



House of Representatives

General Assembly

File No. 24

January Session, 2021

Substitute House Bill No. 6376

House of Representatives, March 9, 2021

The Committee on Labor and Public Employees reported through REP. PORTER of the 94th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CREATING A RESPECTFUL AND OPEN WORLD FOR NATURAL HAIR.

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

1 Section 1. Section 46a-51 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

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

4 (1) "Blind" refers to an individual whose central visual acuity does
5 not exceed 20/200 in the better eye with correcting lenses, or whose
6 visual acuity is greater than 20/200 but is accompanied by a limitation
7 in the fields of vision such that the widest diameter of the visual field
8 subtends an angle no greater than twenty degrees;

9 (2) "Commission" means the Commission on Human Rights and
10 Opportunities created by section 46a-52;

11 (3) "Commission legal counsel" means a member of the legal staff

- 12 employed by the commission pursuant to section 46a-54;
- 13 (4) "Commissioner" means a member of the commission;
- 14 (5) "Court" means the Superior Court or any judge of said court;
- 15 (6) "Discrimination" includes segregation and separation;
- 16 (7) "Discriminatory employment practice" means any discriminatory
17 practice specified in section 46a-60 or 46a-81c;
- 18 (8) "Discriminatory practice" means a violation of section 4a-60, 4a-
19 60a, 4a-60g, 31-40y, subparagraph (C) of subdivision (15) of section 46a-
20 54, subdivisions (16) and (17) of section 46a-54, section 46a-58, 46a-59,
21 46a-60, 46a-64, 46a-64c, 46a-66, 46a-68, 46a-68c to 46a-68f, inclusive, or
22 46a-70 to 46a-78, inclusive, subsection (a) of section 46a-80 or sections
23 46a-81b to 46a-81o, inclusive;
- 24 (9) "Employee" means any person employed by an employer but shall
25 not include any individual employed by such individual's parents,
26 spouse or child;
- 27 (10) "Employer" includes the state and all political subdivisions
28 thereof and means any person or employer with three or more persons
29 in such person's or employer's employ;
- 30 (11) "Employment agency" means any person undertaking with or
31 without compensation to procure employees or opportunities to work;
- 32 (12) "Labor organization" means any organization which exists for the
33 purpose, in whole or in part, of collective bargaining or of dealing with
34 employers concerning grievances, terms or conditions of employment,
35 or of other mutual aid or protection in connection with employment;
- 36 (13) "Intellectual disability" means intellectual disability as defined in
37 section 1-1g;
- 38 (14) "Person" means one or more individuals, partnerships,
39 associations, corporations, limited liability companies, legal

40 representatives, trustees, trustees in bankruptcy, receivers and the state
41 and all political subdivisions and agencies thereof;

42 (15) "Physically disabled" refers to any individual who has any
43 chronic physical handicap, infirmity or impairment, whether congenital
44 or resulting from bodily injury, organic processes or changes or from
45 illness, including, but not limited to, epilepsy, deafness or being hard of
46 hearing or reliance on a wheelchair or other remedial appliance or
47 device;

48 (16) "Respondent" means any person alleged in a complaint filed
49 pursuant to section 46a-82 to have committed a discriminatory practice;

50 (17) "Discrimination on the basis of sex" includes but is not limited to
51 discrimination related to pregnancy, child-bearing capacity,
52 sterilization, fertility or related medical conditions;

53 (18) "Discrimination on the basis of religious creed" includes but is
54 not limited to discrimination related to all aspects of religious
55 observances and practice as well as belief, unless an employer
56 demonstrates that the employer is unable to reasonably accommodate
57 to an employee's or prospective employee's religious observance or
58 practice without undue hardship on the conduct of the employer's
59 business;

60 (19) "Learning disability" refers to an individual who exhibits a severe
61 discrepancy between educational performance and measured
62 intellectual ability and who exhibits a disorder in one or more of the
63 basic psychological processes involved in understanding or in using
64 language, spoken or written, which may manifest itself in a diminished
65 ability to listen, speak, read, write, spell or to do mathematical
66 calculations;

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

71 (21) "Gender identity or expression" means a person's gender-related
 72 identity, appearance or behavior, whether or not that gender-related
 73 identity, appearance or behavior is different from that traditionally
 74 associated with the person's physiology or assigned sex at birth, which
 75 gender-related identity can be shown by providing evidence including,
 76 but not limited to, medical history, care or treatment of the gender-
 77 related identity, consistent and uniform assertion of the gender-related
 78 identity or any other evidence that the gender-related identity is
 79 sincerely held, part of a person's core identity or not being asserted for
 80 an improper purpose; [.]

81 (22) "Veteran" means veteran as defined in subsection (a) of section
 82 27-103; [.]

83 (23) "Race" includes ethnic traits historically associated with race,
 84 including, but not limited to, hair texture and protective hairstyles; and

85 (24) "Protective hairstyles" includes, but is not limited to, wigs,
 86 headwraps and hairstyles such as individual braids, cornrows, locs,
 87 twists, Bantu knots, afros and afro puffs.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	46a-51

LAB *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill expands the prohibition of discrimination in employment, housing, public accommodation, and credit transactions on the basis of natural hair and texture associated with race.

The bill has no fiscal impact as it is expected that the Commission of Human Rights and Opportunities (CHRO) can handle new complaints using existing staff.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 6376*****AN ACT CREATING A RESPECTFUL AND OPEN WORLD FOR NATURAL HAIR.*****SUMMARY**

This bill makes it an illegal practice to (1) discriminate based on a person's hair texture and protective hairstyle in employment, public accommodations, housing, credit practices, union membership, and state agency practices or (2) deprive any person of any rights secured or protected by the Connecticut Constitution or the United States Constitution on account of the person's hair texture and protective hairstyle. It does so by specifying that the term "race" includes ethnic traits historically associated with race, including hair texture and protective hairstyles.

Under the bill, "protective hairstyles" include wigs, headwraps, and hairstyles such as individual braids, cornrows, locs, twists, Bantu knots, afros, and afro puffs.

It adds this protection to those afforded under the existing human rights law under the jurisdiction of the Commission on Human Rights and Opportunities (CHRO). CHRO has the authority to investigate complaints of discriminatory practices. The bill also applies to the laws that govern the awarding of agency, municipal public works, and quasi-public agency project contracts.

EFFECTIVE DATE: Upon passage

BACKGROUND***Related Bill***

Emergency certified HB 6515, which the House passed on February 24, and the Senate passed on March 1, contains identical language that

makes it an illegal practice to discriminate based on a person's hair texture or protective hairstyle.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 13 Nay 0 (02/18/2021)