

HB 1094 -- HUMAN RIGHTS

SPONSOR: Bosley

This bill modifies provisions relating to unlawful discriminatory practices.

The bill modifies the definition of "employer" as it pertains to the Missouri Human Rights Act so that it does not include the United States, a corporation wholly owned by the United States government, an Indian tribe, certain departments or agencies of the District of Columbia, a tax-exempt bona fide private membership club, or a religious or sectarian entity.

The bill adds definitions for "race", meaning traits historically associated with race including, but not limited to, hair texture and protective lifestyles, and "religious or sectarian entity", meaning any entity owned or operated by one or more religious or sectarian organizations and primarily engaged in performing religious activities including, but not limited to, religious or sectarian education or instructional activities.

Currently, it is required for any person alleging an unlawful discriminatory practice to file a complaint with the Missouri Commission on Human Rights. The Commission is required to issue to the person claiming to be aggrieved a letter indicating his or her right to bring a civil action within 90 days of the notice against the respondent named in the complaint. This bill repeals that provision and provides that any person alleging an unlawful discriminatory practice may file a petition in the circuit court of the county in which the alleged practice occurred without first filing a complaint with the Commission.

Current law provides that in any employment-related civil action brought under the provisions of Chapter 213, RSMo, the plaintiff bears the burden of proving the alleged unlawful decision or action was made or taken because of his or her protected classification and was the direct cause of the claimed damages. This provision is repealed in the bill.