

House _____ Amendment NO. _____

Offered By _____

1 AMEND Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 43, Page 2,
2 Section 213.010, Lines 34 to 37, by deleting all of said lines and inserting in lieu thereof the
3 following:

4
5 "[(5)] (6) "Discrimination", [any unfair treatment based on] conduct proscribed herein,
6 taken because of race, color, religion, national origin, ancestry, sex, sexual orientation, gender
7 identity, or age as it relates to employment, disability, or familial status as it relates to housing.
8 Discrimination includes any unfair treatment based on a person's presumed or assumed race, color,
9 religion, national origin, ancestry, sex, sexual orientation, gender identity, age as it relates to
10 employment, disability, or familial status as it relates to housing, regardless of whether the
11 presumption or assumption as to such characteristics is correct;"; and

12
13 Further amend said bill and section, Page 3, Line 74, by inserting after all of said line the following:

14
15 "(12) "Gender identity", the gender-related identity, appearance, or mannerisms, or other
16 gender-related characteristics of an individual, with or without regard to the individual's assigned
17 sex at birth;"; and

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19 Further amend said bill and section, Page 4, Line 100, by deleting the word, "his" and inserting in
20 lieu thereof the words, "[his]the proprietor's"; and

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22 Further amend said bill and section, Page 5, Line 122, by inserting after all of said line the
23 following:

24
25 "(20) "Sexual orientation", one's actual or perceived emotional or physical attraction to, or
26 romantic or physical relationships with, members of the same gender, members of a different
27 gender, or members of any gender; or the lack of any emotional or physical attraction to, or
28 romantic or physical relationships with, anyone. The term "sexual orientation" includes a history of
29 such attraction or relationship or a history of no such attraction or relationship;"; and

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31 Further amend said bill and section, Pages 1 through 5, by renumbering all of said subdivisions
32 accordingly; and

33
34 Further amend said bill and section, Page 5, Line 124, by inserting after all of said line and section
35 the following:

36
Action Taken _____ Date _____

1
2 "213.030. 1. The powers and duties of the commission shall be:

3 (1) To seek to eliminate and prevent discrimination because of race, color, religion, national
4 origin, ancestry, sex, sexual orientation, gender identity, age as it relates to employment, disability,
5 or familial status as it relates to housing and to take other actions against discrimination because of
6 race, color, religion, national origin, ancestry, sex, sexual orientation, gender identity, age, disability,
7 or familial status as provided by law; and the commission is hereby given general jurisdiction and
8 power for such purposes;

9 (2) To implement the purposes of this chapter first by conference, conciliation and
10 persuasion so that persons may be guaranteed their civil rights and goodwill be fostered;

11 (3) To formulate policies to implement the purposes of this chapter and to make
12 recommendations to agencies and officers of the state and political subdivisions in aid of such
13 policies and purposes;

14 (4) To appoint such employees as it may deem necessary, fix their compensation within the
15 appropriations provided and in accordance with the wage structure established for other state
16 agencies, and prescribe their duties;

17 (5) To obtain upon request and utilize the services of all governmental departments and
18 agencies to be paid from appropriations to this commission;

19 (6) To adopt, promulgate, amend, and rescind suitable rules and regulations to carry out the
20 provisions of this chapter and the policies and practices of the commission in connection therewith;

21 (7) To receive, investigate, initiate, and pass upon complaints alleging discrimination in
22 employment, housing or in places of public accommodations because of race, color, religion,
23 national origin, ancestry, sex, sexual orientation, gender identity, age as it relates to employment,
24 disability, or familial status as it relates to housing and to require the production for examination of
25 any books, papers, records, or other materials relating to any matter under investigation;

26 (8) To hold hearings, subpoena witnesses, compel their attendance, administer oaths, to take
27 the testimony of any person under oath, and, in connection therewith, to require the production for
28 examination of any books, papers or other materials relating to any matter under investigation or in
29 question before the commission;

30 (9) To issue publications and the results of studies and research which will tend to promote
31 goodwill and minimize or eliminate discrimination in housing, employment or in places of public
32 accommodation because of race, color, religion, national origin, ancestry, sex, sexual orientation,
33 gender identity, age as it relates to employment, disability, or familial status as it relates to housing;

34 (10) To provide each year to the governor and to the general assembly a full written report
35 of all its activities and of its recommendations;

36 (11) To adopt an official seal;

37 (12) To cooperate, act jointly, enter into cooperative or work-sharing agreements with the
38 United States Equal Employment Opportunity Commission, the United States Department of
39 Housing and Urban Development, and other federal agencies and local commissions or agencies to
40 achieve the purposes of this chapter;

41 (13) To accept grants, private gifts, bequests, and establish funds to dispose of such moneys
42 so long as the conditions of the grant, gift, or bequest are not inconsistent with the purposes of this
43 chapter and are used to achieve the purposes of this chapter;

44 (14) To establish a human rights fund as defined in section 213.010, for the purposes of
45 administering sections 213.040, 213.045, 213.050, 213.070, 213.075, and 213.076.

46 2. No rule or portion of a rule promulgated under the authority of this chapter shall become
47 effective unless it has been promulgated pursuant to the provisions of ~~[section 536.024]~~ chapter
48 536."; and

Further amend said bill, Page 5, Section 213.040, Lines 5, 9, 13, 17, and 22, by inserting after the word, "sex" the words, "sexual orientation, gender identity"; and

Further amend said bill and section, Page 9, Line 170, by inserting after all of said line and section the following:

"213.045. It shall be unlawful for any bank, building and loan association, insurance company or other corporation, association, firm or enterprise whose business consists in whole or in part in the making of commercial real estate loans, to deny a loan or other financial assistance because of race, color, religion, national origin, ancestry, sex, sexual orientation, gender identity, disability or familial status to a person applying therefor for the purpose of purchasing, construction, improving, repairing, or maintaining a dwelling, or to discriminate against ~~him~~ such person in fixing of the amount, interest rate, duration or other terms or conditions of such loan or other financial assistance, because of the race, color, religion, national origin, ancestry, sex, sexual orientation, gender identity, disability, or familial status of such person or of any person associated with ~~him~~ such person in connection with such loan or other financial assistance, or of the present or prospective owners, lessees, tenants, or occupants, of the dwellings in relation to which such loan or other financial assistance is to be made or given."; and

Further amend said bill and page, Section 213.050, Line 5, by inserting after the word, "sex" the words, "sexual orientation, gender identity"; and

Further amend said bill, Page 10, Section 213.055, Lines 3, 7, 11, 16, 22, 26 and 34, by inserting after the word, "sex" the words, "sexual orientation, gender identity"; and

Further amend said bill, page and section, Line 5, by inserting after the word, "his" the words, "or her"; and

Further amend said bill, page and section, Line 8, by deleting the words, "his employees or his" and inserting in lieu thereof the words, "~~his~~such person's employees or ~~his~~such person's"; and

Further amend said bill, page and section, Lines 10, 20 and 25, by deleting the word, "his" and inserting in lieu thereof the words, "~~his~~such person's"; and

Further amend said bill and section, Page 11, Lines 37, 39, 48, 52, 57, 60 and 65, by inserting after the word, "sex" the words, "sexual orientation, gender identity"; and

Further amend said bill, Page 12, Section 213.065, Lines 5 and 12, by inserting after the word, "sex" the words, "sexual orientation, gender identity"; and

Further amend said bill and page, Section 213.070, Line 12, by inserting after the word, "sex" the words, "sexual orientation, gender identity"; and

Further amend said bill, Page 17, Section 213.101, Line 5, by inserting after the word, "sex" the words, "sexual orientation, gender identity"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.