
OLR Bill Analysis

HB 5367

AN ACT CONCERNING THE IMPLEMENTATION OF ENHANCED PROTECTIONS AGAINST DISCRIMINATION.

SUMMARY:

This bill makes it a discriminatory practice to deprive someone of any legally guaranteed right because of his or her mental disability. By law, “mental disability” refers to a person who has a record of, or is regarded as having, one or more mental disorders, as defined in the most recent edition of the American Psychiatric Association’s Diagnostic and Statistical Manual of Mental Disorders. The law already bans discrimination based on mental disability in certain contexts (e.g., employment, housing, and public accommodations).

The bill also makes it a discriminatory practice to place a noose or simulation of one (1) on public property or on private property without the owner’s written consent and (2) with the intent to intimidate or harass someone based on gender identity or expression or mental disability. By law, “gender identity or expression” means a person’s gender-related identity, appearance, or behavior, whether or not that identity, appearance, or behavior differs from that traditionally associated with the person’s physiology or assigned sex at birth.

Committing a discriminatory practice is a class A misdemeanor, but it is a class D felony if property damage over \$1,000 results. A class A misdemeanor is punishable by a fine of up to \$2,000, imprisonment for up to one year, or both. A class D felony is punishable by a fine of up to \$5,000, imprisonment for up to five years, or both.

EFFECTIVE DATE: October 1, 2014

BACKGROUND

Discriminatory Practices

By law, it is a discriminatory practice to:

1. deprive someone of any legally guaranteed right because of his or her religion, national origin, alienage, color, race, sex, gender identity or expression, sexual orientation, blindness, or physical disability;
2. intentionally desecrate any public property, monument, or structure, religious object, symbol, or house of worship, cemetery, or private structure;
3. place a burning cross or simulation of one on public property or on private property without the owner's written consent; or
4. place a noose or simulation of one (a) on public property or on private property without the owner's written consent and (b) with the intent to intimidate or harass someone based on religion, national origin, alienage, color, race, sex, sexual orientation, blindness, or physical disability.

Related Law

By law, it is a class D felony if a person commits a discriminatory practice while (1) wearing a mask, hood, or other device designed to conceal his or her identity and (2) intending to deprive another person of any legally guaranteed right because of his or her religion, national origin, alienage, color, race, sex, gender identity or expression, sexual orientation, blindness, or physical disability (CGS § 53-37a).

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 40 Nay 0 (04/02/2014)