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## OLR Bill Analysis

HB 6638 (as amended by House "A")\*

### ***AN ACT REVISING THE STATE'S ANTIDISCRIMINATION STATUTES.***

#### **SUMMARY**

In the state's antidiscrimination laws, this bill (1) adds "age" to the list of protected classes and (2) repeals the definition of the term "sexual orientation" and replaces it with a new one.

It also makes technical and conforming changes.

\*House Amendment "A" specifies that "sexual orientation" includes any identity that a person is perceived by another person to hold, relating to the gender or genders to which a person is romantically, emotionally, or sexually attracted.

EFFECTIVE DATE: July 1, 2023

#### **§ 1 — AGE AS A PROTECTED CLASS**

By law, it is a discriminatory practice to deprive someone of any rights, privileges, or immunities secured or protected by Connecticut or federal laws or constitutions, or cause such a deprivation, because of religion, national origin, alienage, color, race, sex, gender identity or expression, sexual orientation, blindness, mental or physical disability, veteran status, or status as a domestic violence victim. The bill adds "age" to this list of protected classes, which authorizes the Commission on Human Rights and Opportunities (CHRO) to investigate claims of discrimination based on age.

Under existing law, this crime also includes placing a noose or simulation of one on public property, or on private property without the owner's written consent with the intent to harass someone because of any protected class listed above. The bill correspondingly adds "age" to this list of protected classes.

By law, a violation of these provisions is generally a class A misdemeanor; but, if the violation results in more than \$1,000 in property damage, then it is a class D felony. In either case, there is a minimum \$1,000 fine unless the court states on the record its reasons for reducing it.

## **§§ 2-6 — SEXUAL ORIENTATION**

Under current antidiscrimination law, “sexual orientation” generally means having a preference for heterosexuality, homosexuality or bisexuality or having a history of or being identified with this preference. However, its definition expressly excludes any behavior that is a sex offense crime.

The bill redefines “sexual orientation” to mean a person’s identity in relation to the gender or genders to which they are romantically, emotionally, or sexually attracted, including any identity that a person may have previously expressed or is perceived by another person to hold. This new definition specifically applies to antidiscrimination laws subject to enforcement by CHRO, as well as laws prohibiting nondiscrimination in awarding agency, municipal public works and quasi-public agency project contracts.

## **COMMITTEE ACTION**

Judiciary Committee

Joint Favorable

Yea 26    Nay 11    (03/28/2023)