



State of Connecticut  
**COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES**

450 Columbus Boulevard, Suite 2, Hartford, CT 06103

*Promoting Equality and Justice for all People*

**Judiciary Committee Public Hearing  
March 3, 2023**

**CHRO Testimony Regarding  
HB 6638 – AA Revising the State’s Antidiscrimination Statutes  
SB 1117 – AA Providing Protections for Persons Who Have Been Trafficked and  
Additional Measures to Prevent Trafficking in Persons**

Senator Winfield, Representative Stafstrom, Senator Kissel, Representative Fishbein, and members of the Judiciary Committee, thank you for raising HB 6638 and providing the opportunity to testify today. I am Tanya Hughes, the Executive Director of the Commission on Human Rights and Opportunities. I am joined by CHRO Deputy Director Cheryl Sharp.

The CHRO strongly supports HB 6638. Section 1 of the bill makes the simple change of adding “age” to the list of protected classes in CGS Section 46a-58. This is Connecticut’s anti-discrimination umbrella statute that makes it a discriminatory practice under state law to violate other state or federal laws based on those protected classes. Age, unlike most other protected classes under Connecticut law, is currently not included in CGS Section 46a-58. To the best of the CHRO’s knowledge, this omission was a technical error made at some point while various protected classes were being added to the statutes. Adding “age” to Section 46a-58 not only ensures that the protected classes protected under Connecticut’s antidiscrimination statutes are consistent between the various provisions, but also converts a violation of the federal Age Discrimination in Employment Act into a state violation as well, allowing complainants to seek state remedies.

The remaining sections of HB 6638 seek to modernize the current statutory definition of “sexual orientation.” Under the current statute, Sec. 46a-81a defines “sexual orientation” as:

“...having a preference for heterosexuality, homosexuality or bisexuality, having a history of such preference or being identified with such preference, but excludes any behavior which constitutes a violation of part VI of chapter 952.”

This definition, which dates back to 1991, uses the outdated and offensive terminology of “preference” in defining “sexual orientation.” Sexual orientation is not a personal preference akin to a favorite flavor of ice-cream, but a fundamental aspect of who a person is. The definition also specifically refers to Part VI of Connecticut’s Penal Code, namely the chapter regarding sex offenses. By specifically stating that it excludes behaviors which constitute violations of that chapter, the definition plays into longstanding erroneous and offensive stereotypes connecting homosexuality and bisexuality to criminal behavior.

The proposed language in lines 143-146 fixes these problems, updates the definition, and moves the definition to Section 46a-51, which is the chapter’s definitional section. The statutory scheme regarding sexual orientation is not altered and the exceptions to its enforcement are not affected

Only four states nationwide, including Connecticut, appear to have language referring to *preference* in their definition of “sexual orientation.” Only eight states, including Connecticut, have language explicitly excluding behavior that is already criminal under statute from the definition of “sexual orientation.” The CHRO strongly

believes that it is time to update our state definition and appreciates the Judiciary Committee's willingness to consider the issue.

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The CHRO would also like to submit general comments in support of SB 1117, An Act Providing Protections for Persons Who Have Been Trafficked and Additional Measures to Prevent Trafficking in Persons. The CHRO supports victims of sexual assault and trafficking in persons and their efforts to obtain and maintain employment and housing opportunities. As the bill moves forward, the CHRO looks forward to working with the committee and advocates to make sure the bill is structured in a way that will best help these individuals.