

HB 44 -- IMMIGRANT TENANTS

SPONSOR: Unsicker

This bill specifies a landlord must not, unless required by law or court order, threaten to disclose or actually disclose information regarding the immigration or citizenship status of a tenant to any person, entity, or immigration or law enforcement agency with intent to harass or intimidate the tenant, retaliate against the tenant, or influence the tenant to surrender possession of the premises. The landlord must also not bring an action to recover possession of a premises based solely or in part on the immigration or citizenship status of a tenant. The bill specifies what the landlord is not prohibited from doing.

If a landlord engages in prohibited conduct, the tenant may bring a civil action seeking actual damages, a civil penalty not to exceed \$2,000 for each violation, reasonable attorneys' fees, or other equitable relief. The bill specifies that, in proceedings or discovery undertaken in a civil action involving a tenant's housing rights, no inquiry will be permitted into a tenant's immigration or citizenship status except under circumstances specified in the bill. The bill describes certain circumstances for an affirmative defense to an action maintained under this legislation as well as what the bill does not prohibit the landlord from doing with respect to approving or rejecting tenants. Finally, the bill states that no tenant shall be evicted or have his or her lease terminated and no eviction order will be entered against a tenant as a reprisal for or on the basis of the tenant's immigration or citizenship status.

This bill is the same as HB 2601 (2020).