



General Assembly

January Session, 2021

**Raised Bill No. 1023**

LCO No. 4485



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING THE DUTIES AND RESPONSIBILITIES OF  
THE COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES.***

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

1 Section 1. Subsection (b) of section 46a-60 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective October*  
3 *1, 2021*):

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

5 (1) For an employer, by the employer or the employer's agent, except  
6 in the case of a bona fide occupational qualification or need, to refuse to  
7 hire or employ or to bar or to discharge from employment any  
8 individual or to discriminate against such individual in compensation  
9 or in terms, conditions or privileges of employment because of the  
10 individual's race, color, religious creed, age, sex, gender identity or  
11 expression, marital status, national origin, ancestry, present or past  
12 history of mental disability, intellectual disability, learning disability,  
13 physical disability, including, but not limited to, blindness or status as a  
14 veteran;

15 (2) For any employment agency, except in the case of a bona fide  
16 occupational qualification or need, to fail or refuse to classify properly  
17 or refer for employment or otherwise to discriminate against any  
18 individual because of such individual's race, color, religious creed, age,  
19 sex, gender identity or expression, marital status, national origin,  
20 ancestry, present or past history of mental disability, intellectual  
21 disability, learning disability, physical disability, including, but not  
22 limited to, blindness or status as a veteran;

23 (3) For a labor organization, because of the race, color, religious creed,  
24 age, sex, gender identity or expression, marital status, national origin,  
25 ancestry, present or past history of mental disability, intellectual  
26 disability, learning disability, physical disability, including, but not  
27 limited to, blindness or status as a veteran of any individual to exclude  
28 from full membership rights or to expel from its membership such  
29 individual or to discriminate in any way against any of its members or  
30 against any employer or any individual employed by an employer,  
31 unless such action is based on a bona fide occupational qualification;

32 [(4) For any person, employer, labor organization or employment  
33 agency to discharge, expel or otherwise discriminate against any person  
34 because such person has opposed any discriminatory employment  
35 practice or because such person has filed a complaint or testified or  
36 assisted in any proceeding under section 46a-82, 46a-83 or 46a-84;

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

40 [(6)] (4) For any person, employer, employment agency or labor  
41 organization, except in the case of a bona fide occupational qualification  
42 or need, to advertise employment opportunities in such a manner as to  
43 restrict such employment so as to discriminate against individuals  
44 because of their race, color, religious creed, age, sex, gender identity or  
45 expression, marital status, national origin, ancestry, present or past  
46 history of mental disability, intellectual disability, learning disability,

47 physical disability, including, but not limited to, blindness or status as a  
48 veteran;

49 [(7)] (5) For an employer, by the employer or the employer's agent:  
50 (A) To terminate a woman's employment because of her pregnancy; (B)  
51 to refuse to grant to that employee a reasonable leave of absence for  
52 disability resulting from her pregnancy; (C) to deny to that employee,  
53 who is disabled as a result of pregnancy, any compensation to which  
54 she is entitled as a result of the accumulation of disability or leave  
55 benefits accrued pursuant to plans maintained by the employer; (D) to  
56 fail or refuse to reinstate the employee to her original job or to an  
57 equivalent position with equivalent pay and accumulated seniority,  
58 retirement, fringe benefits and other service credits upon her signifying  
59 her intent to return unless, in the case of a private employer, the  
60 employer's circumstances have so changed as to make it impossible or  
61 unreasonable to do so; (E) to limit, segregate or classify the employee in  
62 a way that would deprive her of employment opportunities due to her  
63 pregnancy; (F) to discriminate against an employee or person seeking  
64 employment on the basis of her pregnancy in the terms or conditions of  
65 her employment; (G) to fail or refuse to make a reasonable  
66 accommodation for an employee or person seeking employment due to  
67 her pregnancy, unless the employer can demonstrate that such  
68 accommodation would impose an undue hardship on such employer;  
69 (H) to deny employment opportunities to an employee or person  
70 seeking employment if such denial is due to the employee's request for  
71 a reasonable accommodation due to her pregnancy; (I) to force an  
72 employee or person seeking employment affected by pregnancy to  
73 accept a reasonable accommodation if such employee or person seeking  
74 employment (i) does not have a known limitation related to her  
75 pregnancy, or (ii) does not require a reasonable accommodation to  
76 perform the essential duties related to her employment; (J) to require an  
77 employee to take a leave of absence if a reasonable accommodation can  
78 be provided in lieu of such leave; and (K) to retaliate against an  
79 employee in the terms, conditions or privileges of her employment  
80 based upon such employee's request for a reasonable accommodation;

81        [(8)] (6) For an employer, by the employer or the employer's agent,  
82 for an employment agency, by itself or its agent, or for any labor  
83 organization, by itself or its agent, to harass any employee, person  
84 seeking employment or member on the basis of sex or gender identity  
85 or expression. If an employer takes immediate corrective action in  
86 response to an employee's claim of sexual harassment, such corrective  
87 action shall not modify the conditions of employment of the employee  
88 making the claim of sexual harassment unless such employee agrees, in  
89 writing, to any modification in the conditions of employment.  
90 "Corrective action" taken by an employer, includes, but is not limited to,  
91 employee relocation, assigning an employee to a different work  
92 schedule or other substantive changes to an employee's terms and  
93 conditions of employment. Notwithstanding an employer's failure to  
94 obtain a written agreement from an employee concerning a modification  
95 in the conditions of employment, the commission may find that  
96 corrective action taken by an employer was reasonable and not of  
97 detriment to the complainant based on the evidence presented to the  
98 commission by the complainant and respondent. As used in this  
99 subdivision, "sexual harassment" means any unwelcome sexual  
100 advances or requests for sexual favors or any conduct of a sexual nature  
101 when (A) submission to such conduct is made either explicitly or  
102 implicitly a term or condition of an individual's employment, (B)  
103 submission to or rejection of such conduct by an individual is used as  
104 the basis for employment decisions affecting such individual, or (C)  
105 such conduct has the purpose or effect of substantially interfering with  
106 an individual's work performance or creating an intimidating, hostile or  
107 offensive working environment;

108        [(9)] (7) For an employer, by the employer or the employer's agent,  
109 for an employment agency, by itself or its agent, or for any labor  
110 organization, by itself or its agent, to request or require information  
111 from an employee, person seeking employment or member relating to  
112 the individual's child-bearing age or plans, pregnancy, function of the  
113 individual's reproductive system, use of birth control methods, or the  
114 individual's familial responsibilities, unless such information is directly

115 related to a bona fide occupational qualification or need, provided an  
116 employer, through a physician may request from an employee any such  
117 information which is directly related to workplace exposure to  
118 substances which may cause birth defects or constitute a hazard to an  
119 individual's reproductive system or to a fetus if the employer first  
120 informs the employee of the hazards involved in exposure to such  
121 substances;

122       [(10)] (8) For an employer, by the employer or the employer's agent,  
123 after informing an employee, pursuant to subdivision [(9)] (7) of this  
124 subsection, of a workplace exposure to substances which may cause  
125 birth defects or constitute a hazard to an employee's reproductive  
126 system or to a fetus, to fail or refuse, upon the employee's request, to  
127 take reasonable measures to protect the employee from the exposure or  
128 hazard identified, or to fail or refuse to inform the employee that the  
129 measures taken may be the subject of a complaint filed under the  
130 provisions of this chapter. Nothing in this subdivision is intended to  
131 prohibit an employer from taking reasonable measures to protect an  
132 employee from exposure to such substances. For the purpose of this  
133 subdivision, "reasonable measures" shall be those measures which are  
134 consistent with business necessity and are least disruptive of the terms  
135 and conditions of the employee's employment;

136       [(11)] (9) For an employer, by the employer or the employer's agent,  
137 for an employment agency, by itself or its agent, or for any labor  
138 organization, by itself or its agent: (A) To request or require genetic  
139 information from an employee, person seeking employment or member,  
140 or (B) to discharge, expel or otherwise discriminate against any person  
141 on the basis of genetic information. For the purpose of this subdivision,  
142 "genetic information" means the information about genes, gene  
143 products or inherited characteristics that may derive from an individual  
144 or a family member.

145       Sec. 2. (NEW) (*Effective October 1, 2021*) It shall be a discriminatory  
146 practice in violation of this section for any person to: (1) Discriminate  
147 against any other person because of such other person's opposition to

148 any discriminatory practice or because such other person has filed a  
149 complaint or testified or assisted in any proceeding under section 46a-  
150 82, 46a-83 or 46a-84 of the general statutes, as amended by this act; and  
151 (2) aid, abet, incite, compel or coerce the doing of any act declared to be  
152 a discriminatory practice or to attempt to do so.

153 Sec. 3. Subparagraph (A) of subdivision (4) of subsection (b) of section  
154 46a-68 of the general statutes is repealed and the following is substituted  
155 in lieu thereof (*Effective October 1, 2021*):

156 (4) (A) Each person designated by a state agency, department, board  
157 or commission as an equal employment opportunity officer shall (i) be  
158 responsible for mitigating any discriminatory conduct within the  
159 agency, department, board or commission, (ii) investigate all complaints  
160 of discrimination made against the state agency, department, board or  
161 commission, [except if any such complaint has been filed with the  
162 Commission on Human Rights and Opportunities or the Equal  
163 Employment Opportunity Commission, the state agency, department,  
164 board or commission may rely upon the process of the applicable  
165 commission, as applicable, in lieu of such investigation,] and (iii) report  
166 all findings and recommendations upon the conclusion of an  
167 investigation to the commissioner or director of the state agency,  
168 department, board or commission for proper action. An equal  
169 employment opportunity officer shall not disclose witness statements or  
170 documents received or compiled in conjunction with the investigation  
171 of a complaint of discriminatory conduct within the agency,  
172 department, board or commission until the conclusion of such  
173 investigation, except that witness statements or documents may be  
174 disclosed to personnel charged with investigating or adjudicating such  
175 complaint, or to the Commission on Human Rights and Opportunities.

176 Sec. 4. Subsection (b) of section 46a-84 of the general statutes is  
177 repealed and the following is substituted in lieu thereof (*Effective October*  
178 *1, 2021*):

179 (b) Upon (1) certification of a complaint filed pursuant to subsection

180 (a) or (b) of section 46a-82, (2) the filing of a complaint pursuant to  
181 subsection (c) of said section, or (3) a decision to hear a complaint, which  
182 is made pursuant to subsection (e) of section 46a-83, the Chief Human  
183 Rights Referee shall appoint a human rights referee to act as a presiding  
184 officer to hear the complaint. The chief referee shall also appoint an  
185 individual authorized by subsection (e) of this section or a referee, other  
186 than the referee appointed to hear the complaint, to conduct settlement  
187 negotiations. The chief referee shall serve in the name of the  
188 commission, and in accordance with section 46a-86a, a copy of the  
189 complaint, as the same may have been amended, requiring the  
190 respondent to answer the charges of the complaint, together with a  
191 written notice requiring the respondent to appear at a hearing or  
192 settlement conference at a date and time specified in the notice. A  
193 hearing on a complaint filed pursuant to subsection (a) or (b) of section  
194 46a-82 shall be commenced by convening a hearing conference not later  
195 than forty-five days after the certification of the complaint. Such hearing  
196 shall be a de novo hearing on the merits of the complaint and not an  
197 appeal of the commission's processing of the complaint prior to its  
198 certification. A hearing on a complaint filed pursuant to subsection (c)  
199 of section 46a-82 shall be commenced by convening a hearing  
200 conference not later than twenty days after the date of notice of such  
201 complaint. Hearings shall proceed with reasonable dispatch and be  
202 concluded in accordance with the provisions of section 4-180.

203 Sec. 5. Section 46a-89 of the general statutes is repealed and the  
204 following is substituted in lieu thereof (*Effective October 1, 2021*):

205 (a) (1) Whenever a complaint filed pursuant to section 46a-82, as  
206 amended by this act, alleges a violation of section 46a-60, as amended  
207 by this act, or 46a-81c, and the executive director believes that equitable  
208 relief is required to prevent irreparable harm to the complainant, the  
209 commission may bring a petition in the superior court for the judicial  
210 district of Hartford, the judicial district in which the discriminatory  
211 practice which is the subject of the complaint occurred or the judicial  
212 district in which the respondent resides, provided this subdivision shall  
213 not apply to complaints against employers with less than fifty

214 employees.

215 (2) The petition shall seek appropriate temporary injunctive relief  
216 against the respondent pending final disposition of the complaint  
217 pursuant to the procedures set forth in this chapter. The injunctive relief  
218 may include an order temporarily restraining the respondent from  
219 doing any act that would render ineffectual any order a presiding officer  
220 may render with respect to the complaint.

221 (3) Upon service on the respondent of notice pursuant to section 46a-  
222 89a, the respondent shall be temporarily restrained from taking any  
223 action that would render ineffectual the temporary injunctive relief  
224 requested in the petition, provided nothing in this section shall be  
225 construed to prevent the respondent from having any employment  
226 duties enjoined under this section and section 46a-89a, from being  
227 carried out by another employee and the notice shall so provide.

228 (b) (1) Whenever a complaint filed pursuant to section 46a-82, as  
229 amended by this act, alleges a violation of section 46a-64, as amended  
230 by this act, 46a-64c, 46a-81d or 46a-81e, and the [commission] executive  
231 director believes that injunctive relief is required or that the imposition  
232 of punitive damages or a civil penalty would be appropriate, the  
233 commission may bring a petition in the superior court for the judicial  
234 district of Hartford, the judicial district in which the discriminatory  
235 practice which is the subject of the complaint occurred or the judicial  
236 district in which the respondent resides.

237 (2) The petition shall seek: (A) Appropriate injunctive relief,  
238 including temporary or permanent orders or decrees restraining and  
239 enjoining the respondent from selling or renting to anyone other than  
240 the complainant or otherwise making unavailable to the complainant  
241 any dwelling or commercial property with respect to which the  
242 complaint is made, pending the final determination of such complaint  
243 by the commission or such petition by the court; (B) an award of  
244 damages based on the remedies available under subsection (c) of section  
245 46a-86; (C) an award of punitive damages payable to the complainant,



246 not to exceed fifty thousand dollars; (D) a civil penalty payable to the  
247 state against the respondent to vindicate the public interest: (i) In an  
248 amount not exceeding ten thousand dollars if the respondent has not  
249 been adjudged to have committed any prior discriminatory housing  
250 practice; (ii) in an amount not exceeding twenty-five thousand dollars if  
251 the respondent has been adjudged to have committed one other  
252 discriminatory housing practice during the five-year period prior to the  
253 date of the filing of this complaint; and (iii) in an amount not exceeding  
254 fifty thousand dollars if the respondent has been adjudged to have  
255 committed two or more discriminatory housing practices during the  
256 seven-year period prior to the date of the filing of the complaint; except  
257 that if the acts constituting the discriminatory housing practice that is  
258 the object of the complaint are committed by the same natural person  
259 who has been previously adjudged to have committed acts constituting  
260 a discriminatory housing practice, then the civil penalties set forth in  
261 clauses (ii) and (iii) of this subparagraph may be imposed without  
262 regard to the period of time within which any subsequent  
263 discriminatory housing practice occurred; or (E) two or more of such  
264 remedies.

265 (3) Upon service on the respondent of notice pursuant to section 46a-  
266 89a, the respondent shall be temporarily restrained from selling or  
267 renting the dwelling or commercial property which is the subject of the  
268 complaint to anyone other than the complainant, or from otherwise  
269 making such dwelling or commercial property unavailable to the  
270 complainant, until the court or judge has decided the petition for  
271 temporary injunctive relief and the notice shall so provide.

272 (c) The commission shall serve a petition brought under this section  
273 by electronic mail, by United States mail, certified or registered, or as  
274 provided in section 52-50. If the commission serves the petition by  
275 electronic mail, such service shall be made to the electronic mail address  
276 provided by the respondent or the respondent's representative to the  
277 commission, and service shall be effective upon transmission to a valid  
278 address. If the commission serves the petition by United States mail,  
279 service shall be effective upon deposit of the petition in the mail.

280       Sec. 6. Section 46a-68c of the general statutes is repealed and the  
281 following is substituted in lieu thereof (*Effective October 1, 2021*):

282       In addition to the provisions of section 4a-60, each contractor with  
283 fifty or more employees awarded a public works contract, municipal  
284 public works contract or contract for a quasi-public agency project in  
285 excess of fifty thousand dollars in any fiscal year, but not subject to the  
286 provisions of section 46a-68d, shall develop and file with the  
287 Commission on Human Rights and Opportunities an affirmative action  
288 plan which shall comply with regulations adopted by the commission.  
289 The executive director or the executive director's designee shall review  
290 and formally approve, conditionally approve or disapprove the content  
291 of the affirmative action plan not later than one hundred twenty days  
292 following the date of the submission of the plan to the commission. If  
293 the executive director or the executive director's designee fails to  
294 approve, conditionally approve or disapprove a plan within such one-  
295 hundred-twenty-day period, the plan shall be deemed to be either  
296 approved or deficient without consequence. The executive director or  
297 the executive director's designee shall, not later than fifteen days after  
298 the date of deeming an affirmative action plan approved or deficient  
299 without consequence, provide the contractor with written notification  
300 of the action taken with respect to such plan. Failure to develop an  
301 [approved] affirmative action plan [pursuant to this section] that is  
302 either approved or deficient without consequence shall act as a bar to  
303 bidding on or the award of future contracts until such requirement has  
304 been met. When the executive director or the executive director's  
305 designee approves an affirmative action plan pursuant to this section,  
306 the executive director or the executive director's designee shall issue a  
307 certificate of compliance to the contractor. Such certificate shall be prima  
308 facie proof of the contractor's eligibility to bid or be awarded contracts  
309 for a period of two years from the date of the certificate. Such certificate  
310 shall not excuse the contractor from monitoring by the commission or  
311 from the reporting and record-keeping requirements of sections 46a-68e  
312 and 46a-68f. The executive director or the executive director's designee  
313 may revoke the certificate of a contractor if the contractor does not

314 implement its affirmative action plan in compliance with this section  
315 and sections 4a-60, 4a-60g, 4a-62, 46a-56, 46a-68b, 46a-68d, and 46a-68e  
316 to 46a-68k, inclusive.

317 Sec. 7. Subdivision (15) of section 46a-54 of the general statutes is  
318 repealed and the following is substituted in lieu thereof (*Effective October*  
319 *1, 2021*):

320 (15) To require an employer having three or more employees to (A)  
321 post in a prominent and accessible location information concerning the  
322 illegality of sexual harassment and remedies available to victims of  
323 sexual harassment, (B) provide, not later than three months after the  
324 employee's start date with the employer, a copy of the information  
325 concerning the illegality of sexual harassment and remedies available to  
326 victims of sexual harassment to each employee by electronic mail with  
327 a subject line that includes the words "Sexual Harassment Policy" or  
328 words of similar import, if (i) the employer has provided an electronic  
329 mail account to the employee, or (ii) the employee has provided the  
330 employer with an electronic mail address, provided if an employer has  
331 not provided an electronic mail account to the employee, the employer  
332 shall post the information concerning the illegality of sexual harassment  
333 and remedies available to victims of sexual harassment on the  
334 employer's Internet web site, if the employer maintains such an Internet  
335 web site. An employer may comply with the requirements of this  
336 subparagraph, by providing an employee with the link to the  
337 commission's Internet web site concerning the illegality of sexual  
338 harassment and the remedies available to victims of sexual harassment  
339 by electronic mail, text message or in writing; and (C) provide two hours  
340 of training and education to employees within one year of October 1,  
341 2019, provided any employer who has provided such training and  
342 education to any such employees after October 1, 2018, shall not be  
343 required to provide such training and education a second time. An  
344 employer having (i) three or more employees, shall provide such  
345 training and education to an employee hired on or after October 1, 2019,  
346 not later than six months after the date of his or her hire, provided the  
347 commission has developed and made available such training and

348 education materials in accordance with the provisions of subdivision (8)  
349 of subsection (a) of section 46a-56; or (ii) less than three employees shall  
350 provide such training and education to all supervisory employees  
351 within one year of October 1, 2019, and to all new supervisory  
352 employees within six months of their assumption of a supervisory  
353 position, provided any employer who has provided such training and  
354 education to any such supervisory employees after October 1, 2018, shall  
355 not be required to provide such training and education a second time.  
356 Any supervisory employee hired on or after October 1, 2019, by an  
357 employer having less than three employees, shall receive such training  
358 and education not later than six months after the date of his or her hire,  
359 provided the commission has developed and made available such  
360 training and education materials in accordance with the provisions of  
361 subdivision (8) of subsection (a) of section 46a-56. Such training and  
362 education shall include information concerning the federal and state  
363 statutory provisions concerning sexual harassment and remedies  
364 available to victims of sexual harassment. If an employee has received  
365 in-person training provided by the commission or has taken the no cost  
366 online training provided by the commission on its Internet web site in  
367 accordance with the provisions of subdivision (8) of subsection (a) of  
368 section 46a-56, while employed by a different employer within the two  
369 years preceding the date of hire, an employer may consider such prior  
370 training to satisfy the training requirements of this section. An employer  
371 who is required to provide training under this subdivision shall provide  
372 periodic supplemental training that updates all supervisory and  
373 nonsupervisory employees on the content of such training and  
374 education not less than every ten years. As used in this subdivision,  
375 "sexual harassment" has the same meaning as provided in subdivision  
376 [(8)] (6) of subsection (b) of section 46a-60, as amended by this act, and  
377 "employer" includes the General Assembly and "employee" means any  
378 individual employed by an employer, including an individual  
379 employed by such individual's parent, spouse or child;

380 Sec. 8. Subsection (b) of section 5-248a of the general statutes is  
381 repealed and the following is substituted in lieu thereof (*Effective October*

382 1, 2021):

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

387 Sec. 9. Subsection (a) of section 52-180c of the general statutes is  
388 repealed and the following is substituted in lieu thereof (*Effective October*  
389 *1, 2021*):

390 (a) As used in this section: (1) "Sexual misconduct" means any act that  
391 is prohibited by section 53a-70, 53a-70a, 53a-70b, 53a-70c, 53a-71, 53a-  
392 72a, 53a-72b or 53a-73a, and any act that constitutes sexual harassment,  
393 as defined in subdivision [(8)] (6) of subsection (b) of section 46a-60, as  
394 amended by this act; and (2) "victim" includes an alleged victim.

395 Sec. 10. Section 1-24 of the general statutes is repealed and the  
396 following is substituted in lieu thereof (*Effective October 1, 2021*):

397 The following officers may administer oaths: (1) The clerks of the  
398 Senate, the clerks of the House of Representatives and the chairpersons  
399 of committees of the General Assembly or of either branch thereof,  
400 during its session; (2) state officers, as defined in subsection (t) of section  
401 9-1, judges and clerks of any court, family support magistrates, judge  
402 trial referees, justices of the peace, commissioners of the Superior Court,  
403 notaries public, town clerks and assistant town clerks, in all cases where  
404 an oath may be administered, except in a case where the law otherwise  
405 requires; (3) commissioners on insolvent estates, auditors, arbitrators  
406 and committees, to parties and witnesses, in all cases tried before them;  
407 (4) assessors and boards of assessment appeals, in cases coming before  
408 them; (5) commissioners appointed by governors of other states to take  
409 the acknowledgment of deeds, in the discharge of their official duty; (6)  
410 the moderator of a school district meeting, in such meeting, to the clerk  
411 of such district, as required by law; (7) the chief elected official of a  
412 municipality, in any matter before the chief elected official of a  
413 municipality; (8) the Chief Medical Examiner, Deputy Medical

414 Examiner and assistant medical examiners of the Office of the Medical  
415 Examiner, in any matter before them; (9) registrars of vital statistics, in  
416 any matter before them; (10) any chief inspector or inspector appointed  
417 pursuant to section 51-286; (11) registrars of voters, deputy registrars,  
418 assistant registrars, and moderators, in any matter before them; (12)  
419 special assistant registrars, in matters provided for in subsections (b)  
420 and (c) of section 9-19b and section 9-19c; (13) the Commissioner of  
421 Emergency Services and Public Protection and any sworn member of  
422 any local police department or the Division of State Police within the  
423 Department of Emergency Services and Public Protection, in all  
424 affidavits, statements, depositions, complaints or reports made to or by  
425 any member of any local police department or said Division of State  
426 Police or any constable who is under the supervision of said  
427 commissioner or any of such officers of said Division of State Police and  
428 who is certified under the provisions of sections 7-294a to 7-294e,  
429 inclusive, and performs criminal law enforcement duties; (14) judge  
430 advocates of the United States Army, Navy, Air Force and Marine  
431 Corps, law specialists of the United States Coast Guard, adjutants,  
432 assistant adjutants, acting adjutants and personnel adjutants,  
433 commanding officers, executive officers and officers whose rank is  
434 lieutenant commander or major, or above, of the armed forces, as  
435 defined in section 27-103, to persons serving with or in the armed forces,  
436 as defined in said section, or their spouses; (15) investigators, deputy  
437 investigators, investigative aides, secretaries, clerical assistants, social  
438 workers, social worker trainees, paralegals and certified legal interns  
439 employed by or assigned to the Public Defender Services Commission  
440 in the performance of their assigned duties; (16) bail commissioners,  
441 intake, assessment and referral specialists, family relations counselors,  
442 support enforcement officers, chief probation officers and supervisory  
443 judicial marshals employed by the Judicial Department in the  
444 performance of their assigned duties; (17) juvenile matter investigators  
445 employed by the Division of Criminal Justice in the performance of their  
446 assigned duties; (18) the chairperson of the Connecticut Siting Council  
447 or the chairperson's designee; (19) the presiding officer at an agency  
448 hearing under section 4-177b; (20) investigators employed by the

449 Department of Social Services Office of Child Support Services, in the  
450 performance of their assigned duties; (21) the chairperson, vice-  
451 chairperson, members and employees of the Board of Pardons and  
452 Paroles, in the performance of their assigned duties; (22) the  
453 Commissioner of Correction or the commissioner's designee; (23) sworn  
454 law enforcement officers, appointed under section 26-5, within the  
455 Department of Energy and Environmental Protection, in all affidavits,  
456 statements, depositions, complaints or reports made to or by any such  
457 sworn law enforcement officer; [and] (24) sworn motor vehicle  
458 inspectors acting under the authority of section 14-8; and (25)  
459 individuals employed by the Commission on Human Rights and  
460 Opportunities, in the performance of their assigned duties.

461 Sec. 11. Subsection (f) of section 46a-82 of the general statutes is  
462 repealed and the following is substituted in lieu thereof (*Effective October*  
463 *1, 2021*):

464 (f) (1) Any complaint filed pursuant to this section for an alleged act  
465 of discrimination that occurred prior to October 1, 2021, shall be filed  
466 within one hundred and eighty days after the date of the alleged act of  
467 discrimination, except that any complaint by a person [(1)] (A) claiming  
468 to be aggrieved by a violation of subsection (a) of section 46a-80 that  
469 occurred on or before October 1, 2019, shall be filed within thirty days  
470 of the date of the alleged act of discrimination, and [(2)] (B) claiming to  
471 be aggrieved by a violation of section 46a-60, as amended by this act,  
472 sections 46a-70 to 46a-78, inclusive, or section 46a-80 or 46a-81c, that  
473 occurred on or after October 1, 2019, and prior to October 1, 2021, shall  
474 be filed not later than three hundred days after the date of the alleged  
475 act of discrimination.

476 (2) Any complaint filed pursuant to this section for an alleged act of  
477 discrimination that occurred on or after October 1, 2021, shall be filed  
478 within three hundred days after the date of the alleged act of  
479 discrimination, provided such alleged act of discrimination occurred on  
480 or after October 1, 2021.

481       Sec. 12. Section 46a-58 of the general statutes is repealed and the  
482 following is substituted in lieu thereof (*Effective October 1, 2021*):

483       (a) It shall be a discriminatory practice in violation of this section for  
484 any person to subject, or cause to be subjected, any other person to the  
485 deprivation of any rights, privileges or immunities, secured or protected  
486 by the Constitution or laws of this state or of the United States, on  
487 account of religion, national origin, alienage, color, race, sex, gender  
488 identity or expression, sexual orientation, blindness, mental disability,  
489 physical disability, age or status as a veteran.

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

496       (c) Any person who places a burning cross or a simulation thereof on  
497 any public property, or on any private property without the written  
498 consent of the owner, and with intent to intimidate or harass any other  
499 person or group of persons, shall be in violation of subsection (a) of this  
500 section.

501       (d) Any person who places a noose or a simulation thereof on any  
502 public property, or on any private property without the written consent  
503 of the owner, and with intent to intimidate or harass any other person  
504 on account of religion, national origin, alienage, color, race, sex, gender  
505 identity or expression, sexual orientation, blindness, mental disability,  
506 physical disability, age or status as a veteran, shall be in violation of  
507 subsection (a) of this section.

508       (e) (1) Except as provided in subdivision (2) of this subsection, any  
509 person who violates any provision of this section shall be guilty of a  
510 class A misdemeanor and shall be fined not less than one thousand  
511 dollars, except that if property is damaged as a consequence of such  
512 violation in an amount in excess of one thousand dollars, such person



513 shall be guilty of a class D felony and shall be fined not less than one  
514 thousand dollars.

515 (2) Any person who violates the provisions of this section by  
516 intentionally desecrating a house of religious worship (A) shall be guilty  
517 of a class D felony and shall be fined not less than one thousand dollars  
518 if property is damaged as a consequence of such violation in an amount  
519 up to and including ten thousand dollars, and (B) shall be guilty of a  
520 class C felony and shall be fined not less than three thousand dollars if  
521 the property damaged as a consequence of such violation is in an  
522 amount in excess of ten thousand dollars.

523 (3) The minimum amount of any fine imposed by the provisions of  
524 this section may not be remitted or reduced by the court unless the court  
525 states on the record its reasons for remitting or reducing such fine.

526 (4) The court may order restitution for any victim of a violation of this  
527 section pursuant to subsection (c) of section 53a-28.

528 Sec. 13. Section 46a-64 of the general statutes is repealed and the  
529 following is substituted in lieu thereof (*Effective October 1, 2021*):

530 (a) It shall be a discriminatory practice in violation of this section: (1)  
531 To deny any person within the jurisdiction of this state full and equal  
532 accommodations in any place of public accommodation, resort or  
533 amusement because of race, creed, color, national origin, ancestry, sex,  
534 gender identity or expression, marital status, age, lawful source of  
535 income, intellectual disability, mental disability, physical disability,  
536 including, but not limited to, blindness or deafness, or status as a  
537 veteran, of the applicant; [ subject only to the conditions and limitations  
538 established by law and applicable alike to all persons;] (2) to  
539 discriminate, segregate or separate on account of race, creed, color,  
540 national origin, ancestry, sex, gender identity or expression, marital  
541 status, age, lawful source of income, intellectual disability, mental  
542 disability, learning disability, physical disability, including, but not  
543 limited to, blindness or deafness, or status as a veteran; (3) to refuse to  
544 make reasonable accommodation so that a person with a disability can

545 access and use a place of public accommodation to the same extent that  
546 individuals without disabilities can access such place of public  
547 accommodation. To the extent that full access is not feasible due to  
548 architectural or other barriers that are otherwise compliant with the  
549 Americans with Disabilities Act, 42 USC 12101, et seq., as amended from  
550 time to time, it is a discriminatory practice to refuse to engage in the  
551 process described in 29 CFR 1630(o)(3), as amended from time to time,  
552 to attempt to reasonably accommodate a person with a disability so that  
553 such person can make full and equal accommodation of such place of  
554 public accommodation; [(3)] (4) for a place of public accommodation,  
555 resort or amusement to restrict or limit the right of a mother to breast-  
556 feed her child; [(4)] (5) for a place of public accommodation, resort or  
557 amusement to fail or refuse to post a notice, in a conspicuous place, that  
558 any blind, deaf or mobility impaired person, accompanied by his or her  
559 guide dog wearing a harness or an orange-colored leash and collar, may  
560 enter such premises or facilities; or [(5)] (6) to deny any blind, deaf or  
561 mobility impaired person or any person training a dog as a guide dog  
562 for a blind person or a dog to assist a deaf or mobility impaired person,  
563 accompanied by his or her guide dog or assistance dog, full and equal  
564 access to any place of public accommodation, resort or amusement. Any  
565 blind, deaf or mobility impaired person or any person training a dog as  
566 a guide dog for a blind person or a dog to assist a deaf or mobility  
567 impaired person may keep his or her guide dog or assistance dog with  
568 him at all times in such place of public accommodation, resort or  
569 amusement at no extra charge, provided the dog wears a harness or an  
570 orange-colored leash and collar and is in the direct custody of such  
571 person. The blind, deaf or mobility impaired person or person training  
572 a dog as a guide dog for a blind person or a dog to assist a deaf or  
573 mobility impaired person shall be liable for any damage done to the  
574 premises or facilities by his or her dog. For purposes of this subdivision,  
575 "guide dog" or "assistance dog" includes a dog being trained as a guide  
576 dog or assistance dog and "person training a dog as a guide dog for a  
577 blind person or a dog to assist a deaf or mobility impaired person"  
578 means a person who is employed by and authorized to engage in  
579 designated training activities by a guide dog organization or assistance

580 dog organization that complies with the criteria for membership in a  
581 professional association of guide dog or assistance dog schools and who  
582 carries photographic identification indicating such employment and  
583 authorization.

584 (b) (1) The provisions of this section with respect to the prohibition of  
585 sex discrimination shall not apply to (A) the rental of sleeping  
586 accommodations provided by associations and organizations which  
587 rent all such sleeping accommodations on a temporary or permanent  
588 basis for the exclusive use of persons of the same sex or (B) separate  
589 bathrooms or locker rooms based on sex. (2) The provisions of this  
590 section with respect to the prohibition of discrimination on the basis of  
591 age shall not apply to minors or to special discount or other public or  
592 private programs to assist persons sixty years of age and older. [(3) The  
593 provisions of this section with respect to the prohibition of  
594 discrimination on the basis of physical disability shall not require any  
595 person to modify his property in any way or provide a higher degree of  
596 care for a physically disabled person, including, but not limited to blind  
597 or deaf persons, than for a person not physically disabled. (4)] (3) The  
598 provisions of this section with respect to the prohibition of  
599 discrimination on the basis of creed shall not apply to the practice of  
600 granting preference in admission of residents into a nursing home as  
601 defined in section 19a-490, if (A) the nursing home is owned, operated  
602 by or affiliated with a religious organization, exempt from taxation for  
603 federal income tax purposes and (B) the class of persons granted  
604 preference in admission is consistent with the religious mission of the  
605 nursing home. [(5)] (4) The provisions of this section with respect to the  
606 prohibition of discrimination on the basis of lawful source of income  
607 shall not prohibit the denial of full and equal accommodations solely on  
608 the basis of insufficient income.

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	46a-60(b)
Sec. 2	<i>October 1, 2021</i>	New section
Sec. 3	<i>October 1, 2021</i>	46a-68(b)(4)(A)
Sec. 4	<i>October 1, 2021</i>	46a-84(b)
Sec. 5	<i>October 1, 2021</i>	46a-89
Sec. 6	<i>October 1, 2021</i>	46a-68c
Sec. 7	<i>October 1, 2021</i>	46a-54(15)
Sec. 8	<i>October 1, 2021</i>	5-248a(b)
Sec. 9	<i>October 1, 2021</i>	52-180c(a)
Sec. 10	<i>October 1, 2021</i>	1-24
Sec. 11	<i>October 1, 2021</i>	46a-82(f)
Sec. 12	<i>October 1, 2021</i>	46a-58
Sec. 13	<i>October 1, 2021</i>	46a-64

***Statement of Purpose:***

To amend various statutes relating to the responsibilities of the Commission on Human Rights and Opportunities with respect to the provision of sexual harassment training, the filing of discriminatory practice complaints, the approval of affirmative action plans, the administration of oaths, the deprivation of rights, privileges or immunities on account of age, and reasonable accommodation of a person with a disability.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*