



General Assembly

Substitute Bill No. 197

February Session, 2016



**AN ACT CONCERNING VETERANS, DISCRIMINATORY PRACTICES
AND ORDERS OF THE COMMISSION ON HUMAN RIGHTS AND
OPPORTUNITIES IN EMPLOYMENT DISCRIMINATION CASES.**

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

1 Section 1. Section 46a-58 of the 2016 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2016*):

4 (a) It shall be a discriminatory practice in violation of this section for
5 any person to subject, or cause to be subjected, any other person to the
6 deprivation of any rights, privileges or immunities, secured or
7 protected by the Constitution or laws of this state or of the United
8 States, on account of religion, national origin, alienage, color, race, sex,
9 gender identity or expression, sexual orientation, blindness, mental
10 disability, [or] physical disability or status as a veteran, as defined in
11 subsection (a) of section 27-103.

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

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

22 (d) Any person who places a noose or a simulation thereof on any
23 public property, or on any private property without the written
24 consent of the owner, and with intent to intimidate or harass any other
25 person on account of religion, national origin, alienage, color, race, sex,
26 sexual orientation, blindness, [or] physical disability or status as a
27 veteran, as defined in subsection (a) of section 27-103, shall be in
28 violation of subsection (a) of this section.

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

33 Sec. 2. Section 46a-59 of the general statutes is repealed and the
34 following is substituted in lieu thereof (*Effective October 1, 2016*):

35 (a) It shall be a discriminatory practice in violation of this section for
36 any association, board or other organization the principal purpose of
37 which is the furtherance of the professional or occupational interests of
38 its members, whose profession, trade or occupation requires a state
39 license, to refuse to accept a person as a member of such association,
40 board or organization because of his race, national origin, creed, sex,
41 gender identity or expression, [or] color or status as a veteran, as
42 defined in subsection (a) of section 27-103.

43 (b) Any association, board or other organization which violates the
44 provisions of this section shall be fined not less than one hundred
45 dollars nor more than five hundred dollars.

46 Sec. 3. Subdivisions (1) to (6), inclusive, of subsection (a) of section
47 46a-60 of the general statutes are repealed and the following is
48 substituted in lieu thereof (*Effective October 1, 2016*):

49 (1) For an employer, by the employer or the employer's agent,
50 except in the case of a bona fide occupational qualification or need, to
51 refuse to hire or employ or to bar or to discharge from employment
52 any individual or to discriminate against such individual in
53 compensation or in terms, conditions or privileges of employment
54 because of the individual's race, color, religious creed, age, sex, gender
55 identity or expression, marital status, national origin, ancestry, present
56 or past history of mental disability, intellectual disability, learning
57 disability, [or] physical disability, including, but not limited to,
58 blindness, or status as a veteran, as defined in subsection (a) of section
59 27-103;

60 (2) For any employment agency, except in the case of a bona fide
61 occupational qualification or need, to fail or refuse to classify properly
62 or refer for employment or otherwise to discriminate against any
63 individual because of such individual's race, color, religious creed, age,
64 sex, gender identity or expression, marital status, national origin,
65 ancestry, present or past history of mental disability, intellectual
66 disability, learning disability, [or] physical disability, including, but
67 not limited to, blindness, or status as a veteran, as defined in
68 subsection (a) of section 27-103;

69 (3) For a labor organization, because of the race, color, religious
70 creed, age, sex, gender identity or expression, marital status, national
71 origin, ancestry, present or past history of mental disability,
72 intellectual disability, learning disability, [or] physical disability,
73 including, but not limited to, blindness, or status as a veteran, as
74 defined in subsection (a) of section 27-103, of any individual to exclude
75 from full membership rights or to expel from its membership such
76 individual or to discriminate in any way against any of its members or
77 against any employer or any individual employed by an employer,
78 unless such action is based on a bona fide occupational qualification;

79 (4) For any person, employer, labor organization or employment
80 agency to discharge, expel or otherwise discriminate against any
81 person because such person has opposed any discriminatory

82 employment practice or because such person has filed a complaint or
83 testified or assisted in any proceeding under section 46a-82, 46a-83 or
84 46a-84;

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

88 (6) For any person, employer, employment agency or labor
89 organization, except in the case of a bona fide occupational
90 qualification or need, to advertise employment opportunities in such a
91 manner as to restrict such employment so as to discriminate against
92 individuals because of their race, color, religious creed, age, sex,
93 gender identity or expression, marital status, national origin, ancestry,
94 present or past history of mental disability, intellectual disability,
95 learning disability, [or] physical disability, including, but not limited
96 to, blindness, or status as a veteran, as defined in subsection (a) of
97 section 27-103;

98 Sec. 4. Subsection (a) of section 46a-64 of the general statutes is
99 repealed and the following is substituted in lieu thereof (*Effective*
100 *October 1, 2016*):

101 (a) It shall be a discriminatory practice in violation of this section: (1)
102 To deny any person within the jurisdiction of this state full and equal
103 accommodations in any place of public accommodation, resort or
104 amusement because of race, creed, color, national origin, ancestry, sex,
105 gender identity or expression, marital status, age, lawful source of
106 income, intellectual disability, mental disability, [or] physical
107 disability, including, but not limited to, blindness or deafness, or status
108 as a veteran, as defined in subsection (a) of section 27-103, of the
109 applicant, subject only to the conditions and limitations established by
110 law and applicable alike to all persons; (2) to discriminate, segregate or
111 separate on account of race, creed, color, national origin, ancestry, sex,
112 gender identity or expression, marital status, age, lawful source of
113 income, intellectual disability, mental disability, learning disability,

114 [or] physical disability, including, but not limited to, blindness or
115 deafness, or status as a veteran, as defined in subsection (a) of section
116 27-103; (3) for a place of public accommodation, resort or amusement
117 to restrict or limit the right of a mother to breast-feed her child; (4) for
118 a place of public accommodation, resort or amusement to fail or refuse
119 to post a notice, in a conspicuous place, that any blind, deaf or mobility
120 impaired person, accompanied by his guide dog wearing a harness or
121 an orange-colored leash and collar, may enter such premises or
122 facilities; or (5) to deny any blind, deaf or mobility impaired person or
123 any person training a dog as a guide dog for a blind person or a dog to
124 assist a deaf or mobility impaired person, accompanied by his guide
125 dog or assistance dog, full and equal access to any place of public
126 accommodation, resort or amusement. Any blind, deaf or mobility
127 impaired person or any person training a dog as a guide dog for a
128 blind person or a dog to assist a deaf or mobility impaired person may
129 keep his guide dog or assistance dog with him at all times in such
130 place of public accommodation, resort or amusement at no extra
131 charge, provided the dog wears a harness or an orange-colored leash
132 and collar and is in the direct custody of such person. The blind, deaf
133 or mobility impaired person or person training a dog as a guide dog
134 for a blind person or a dog to assist a deaf or mobility impaired person
135 shall be liable for any damage done to the premises or facilities by his
136 dog. For purposes of this subdivision, "guide dog" or "assistance dog"
137 includes a dog being trained as a guide dog or assistance dog and
138 "person training a dog as a guide dog for a blind person or a dog to
139 assist a deaf or mobility impaired person" means a person who is
140 employed by and authorized to engage in designated training
141 activities by a guide dog organization or assistance dog organization
142 that complies with the criteria for membership in a professional
143 association of guide dog or assistance dog schools and who carries
144 photographic identification indicating such employment and
145 authorization.

146 Sec. 5. Section 46a-64c of the general statutes is repealed and the
147 following is substituted in lieu thereof (*Effective October 1, 2016*):

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

149 (1) To refuse to sell or rent after the making of a bona fide offer, or
150 to refuse to negotiate for the sale or rental of, or otherwise make
151 unavailable or deny, a dwelling to any person because of race, creed,
152 color, national origin, ancestry, sex, gender identity or expression,
153 marital status, age, lawful source of income, [or] familial status or
154 status as a veteran, as defined in subsection (a) of section 27-103.

155 (2) To discriminate against any person in the terms, conditions, or
156 privileges of sale or rental of a dwelling, or in the provision of services
157 or facilities in connection therewith, because of race, creed, color,
158 national origin, ancestry, sex, gender identity or expression, marital
159 status, age, lawful source of income, [or] familial status or status as a
160 veteran, as defined in subsection (a) of section 27-103.

161 (3) To make, print or publish, or cause to be made, printed or
162 published any notice, statement, or advertisement, with respect to the
163 sale or rental of a dwelling that indicates any preference, limitation, or
164 discrimination based on race, creed, color, national origin, ancestry,
165 sex, gender identity or expression, marital status, age, lawful source of
166 income, familial status, learning disability, [or] physical or mental
167 disability or status as a veteran, as defined in subsection (a) of section
168 27-103, or an intention to make any such preference, limitation or
169 discrimination.

170 (4) (A) To represent to any person because of race, creed, color,
171 national origin, ancestry, sex, gender identity or expression, marital
172 status, age, lawful source of income, familial status, learning disability,
173 [or] physical or mental disability or status as a veteran, as defined in
174 subsection (a) of section 27-103, that any dwelling is not available for
175 inspection, sale or rental when such dwelling is in fact so available.

176 (B) It shall be a violation of this subdivision for any person to
177 restrict or attempt to restrict the choices of any buyer or renter to
178 purchase or rent a dwelling (i) to an area which is substantially

179 populated, even if less than a majority, by persons of the same
180 protected class as the buyer or renter, (ii) while such person is
181 authorized to offer for sale or rent another dwelling which meets the
182 housing criteria as expressed by the buyer or renter to such person,
183 and (iii) such other dwelling is in an area which is not substantially
184 populated by persons of the same protected class as the buyer or
185 renter. As used in this subdivision, "area" means municipality,
186 neighborhood or other geographic subdivision which may include an
187 apartment or condominium complex; and "protected class" means race,
188 creed, color, national origin, ancestry, sex, gender identity or
189 expression, marital status, age, lawful source of income, familial status,
190 learning disability, [or] physical or mental disability or status as a
191 veteran, as defined in subsection (a) of section 27-103.

192 (5) For profit, to induce or attempt to induce any person to sell or
193 rent any dwelling by representations regarding the entry or
194 prospective entry into the neighborhood of a person or persons of a
195 particular race, creed, color, national origin, ancestry, sex, gender
196 identity or expression, marital status, age, lawful source of income,
197 familial status, learning disability, [or] physical or mental disability or
198 status as a veteran, as defined in subsection (a) of section 27-103.

199 (6) (A) To discriminate in the sale or rental, or to otherwise make
200 unavailable or deny, a dwelling to any buyer or renter because of a
201 learning disability or physical or mental disability of: (i) Such buyer or
202 renter; (ii) a person residing in or intending to reside in such dwelling
203 after it is so sold, rented, or made available; or (iii) any person
204 associated with such buyer or renter.

205 (B) To discriminate against any person in the terms, conditions or
206 privileges of sale or rental of a dwelling, or in the provision of services
207 or facilities in connection with such dwelling, because of a learning
208 disability or physical or mental disability of: (i) Such person; or (ii) a
209 person residing in or intending to reside in such dwelling after it is so
210 sold, rented, or made available; or (iii) any person associated with such
211 person.

212 (C) For purposes of this subdivision, discrimination includes: (i) A
213 refusal to permit, at the expense of a person with a physical or mental
214 disability, reasonable modifications of existing premises occupied or to
215 be occupied by such person if such modifications may be necessary to
216 afford such person full enjoyment of the premises; except that, in the
217 case of a rental, the landlord may, where it is reasonable to do so,
218 condition permission for a modification on the renter agreeing to
219 restore the interior of the premises to the condition that existed before
220 the modification, reasonable wear and tear excepted; (ii) a refusal to
221 make reasonable accommodations in rules, policies, practices or
222 services, when such accommodations may be necessary to afford such
223 person equal opportunity to use and enjoy a dwelling; (iii) in
224 connection with the design and construction of covered multifamily
225 dwellings for the first occupancy after March 13, 1991, a failure to
226 design and construct those dwellings in such manner that they comply
227 with the requirements of Section 804(f) of the Fair Housing Act or the
228 provisions of the state building code as adopted pursuant to the
229 provisions of sections 29-269 and 29-273, whichever requires greater
230 accommodation. "Covered multifamily dwellings" means buildings
231 consisting of four or more units if such buildings have one or more
232 elevators, and ground floor units in other buildings consisting of four
233 or more units.

234 (7) For any person or other entity engaging in residential real-estate-
235 related transactions to discriminate against any person in making
236 available such a transaction, or in the terms or conditions of such a
237 transaction, because of race, creed, color, national origin, ancestry, sex,
238 gender identity or expression, marital status, age, lawful source of
239 income, familial status, learning disability, [or] physical or mental
240 disability or status as a veteran, as defined in subsection (a) of section
241 27-103.

242 (8) To deny any person access to or membership or participation in
243 any multiple-listing service, real estate brokers' organization or other
244 service, organization, or facility relating to the business of selling or

245 renting dwellings, or to discriminate against him in the terms or
246 conditions of such access, membership or participation, on account of
247 race, creed, color, national origin, ancestry, sex, gender identity or
248 expression, marital status, age, lawful source of income, familial status,
249 learning disability, [or] physical or mental disability or status as a
250 veteran, as defined in subsection (a) of section 27-103.

251 (9) To coerce, intimidate, threaten, or interfere with any person in
252 the exercise or enjoyment of, or on account of his having exercised or
253 enjoyed, or on account of his having aided or encouraged any other
254 person in the exercise or enjoyment of, any right granted or protected
255 by this section.

256 (b) (1) The provisions of this section shall not apply to (A) the rental
257 of a room or rooms in a single-family dwelling unit if the owner
258 actually maintains and occupies part of such living quarters as his
259 residence or (B) a unit in a dwelling containing living quarters
260 occupied or intended to be occupied by no more than two families
261 living independently of each other, if the owner actually maintains and
262 occupies the other such living quarters as his residence. (2) The
263 provisions of this section with respect to the prohibition of
264 discrimination on the basis of marital status shall not be construed to
265 prohibit the denial of a dwelling to a man or a woman who are both
266 unrelated by blood and not married to each other. (3) The provisions of
267 this section with respect to the prohibition of discrimination on the
268 basis of age shall not apply to minors, to special discount or other
269 public or private programs to assist persons sixty years of age and
270 older or to housing for older persons as defined in section 46a-64b,
271 provided there is no discrimination on the basis of age among older
272 persons eligible for such housing. (4) The provisions of this section
273 with respect to the prohibition of discrimination on the basis of familial
274 status shall not apply to housing for older persons as defined in section
275 46a-64b or to a unit in a dwelling containing units for no more than
276 four families living independently of each other, if the owner of such
277 dwelling resides in one of the units. (5) The provisions of this section

278 with respect to the prohibition of discrimination on the basis of lawful
279 source of income shall not prohibit the denial of full and equal
280 accommodations solely on the basis of insufficient income. (6) The
281 provisions of this section with respect to the prohibition of
282 discrimination on the basis of sex shall not apply to the rental of
283 sleeping accommodations to the extent they utilize shared bathroom
284 facilities when such sleeping accommodations are provided by
285 associations and organizations which rent such sleeping
286 accommodations on a temporary or permanent basis for the exclusive
287 use of persons of the same sex based on considerations of privacy and
288 modesty.

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

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

297 (e) Nothing in this section prohibits a person engaged in the
298 business of furnishing appraisals of real property to take into
299 consideration factors other than race, creed, color, national origin,
300 ancestry, sex, gender identity or expression, marital status, age, lawful
301 source of income, familial status, learning disability, [or] physical or
302 mental disability or status as a veteran, as defined in subsection (a) of
303 section 27-103.

304 (f) Notwithstanding any other provision of this chapter, complaints
305 alleging a violation of this section shall be investigated within one
306 hundred days of filing and a final administrative disposition shall be
307 made within one year of filing unless it is impracticable to do so. If the
308 Commission on Human Rights and Opportunities is unable to
309 complete its investigation or make a final administrative determination

310 within such time frames, it shall notify the complainant and the
311 respondent in writing of the reasons for not doing so.

312 (g) Any person who violates any provision of this section shall be
313 guilty of a class D misdemeanor.

314 Sec. 6. Section 46a-66 of the general statutes is repealed and the
315 following is substituted in lieu thereof (*Effective October 1, 2016*):

316 (a) It shall be a discriminatory practice in violation of this section for
317 any creditor to discriminate on the basis of sex, gender identity or
318 expression, age, race, color, religious creed, national origin, ancestry,
319 marital status, intellectual disability, learning disability, blindness, [or]
320 physical disability or status as a veteran, as defined in subsection (a) of
321 section 27-103, against any person eighteen years of age or over in any
322 credit transaction.

323 (b) No liability may be imposed under this section for an act done or
324 omitted in conformity with a regulation or declaratory ruling of the
325 Banking Commissioner, the Federal Reserve Board or any other
326 governmental agency having jurisdiction under the Equal Credit
327 Opportunity Act, notwithstanding that after the act or omission the
328 regulation or declaratory ruling may be amended, repealed or
329 determined to be invalid for any reason.

330 Sec. 7. Section 46a-70 of the general statutes is repealed and the
331 following is substituted in lieu thereof (*Effective October 1, 2016*):

332 (a) State officials and supervisory personnel shall recruit, appoint,
333 assign, train, evaluate and promote state personnel on the basis of
334 merit and qualifications, without regard for race, color, religious creed,
335 sex, gender identity or expression, marital status, age, national origin,
336 ancestry, intellectual disability, mental disability, learning disability, [or]
337 physical disability, including, but not limited to, blindness, or
338 status as a veteran, as defined in subsection (a) of section 27-103, unless
339 it is shown by such state officials or supervisory personnel that such
340 disability prevents performance of the work involved.

341 (b) All state agencies shall promulgate written directives to carry
342 out this policy and to guarantee equal employment opportunities at all
343 levels of state government. They shall regularly review their personnel
344 practices to assure compliance.

345 (c) All state agencies shall conduct continuing orientation and
346 training programs with emphasis on human relations and
347 nondiscriminatory employment practices.

348 (d) The Commissioner of Administrative Services shall insure that
349 the entire examination process, including qualifications appraisal, is
350 free from bias.

351 (e) Appointing authorities shall exercise care to insure utilization of
352 minority group persons.

353 Sec. 8. Section 46a-71 of the general statutes is repealed and the
354 following is substituted in lieu thereof (*Effective October 1, 2016*):

355 (a) All services of every state agency shall be performed without
356 discrimination based upon race, color, religious creed, sex, gender
357 identity or expression, marital status, age, national origin, ancestry,
358 intellectual disability, mental disability, learning disability, [or]
359 physical disability, including, but not limited to, blindness, or status as
360 a veteran, as defined in subsection (a) of section 27-103.

361 (b) No state facility may be used in the furtherance of any
362 discrimination, nor may any state agency become a party to any
363 agreement, arrangement or plan which has the effect of sanctioning
364 discrimination.

365 (c) Each state agency shall analyze all of its operations to ascertain
366 possible instances of noncompliance with the policy of sections 46a-70
367 to 46a-78, inclusive, as amended by this act, and shall initiate
368 comprehensive programs to remedy any defect found to exist.

369 (d) Every state contract or subcontract for construction on public

370 buildings or for other public work or for goods and services shall
371 conform to the intent of section 4a-60.

372 Sec. 9. Section 46a-72 of the general statutes is repealed and the
373 following is substituted in lieu thereof (*Effective October 1, 2016*):

374 (a) All state agencies, including educational institutions, which
375 provide employment referrals or placement services to public or
376 private employers, shall accept job orders on a nondiscriminatory
377 basis.

378 (b) Any job request indicating an intention to exclude any person
379 because of race, color, religious creed, sex, gender identity or
380 expression, marital status, age, national origin, ancestry, intellectual
381 disability, mental disability, learning disability, [or] physical disability,
382 including, but not limited to, blindness, or status as a veteran, as
383 defined in subsection (a) of section 27-103, shall be rejected, unless it is
384 shown by such public or private employers that such disability
385 prevents performance of the work involved.

386 (c) All state agencies shall cooperate in programs developed by the
387 Commission on Human Rights and Opportunities initiated for the
388 purpose of broadening the base for job recruitment and shall further
389 cooperate with all employers and unions providing such programs.

390 (d) The Labor Department shall encourage and enforce employers
391 and labor unions to comply with the policy of sections 46a-70 to 46a-
392 78, inclusive, as amended by this act, and promote equal employment
393 opportunities.

394 Sec. 10. Section 46a-73 of the general statutes is repealed and the
395 following is substituted in lieu thereof (*Effective October 1, 2016*):

396 (a) No state department, board or agency may grant, deny or revoke
397 the license or charter of any person on the grounds of race, color,
398 religious creed, sex, gender identity or expression, marital status, age,
399 national origin, ancestry, intellectual disability, mental disability,

400 learning disability, [or] physical disability, including, but not limited
401 to, blindness, or status as a veteran, as defined in subsection (a) of
402 section 27-103, unless it is shown by such state department, board or
403 agency that such disability prevents performance of the work
404 involved.

405 (b) Each state agency shall take such appropriate action in the
406 exercise of its licensing or regulatory power as will assure equal
407 treatment of all persons and eliminate discrimination and enforce
408 compliance with the policy of sections 46a-70 to 46a-78, inclusive, as
409 amended by this act.

410 Sec. 11. Section 46a-75 of the general statutes is repealed and the
411 following is substituted in lieu thereof (*Effective October 1, 2016*):

412 (a) All educational, counseling, and vocational guidance programs
413 and all apprenticeship and on-the-job training programs of state
414 agencies, or in which state agencies participate, shall be open to all
415 qualified persons, without regard to race, color, religious creed, sex,
416 gender identity or expression, marital status, age, national origin,
417 ancestry, intellectual disability, mental disability, learning disability,
418 [or] physical disability, including, but not limited to, blindness, or
419 status as a veteran, as defined in subsection (a) of section 27-103.

420 (b) Such programs shall be conducted to encourage the fullest
421 development of the interests, aptitudes, skills, and capacities of all
422 students and trainees, with special attention to the problems of
423 culturally deprived, educationally handicapped, learning disabled,
424 economically disadvantaged, or physically disabled, including, but not
425 limited to, blind persons.

426 (c) Expansion of training opportunities under these programs shall
427 be encouraged so as to involve larger numbers of participants from
428 those segments of the labor force where the need for upgrading levels
429 of skill is greatest.

430 Sec. 12. Section 46a-76 of the general statutes is repealed and the

431 following is substituted in lieu thereof (*Effective October 1, 2016*):

432 (a) Race, color, religious creed, sex, gender identity or expression,
433 marital status, age, national origin, ancestry, intellectual disability,
434 mental disability, learning disability, [or] physical disability, including,
435 but not limited to, blindness, or status as a veteran, as defined in
436 subsection (a) of section 27-103, shall not be considered as limiting
437 factors in state-administered programs involving the distribution of
438 funds to qualify applicants for benefits authorized by law.

439 (b) No state agency may provide grants, loans or other financial
440 assistance to public agencies, private institutions or organizations
441 which discriminate.

442 Sec. 13. Subsections (a) and (b) of section 46a-86 of the 2016
443 supplement to the general statutes are repealed and the following is
444 substituted in lieu thereof (*Effective October 1, 2016*):

445 (a) If, upon all the evidence presented at the hearing conducted
446 pursuant to section 46a-84, the presiding officer finds that a
447 respondent has engaged in any discriminatory practice, the presiding
448 officer shall make written findings of fact and file with the commission
449 and serve on the complainant and respondent an order requiring the
450 respondent to cease and desist from the discriminatory practice and to
451 take such affirmative action as is necessary to achieve the purpose of
452 this chapter and redress any injury of the complainant resulting from
453 the discriminatory practice.

454 (b) In addition to any other action taken under this section, upon a
455 finding of a discriminatory employment practice, the presiding officer
456 [may] shall order the hiring, promotion or reinstatement of any
457 individual, with or without back pay, or restoration to membership in
458 any respondent labor organization and shall allow reasonable
459 attorney's fees and costs. The amount of attorney's fees allowed shall
460 not be contingent upon the amount of damages requested by or
461 awarded to the complainant. Liability for back pay shall not accrue

462 from a date more than two years prior to the filing or issuance of the
 463 complaint. Interim earnings, including unemployment compensation
 464 and welfare assistance or amounts which could have been earned with
 465 reasonable diligence on the part of the person to whom back pay is
 466 awarded shall be deducted from the amount of back pay to which such
 467 person is otherwise entitled. The amount of any deduction for interim
 468 unemployment compensation or welfare assistance shall be paid by
 469 the respondent to the commission which shall transfer such amount to
 470 the appropriate state or local agency.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	46a-58
Sec. 2	<i>October 1, 2016</i>	46a-59
Sec. 3	<i>October 1, 2016</i>	46a-60(a)(1) to (6)
Sec. 4	<i>October 1, 2016</i>	46a-64(a)
Sec. 5	<i>October 1, 2016</i>	46a-64c
Sec. 6	<i>October 1, 2016</i>	46a-66
Sec. 7	<i>October 1, 2016</i>	46a-70
Sec. 8	<i>October 1, 2016</i>	46a-71
Sec. 9	<i>October 1, 2016</i>	46a-72
Sec. 10	<i>October 1, 2016</i>	46a-73
Sec. 11	<i>October 1, 2016</i>	46a-75
Sec. 12	<i>October 1, 2016</i>	46a-76
Sec. 13	<i>October 1, 2016</i>	46a-86(a) and (b)

VA *Joint Favorable Subst.*