
OLR Bill Analysis

sHB 5419

AN ACT CONCERNING THE AUTHORITY OF THE ATTORNEY GENERAL TO INITIATE LEGAL ACTIONS IN RESPONSE TO ALLEGED DISCRIMINATORY HOUSING PRACTICES.

SUMMARY

This bill extends to the attorney general existing court relief that is available to the Commission on Human Rights and Opportunities (CHRO). It specifically authorizes the attorney general to ask for certain injunctive relief, punitive damages, or civil penalties against anyone who violates the state's housing and public accommodation anti-discrimination laws.

The court relief under the bill is available for actions brought by the attorney general against a person for a pattern or practice of violating conduct or due to the result of an investigation by him of a potential violation. The bill allows the attorney general to petition for the relief from the superior court for the judicial district where the violation or alleged violation took place.

By law, the attorney general is authorized to investigate, intervene in, or bring a civil or administrative action in the name of the state, seeking relief and damages, whenever anyone is or has engaged in a practice or pattern of conduct that (1) deprives or causes the deprivation of a person's legal rights or immunities or (2) interferes, or attempts to interfere, by threats, intimidation, or coercion, with a person's exercise or enjoyment of their rights, privileges, or immunities secured by the laws or constitutions of Connecticut and the United States.

Existing law, which also extends to the bill's provisions, specifies, among other things, that it does not limit the jurisdiction of CHRO.

EFFECTIVE DATE: October 1, 2024

PETITION FOR RELIEF, DAMAGES, AND CIVIL PENALTIES

Under the bill, the attorney general's petition may seek certain remedies available under a CHRO statute, which generally are:

1. appropriate injunctive relief, including temporary or permanent orders or decrees restraining and enjoining the violator from selling or renting to anyone other than the person adversely affected by the violation pending the court's decision;
2. an award of damages based on a specific calculation that accounts for, among other things, the adversely affected person's alternative housing, storage, and moving costs;
3. an award of punitive damages payable to the adversely affected person, up to \$50,000;
4. a civil penalty up to \$10,000, \$25,000, or \$50,000 payable to the state, generally depending on the number of prior discriminatory housing practices by the violator; or
5. two or more of these remedies.

CHRO JURISDICTION

Existing law, which extends to the bill's provisions, also:

1. maintains the right of an adversely affected person to file a complaint with CHRO,
2. prohibits the attorney general from bringing an action concurrent with a case before CHRO that involves the same parties and alleged facts and circumstances,
3. allows the attorney general to refer cases to CHRO as appropriate, and
4. requires the attorney general to post information on his office's website about properly filing a CHRO complaint.

BACKGROUND

Related Bills

sHB 5288 (File 190), favorably reported by the Veterans' and Military

Affairs Committee, generally broadens the applicability of current protections and provisions related to guide dogs or assistance dogs, including under one of the public accommodation anti-discrimination laws, by replacing references to guide dogs or assistance dogs with a federal definition for “service animals.”

sHB 5414, favorably reported by the Judiciary Committee, prohibits various forms of discrimination based on someone’s status as a victim of sexual assault, trafficking in persons, or stalking and applies to, among others, some of the state’s housing and public accommodation anti-discrimination violations laws.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 32 Nay 5 (03/26/2024)