or official may be brought in
2304 the superior court for the judicial district of Hartford.

2305 Sec. 47. Section 46a-101 of the general statutes is repealed and the

2306 following is substituted in lieu thereof (*Effective July 1, 2013*):

2307 (a) No action may be brought in accordance with section 46a-100, as
2308 amended by this act, unless the complainant has received a release of
2309 jurisdiction from the commission in accordance with the provisions of
2310 this section.

2311 (b) The complainant and the respondent **[**, by themselves or their
2312 attorneys,**]** may jointly request that the complainant receive a release
2313 from the commission at any time from the date of filing the complaint.
2314 The complainant **[**or the complainant's attorney**]** may request a release
2315 from the commission if the complaint is still pending after the
2316 expiration of one hundred eighty days from the date of its filing or
2317 after a merit assessment review in accordance with subsection **[**(b)**]** (c)
2318 of section 46a-83, as amended by this act, whichever is earlier. The
2319 executive director or the executive director's designee shall conduct an
2320 expedited merit assessment review in accordance with subsection **[**(b)**]**
2321 (c) of section 46a-83, as amended by this act, if the commission receives
2322 a request for a release of jurisdiction from the complainant **[**or the
2323 complainant's attorney**]** prior to one hundred eighty days from the
2324 date a complaint is filed.

2325 (c) The executive director **[**of the commission**]** or the executive
2326 director's designee shall grant a release of jurisdiction, allowing the
2327 complainant to bring a civil action, within ten business days after
2328 receipt of the request for the release, except that if a case is scheduled
2329 for public hearing, the executive director or the executive director's
2330 designee may decline to issue a release. The commission may defer
2331 acting on a request for a release for thirty days if the executive director
2332 **[**of the commission, or his**]** or the executive director's designee **[**,**]**
2333 certifies that **[**he has**]** there is reason to believe that the complaint may
2334 be resolved within that period.

2335 (d) Upon granting a release, the commission shall dismiss or
2336 otherwise administratively dispose of the discriminatory practice

2337 complaint pending with the commission without cost or penalty
2338 assessed to any party.

2339 (e) Any action brought by the complainant in accordance with
2340 section 46a-100, as amended by this act, shall be brought within ninety
2341 days of the receipt of the release from the commission.

2342 Sec. 48. Section 46a-102 of the general statutes is repealed and the
2343 following is substituted in lieu thereof (*Effective July 1, 2013*):

2344 Any action brought in accordance with section 46a-100, as amended
2345 by this act, shall be brought within two years of the date of filing of the
2346 complaint with the commission. **[**, except that an action may be
2347 brought within six months of October 1, 1991, with respect to an
2348 alleged violation provided a complaint concerning such violation has
2349 been pending with the commission for more than one year as of
2350 October 1, 1991, unless the complaint has been scheduled for a
2351 hearing.**]**

2352 Sec. 49. Section 46a-103 of the general statutes is repealed and the
2353 following is substituted in lieu thereof (*Effective July 1, 2013*):

2354 The complainant **[**or his attorney**]** shall serve a copy of the
2355 complaint in an action brought in accordance with section 46a-100, as
2356 amended by this act, on the executive director of the commission at the
2357 same time all other parties **[**in such action**]** are served. Service on the
2358 executive director of the commission shall be for the purpose of
2359 providing legal notice of the action and shall not **[**thereby**]** make the
2360 commission a necessary party. **[**to the action.**]** The commission,
2361 through its counsel or the Attorney General, may intervene as a matter
2362 of right in any action brought in accordance with section 46a-100, as
2363 amended by this act, without permission of the court or the parties.

2364 Sec. 50. Section 53-37 of the general statutes is repealed and the
2365 following is substituted in lieu thereof (*Effective July 1, 2013*):

2366 Any person who, by his or her advertisement, ridicules or holds up
2367 to contempt any person or class of persons [, on account] because of
2368 the [creed, religion, color, denomination, nationality or] race, color,
2369 religion, age, sex, gender identity or expression, sexual orientation,
2370 marital status, national origin, ancestry, mental disability, intellectual
2371 disability, learning disability or physical disability of such person or
2372 class of persons, shall be guilty of a class D misdemeanor.

2373 Sec. 51. Subsection (b) of section 32-235 of the general statutes is
2374 repealed and the following is substituted in lieu thereof (*Effective July*
2375 *1, 2013*):

2376 (b) The proceeds of the sale of said bonds, to the extent of the
2377 amount stated in subsection (a) of this section, shall be used by the
2378 Department of Economic and Community Development (1) for the
2379 purposes of sections 32-220 to 32-234, inclusive, including economic
2380 cluster-related programs and activities, and for the Connecticut job
2381 training finance demonstration program pursuant to sections 32-23uu
2382 and 32-23vv, provided (A) three million dollars shall be used by said
2383 department solely for the purposes of section 32-23uu and not more
2384 than five million two hundred fifty thousand dollars of the amount
2385 stated in said subsection (a) may be used by said department for the
2386 purposes of section 31-3u, (B) not less than one million dollars shall be
2387 used for an educational technology grant to the deployment center
2388 program and the nonprofit business consortium deployment center
2389 approved pursuant to section 32-41*l*, (C) not less than two million
2390 dollars shall be used by said department for the establishment of a
2391 pilot program to make grants to businesses in designated areas of the
2392 state for construction, renovation or improvement of small
2393 manufacturing facilities, provided such grants are matched by the
2394 business, a municipality or another financing entity. The
2395 Commissioner of Economic and Community Development shall
2396 designate areas of the state where manufacturing is a substantial part
2397 of the local economy and shall make grants under such pilot program

2398 which are likely to produce a significant economic development
2399 benefit for the designated area, (D) five million dollars may be used by
2400 said department for the manufacturing competitiveness grants
2401 program, (E) one million dollars shall be used by said department for
2402 the purpose of a grant to the Connecticut Center for Advanced
2403 Technology, for the purposes of subdivision (5) of subsection (a) of
2404 section 32-7f, (F) fifty million dollars shall be used by said department
2405 for the purpose of grants to the United States Department of the Navy,
2406 the United States Department of Defense or eligible applicants for
2407 projects related to the enhancement of infrastructure for long-term, on-
2408 going naval operations at the United States Naval Submarine Base-
2409 New London, located in Groton, which will increase the military value
2410 of said base. Such projects shall not be subject to the provisions of
2411 **[**sections**]** section 4a-60, as amended by this act, **[**and 4a-60a,**]** (G) two
2412 million dollars shall be used by said department for the purpose of a
2413 grant to the Connecticut Center for Advanced Technology, Inc., for
2414 manufacturing initiatives, including aerospace and defense, and (H)
2415 four million dollars shall be used by said department for the purpose
2416 of a grant to companies adversely impacted by the construction at the
2417 Quinnipiac Bridge, where such grant may be used to offset the increase
2418 in costs of commercial overland transportation of goods or materials
2419 brought to the port of New Haven by ship or vessel, and (2) for the
2420 purposes of the small business assistance program established
2421 pursuant to section 32-9yy, provided fifteen million dollars shall be
2422 deposited in the small business assistance account established
2423 pursuant to said section 32-9yy. The provisions of sections 32-220 to
2424 32-234, inclusive, shall not apply to such funds authorized pursuant to
2425 this subdivision.

2426 Sec. 52. Section 45a-726a of the general statutes is repealed and the
2427 following is substituted in lieu thereof (*Effective July 1, 2013*):

2428 Notwithstanding any provision of **[**sections 4a-60a and 46a-81a to
2429 46a-81p, inclusive**]** section 4a-60, as amended by this act, and chapter

2430 814c, the Commissioner of Children and Families or a child-placing
2431 agency may consider the sexual orientation of the prospective adoptive
2432 or foster parent or parents when placing a child for adoption or in
2433 foster care. Nothing in this section shall be deemed to require the
2434 Commissioner of Children and Families or a child-placing agency to
2435 place a child for adoption or in foster care with a prospective adoptive
2436 or foster parent or parents who are homosexual or bisexual.

2437 Sec. 53. Section 46a-68b of the general statutes is repealed and the
2438 following is substituted in lieu thereof (*Effective July 1, 2013*):

2439 As used in this section and sections 4a-60, as amended by this act,
2440 **[**4a-60a,**]** 4a-60g, as amended by this act, 4a-62, 46a-56, as amended by
2441 this act, and 46a-68c to 46a-68k, inclusive: "Public works contract"
2442 means any agreement between any individual, firm or corporation and
2443 the state or any political subdivision of the state other than a
2444 municipality for construction, rehabilitation, conversion, extension,
2445 demolition or repair of a public building, highway or other changes or
2446 improvements in real property, or which is financed in whole or in
2447 part by the state, including, but not limited to, matching expenditures,
2448 grants, loans, insurance or guarantees.

2449 Sec. 54. Subsection (b) of section 1-1g of the general statutes is
2450 repealed and the following is substituted in lieu thereof (*Effective July*
2451 *1, 2013*):

2452 (b) For the purposes of sections 4a-60, as amended by this act, 4b-28,
2453 4b-31, 8-2g, 8-3e, 8-119t, 9-159s, 10-91f, 12-81, 17a-210, 17a-210b, 17a-
2454 215c, 17a-217 to 17a-218a, inclusive, 17a-220, 17a-226 to 17a-227a,
2455 inclusive, 17a-228, 17a-231 to 17a-233, inclusive, 17a-247 to 17a-247b,
2456 inclusive, 17a-270, 17a-272 to 17a-274, inclusive, 17a-276, 17a-277, 17a-
2457 281, 17a-282, 17a-580, 17a-593, 17a-594, 17a-596, 17b-226, 19a-638, 45a-
2458 598, 45a-669, 45a-670, 45a-672, 45a-674, 45a-676, 45a-677, 45a-678, 45a-
2459 679, 45a-680, 45a-681, 45a-682, 45a-683, 46a-11a to 46a-11g, inclusive,
2460 46a-51, as amended by this act, 46a-60, as amended by this act, 46a-64,

2461 as amended by this act, [46a-64b,] 46a-66, as amended by this act, 46a-
2462 70, as amended by this act, 46a-71, as amended by this act, 46a-72, as
2463 amended by this act, 46a-73, as amended by this act, 46a-75, as
2464 amended by this act, 46a-76, as amended by this act, 46b-84, as
2465 amended by this act, 52-146o, 53a-46a, 53a-59a, 53a-60b, 53a-60c, 53a-
2466 61a, 53a-181i, 53a-320, 53a-321, 53a-322, 53a-323, 54-56d and 54-250,
2467 "intellectual disability" has the same meaning as "mental retardation"
2468 as defined in subsection (a) of this section.

2469 Sec. 55. Subsection (a) of section 17a-210d of the general statutes is
2470 repealed and the following is substituted in lieu thereof (*Effective July*
2471 *1, 2013*):

2472 (a) (1) Wherever the words "the mentally retarded" are used in the
2473 following general statutes, "persons with intellectual disability" or
2474 "individuals with intellectual disability" shall be substituted in lieu
2475 thereof; (2) wherever the words "mentally retarded", "mentally
2476 retarded person" or "mentally retarded persons" are used in the
2477 following general statutes, the words "intellectual disability", "person
2478 with intellectual disability" or "persons with intellectual disability"
2479 shall be substituted in lieu thereof; and (3) wherever the words "mental
2480 retardation" are used in the following general statutes, the words
2481 "intellectual disability" shall be substituted in lieu thereof: 4a-60, as
2482 amended by this act, 4b-31, 8-2g, 8-3e, 9-159s, 10-91f, 17a-593, 17a-594,
2483 17a-596, 45a-598, 45a-669, 45a-672, 45a-676, 45a-677, 45a-678, 45a-679,
2484 45a-680, 45a-681, 45a-682, 45a-683, 46a-51, as amended by this act, 46a-
2485 60, as amended by this act, 46a-64, as amended by this act, [46a-64b,]
2486 46a-66, as amended by this act, 46a-70, as amended by this act, 46a-71,
2487 as amended by this act, 46a-72, as amended by this act, 46a-73, as
2488 amended by this act, 46a-75, as amended by this act, 46a-76, as
2489 amended by this act, 46b-84, as amended by this act, 52-146o, 53a-46a,
2490 53a-181i and 54-250.

2491 Sec. 56. Subdivision (1) of subsection (a) of section 47a-23c of the
2492 general statutes is repealed and the following is substituted in lieu

2493 thereof (*Effective July 1, 2013*):

2494 (a) (1) Except as provided in subdivision (2) of this subsection, this
2495 section applies to any tenant who resides in a building or complex
2496 consisting of five or more separate dwelling units or who resides in a
2497 mobile manufactured home park and who is either: (A) Sixty-two
2498 years of age or older, or whose spouse, sibling, parent or grandparent
2499 is sixty-two years of age or older and permanently resides with that
2500 tenant, or (B) a person with a physical or mental disability, as defined
2501 in **[**subdivision (8) of section 46a-64b**]** section 46a-51, as amended by
2502 this act, or whose spouse, sibling, child, parent or grandparent is a
2503 person with a physical or mental disability who permanently resides
2504 with that tenant, but only if such disability can be expected to result in
2505 death or to last for a continuous period of at least twelve months.

2506 Sec. 57. Subsection (b) of section 5-248a of the general statutes is
2507 repealed and the following is substituted in lieu thereof (*Effective July*
2508 *1, 2013*):

2509 (b) The leave of absence benefits granted by this section shall be in
2510 addition to any other paid leave benefits and benefits provided under
2511 subdivision **[**(7)**]** (5) of subsection (a) of section 46a-60, as amended by
2512 this act, which are otherwise available to the employee.

2513 Sec. 58. Section 19a-490s of the general statutes is repealed and the
2514 following is substituted in lieu thereof (*Effective July 1, 2013*):

2515 Except as provided in this section, a health care employer shall
2516 report to such employer's local law enforcement agency any act which
2517 may constitute an assault or related offense, as described in part V of
2518 chapter 952, against a health care employee acting in the performance
2519 of his or her duties. A health care employer shall make such report not
2520 later than twenty-four hours after the occurrence of the act. The health
2521 care employer shall provide the names and addresses of those
2522 involved with such act to the local law enforcement agency. A health

2523 care employer shall not be required to report any act which may
2524 constitute assault or a related offense if the act was committed by a
2525 person with a disability as described in subdivision **[**(13), (15) or (20)**]**
2526 (30), (36) or (41) of section 46a-51, as amended by this act, whose
2527 conduct is a clear and direct manifestation of the disability.

2528 Sec. 59. Subsection (c) of section 46b-84 of the general statutes is
2529 repealed and the following is substituted in lieu thereof (*Effective July*
2530 *1, 2013*):

2531 (c) The court may make appropriate orders of support of any child
2532 with intellectual disability, as defined in section 1-1g, **[**or**]** a mental
2533 disability, as defined in subdivision (36) of section 46a-51, as amended
2534 by this act, or a physical disability, as defined in subdivision **[**(15)**]** (41)
2535 of section 46a-51, as amended by this act, who resides with a parent
2536 and is principally dependent upon such parent for maintenance until
2537 such child attains the age of twenty-one. The child support guidelines
2538 established pursuant to section 46b-215a shall not apply to orders
2539 entered under this subsection. The provisions of this subsection shall
2540 apply only in cases where the decree of dissolution of marriage, legal
2541 separation or annulment is entered on or after October 1, 1997, or
2542 where the initial support orders in actions not claiming any such
2543 decree are entered on or after October 1, 1997.

2544 Sec. 60. Subsection (c) of section 53a-167c of the general statutes is
2545 repealed and the following is substituted in lieu thereof (*Effective July*
2546 *1, 2013*):

2547 (c) In any prosecution under this section involving assault of a
2548 health care employee, as defined in section 19a-490q, it shall be a
2549 defense that the defendant is a person with a disability as described in
2550 subdivision **[**(13), (15) or (20)**]** (30), (36) or (41) of section 46a-51, as
2551 amended by this act, and the defendant's conduct was a clear and
2552 direct manifestation of the disability.

2553 Sec. 61. Subsections (c) and (d) of section 46a-68 of the general
2554 statutes are repealed and the following is substituted in lieu thereof
2555 (*Effective July 1, 2013*):

2556 (c) Each state agency, department, board and commission that
2557 employs two hundred fifty or more full-time employees shall file an
2558 affirmative action plan developed in accordance with subsection (a) of
2559 this section, with the Commission on Human Rights and
2560 Opportunities, semiannually, except that any state agency,
2561 department, board or commission which has an affirmative action plan
2562 approved by the **[**commission**]** board of commissioners may be
2563 permitted to file its plan on an annual basis in a manner prescribed by
2564 the **[**commission**]** board of commissioners and any state agency,
2565 department, board or commission that employs twenty-five or more
2566 employees but fewer than two hundred fifty full-time employees shall
2567 file its affirmative action plan biennially, unless the **[**commission**]**
2568 board of commissioners disapproves the most recent submission of the
2569 plan, in which case the **[**commission**]** board of commissioners may
2570 require the resubmission of such plan by a time chosen by the
2571 **[**commission**]** board of commissioners, until the plan is approved. All
2572 affirmative action plans shall be filed electronically, if practicable.

2573 (d) The **[**Commission on Human Rights and Opportunities**]** board of
2574 commissioners shall review and formally approve, conditionally
2575 approve or disapprove the content of such affirmative action plans
2576 within ninety days of the submission of each plan to the commission. If
2577 the commissioners, by a majority vote of those present and voting, fail
2578 to approve, conditionally approve or disapprove a plan within such
2579 period, the plan shall be deemed to be approved. Any plan that is filed
2580 more than ninety days after the date such plan is due to be filed in
2581 accordance with the schedule established pursuant to subsection (g) of
2582 this section shall be deemed disapproved.

2583 Sec. 62. Subsection (g) of section 46a-68 of the general statutes is
2584 repealed and the following is substituted in lieu thereof (*Effective July*

2585 *1, 2013*):

2586 (g) The **[**Commission on Human Rights and Opportunities**]**
2587 commission shall adopt regulations, in accordance with chapter 54, to
2588 carry out the requirements of this section. The executive director shall
2589 establish a schedule for semiannual, annual and biennial filing of
2590 plans.

2591 Sec. 63. Section 46a-68i of the general statutes is repealed and the
2592 following is substituted in lieu thereof (*Effective July 1, 2013*):

2593 The commission or any contractor or subcontractor aggrieved by a
2594 decision of the **[**hearing officer or human rights**]** referee following a
2595 hearing held pursuant to subsection (c) of section 46a-56, as amended
2596 by this act, shall have a right of appeal to the Superior Court as
2597 provided for in section 4-183. Such appeal shall be privileged in order
2598 of assignment of trial.

2599 Sec. 64. Subsection (b) of section 46a-82c of the general statutes is
2600 repealed and the following is substituted in lieu thereof (*Effective July*
2601 *1, 2013*):

2602 (b) The time frame contained in subsection **[**(b)**]** (c) of section 46a-83,
2603 as amended by this act, to conduct a merit assessment review shall be
2604 tolled if an answer is not timely received from the date the
2605 respondent's answer is due pursuant to subsection **[**(a)**]** (b) of section
2606 46a-83, as amended by this act, until the date the answer is actually
2607 received by the commission.

2608 Sec. 65. Section 46a-83a of the general statutes is repealed and the
2609 following is substituted in lieu thereof (*Effective July 1, 2013*):

2610 If (1) a complainant requests a release of jurisdiction pursuant to
2611 subsection **[**(b)**]** (c) of section 46a-83, as amended by this act, (2) a
2612 commission legal counsel denies reinstatement of a complaint
2613 pursuant to subsection **[**(b)**]** (c) of said section, or (3) a complaint is

2614 dismissed for failure to accept full relief pursuant to subsection [(c)] (d)
2615 of said section, and the complainant does not request reconsideration
2616 of such dismissal as provided in subsection [(f)] (g) of said section, the
2617 executive director shall issue a release and the complainant may,
2618 within ninety days of receipt of the release from the commission, bring
2619 an action in accordance with sections 46a-100 and 46a-102 to 46a-104,
2620 inclusive, as amended by this act.

2621 Sec. 66. Sections 4a-60a, 46a-61, 46a-62, 46a-63, 46a-64b, 46a-65, 46a-
2622 81a to 46a-81o, inclusive, 46a-81q and 46a-82a to 46a-82d, inclusive, of
2623 the general statutes are repealed. (*Effective July 1, 2013*)"

This act shall take effect as follows and shall amend the following sections:		
Section 1	*July 1, 2013*	1-1f
Sec. 2	*July 1, 2013*	46a-51
Sec. 3	*July 1, 2013*	46a-52
Sec. 4	*July 1, 2013*	46a-54
Sec. 5	*July 1, 2013*	46a-56
Sec. 6	*July 1, 2013*	46a-57
Sec. 7	*July 1, 2013*	46a-58
Sec. 8	*July 1, 2013*	46a-59(a)
Sec. 9	*July 1, 2013*	New section
Sec. 10	*July 1, 2013*	46a-60(a)
Sec. 11	*July 1, 2013*	4a-60(a)
Sec. 12	*July 1, 2013*	4a-60(b)
Sec. 13	*July 1, 2013*	4a-60(d)
Sec. 14	*July 1, 2013*	4a-60g(a)(7)
Sec. 15	*July 1, 2013*	46a-64
Sec. 16	*July 1, 2013*	46a-64c
Sec. 17	*July 1, 2013*	46a-66(a)
Sec. 18	*July 1, 2013*	46a-67
Sec. 19	*July 1, 2013*	46a-68a
Sec. 20	*July 1, 2013*	46a-70(a)
Sec. 21	*July 1, 2013*	46a-70a
Sec. 22	*July 1, 2013*	46a-71(a)
Sec. 23	*July 1, 2013*	46a-72(b)

Sec. 24	*July 1, 2013*	46a-73(a)
Sec. 25	*July 1, 2013*	46a-75(a)
Sec. 26	*July 1, 2013*	46a-76(a)
Sec. 27	*July 1, 2013*	46a-77(c)
Sec. 28	*July 1, 2013*	46a-81p
Sec. 29	*July 1, 2013*	46a-82
Sec. 30	*July 1, 2013*	46a-82e
Sec. 31	*July 1, 2013*	46a-83
Sec. 32	*July 1, 2013*	46a-84
Sec. 33	*July 1, 2013*	46a-86
Sec. 34	*July 1, 2013*	46a-87
Sec. 35	*July 1, 2013*	46a-88
Sec. 36	*July 1, 2013*	46a-89
Sec. 37	*July 1, 2013*	46a-89a
Sec. 38	*July 1, 2013*	46a-90a
Sec. 39	*July 1, 2013*	46a-94
Sec. 40	*July 1, 2013*	46a-94a
Sec. 41	*July 1, 2013*	46a-95(a)
Sec. 42	*July 1, 2013*	46a-97
Sec. 43	*July 1, 2013*	46a-98
Sec. 44	*July 1, 2013*	46a-98a
Sec. 45	*July 1, 2013*	46a-99
Sec. 46	*July 1, 2013*	46a-100
Sec. 47	*July 1, 2013*	46a-101
Sec. 48	*July 1, 2013*	46a-102
Sec. 49	*July 1, 2013*	46a-103
Sec. 50	*July 1, 2013*	53-37
Sec. 51	*July 1, 2013*	32-235(b)
Sec. 52	*July 1, 2013*	45a-726a
Sec. 53	*July 1, 2013*	46a-68b
Sec. 54	*July 1, 2013*	1-1g(b)
Sec. 55	*July 1, 2013*	17a-210d(a)
Sec. 56	*July 1, 2013*	47a-23c(a)(1)
Sec. 57	*July 1, 2013*	5-248a(b)
Sec. 58	*July 1, 2013*	19a-490s
Sec. 59	*July 1, 2013*	46b-84(c)
Sec. 60	*July 1, 2013*	53a-167c(c)
Sec. 61	*July 1, 2013*	46a-68(c) and (d)
Sec. 62	*July 1, 2013*	46a-68(g)

Sec. 63	*July 1, 2013*	46a-68i
Sec. 64	*July 1, 2013*	46a-82c(b)
Sec. 65	*July 1, 2013*	46a-83a
Sec. 66	*July 1, 2013*	Repealer section