

House Bill 1458

By: Representatives Frye of the 118<sup>th</sup>, Schofield of the 60<sup>th</sup>, Nelson of the 125<sup>th</sup>, Alexander of the 66<sup>th</sup>, Lim of the 99<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 4 of Chapter 3 of Title 8 of the Official Code of Georgia Annotated,  
2 relating to fair housing, so as to prohibit discrimination based on age, creed, disability,  
3 gender identity, sexual orientation, and source of income; to make conforming changes; to  
4 provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Article 4 of Chapter 3 of Title 8 of the Official Code of Georgia Annotated, relating to fair  
8 housing, is amended by revising Code Section 8-3-200, relating to state policy, purposes, and  
9 construction of article, as follows:

10 "8-3-200.

11 (a) It is the policy of the State of Georgia to provide, within constitutional limitations, for  
12 fair housing throughout this state.

13 (b) The general purposes of this article are:

14 (1) To provide for execution in the state of policies embodied in Title VIII of the Civil  
15 Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988;

16 (2) To safeguard all individuals from discrimination in any aspect relating to the sale,  
17 rental, or financing of dwellings or in the provision of brokerage services or facilities in  
18 connection with the sale or rental of a dwelling because of that individual's ~~race, color,~~  
19 ~~religion, sex, disability or handicap, familial status, or national origin~~ age, color, creed,  
20 disability, familial status, gender identity, national origin, race, religion, sex, sexual  
21 orientation, or source of income;

22 (3) To promote the elimination of discrimination in any aspect relating to the sale, rental,  
23 or financing of dwellings or in the provision of brokerage services or facilities in  
24 connection with the sale or rental of a dwelling because of a person's ~~race, color, religion,~~  
25 ~~sex, disability or handicap, familial status, or national origin~~ age, color, creed, disability,  
26 familial status, gender identity, national origin, race, religion, sex, sexual orientation, or  
27 source of income; and

28 (4) To promote the protection of each individual's interest in personal dignity and  
29 freedom from humiliation and the individual's freedom to take up residence wherever  
30 such individual chooses; to secure the state against domestic strife and unrest which  
31 would menace its democratic institutions; to preserve the public safety, health, and  
32 general welfare; and to further the interests, rights, and privileges of individuals within  
33 this state.

34 (c) This article shall be broadly construed to further the general purposes stated in this  
35 Code section and the special purposes of the particular provision involved."

36 **SECTION 2.**

37 Said article is further amended by revising paragraphs (1) through (5) of subsection (a) of  
38 Code Section 8-3-202, relating to unlawful practices in selling or renting dwellings and  
39 exception, as follows:

40 "(1) To refuse to sell or rent after the making of a bona fide offer, or to refuse to  
41 negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to

42 any person because of ~~race, color, religion, sex, disability, familial status, or national~~  
43 ~~origin~~ age, color, creed, disability, familial status, gender identity, national origin, race,  
44 religion, sex, sexual orientation, or source of income;

45 (2) To discriminate against any person in the terms, conditions, or privileges of sale or  
46 rental of a dwelling, or in the provision of services or facilities in connection therewith,  
47 because of ~~race, color, religion, sex, disability, familial status, or national origin~~ age,  
48 color, creed, disability, familial status, gender identity, national origin, race, religion, sex,  
49 sexual orientation, or source of income;

50 (3) To make, print, or publish or cause to be made, printed, or published any notice,  
51 statement, or advertisement, with respect to the sale or rental of a dwelling, that indicates  
52 any preference, limitation, or discrimination based on ~~race, color, religion, sex, disability,~~  
53 ~~familial status, or national origin~~ age, color, creed, disability, familial status, gender  
54 identity, national origin, race, religion, sex, sexual orientation, or source of income, or an  
55 intention to make any such preference, limitation, or discrimination;

56 (4) To represent to any person because of ~~race, color, religion, sex, disability, familial~~  
57 ~~status, or national origin~~ age, color, creed, disability, familial status, gender identity,  
58 national origin, race, religion, sex, sexual orientation, or source of income that any  
59 dwelling is not available for inspection, sale, or rental when such dwelling is in fact so  
60 available;

61 (5) For profit, to induce or attempt to induce any person to sell or rent any dwelling by  
62 representations regarding the entry or prospective entry into the neighborhood of a person  
63 or persons of a particular ~~race, color, religion, sex, familial status, or national origin~~ or  
64 with a disability age, color, creed, disability, familial status, gender identity, national  
65 origin, race, religion, sex, sexual orientation, or source of income;"

66 **SECTION 3.**

67 Said article is further amended by revising Code Section 8-3-203, relating to unlawful denial  
68 of or discrimination in membership or participation in service or organization relating to  
69 selling or renting dwellings, as follows:

70 "8-3-203.

71 It shall be unlawful to deny any person access to or membership or participation in any  
72 multiple-listing service, real estate brokers' organization, or other service, organization, or  
73 facility relating to the business of selling or renting dwellings or to discriminate against  
74 such person in the terms or conditions of such access, membership, or participation on  
75 account of ~~race, color, religion, sex, disability, familial status, or national origin~~ age, color,  
76 creed, disability, familial status, gender identity, national origin, race, religion, sex, sexual  
77 orientation, or source of income."

78 **SECTION 4.**

79 Said article is further amended by revising subsections (b) and (c) of Code Section 8-3-204,  
80 relating to discrimination in residential real estate related transactions and appraisals, as  
81 follows:

82 "(b) It shall be unlawful for any person or other entity whose business includes engaging  
83 in residential real estate related transactions to discriminate against any person in making  
84 available such a transaction or in the terms or conditions of such a transaction because of  
85 ~~race, color, religion, sex, handicap, familial status, or national origin~~ age, color, creed,  
86 disability, familial status, gender identity, national origin, race, religion, sex, sexual  
87 orientation, or source of income.

88 (c) Nothing in this article shall be construed to prohibit a person engaged in the business  
89 of furnishing appraisals of real property from taking into consideration factors other than  
90 ~~race, color, religion, national origin, sex, handicap, or familial status~~ age, color, creed,

91 disability, familial status, gender identity, national origin, race, religion, sex, sexual  
92 orientation, or source of income."

93 **SECTION 5.**

94 Said article is further amended by revising subsection (a) of Code Section 8-3-205, relating  
95 to permissible limitations in sale, rental, or occupancy of dwellings by religious organizations  
96 or private clubs and housing for older persons, as follows:

97 "(a) Nothing in this article shall prohibit a religious organization, association, or society,  
98 or any nonprofit institution or organization operated, supervised, or controlled by or in  
99 conjunction with a religious organization, association, or society, from limiting the sale,  
100 rental, or occupancy of dwellings which it owns or operates for other than a commercial  
101 purpose to persons of the same religion or from giving preference to such persons unless  
102 membership in such religion is restricted on account of ~~race, color, sex, handicap, familial~~  
103 ~~status, or national origin~~ age, color, creed, disability, familial status, gender identity,  
104 national origin, race, sex, sexual orientation, or source of income. Nothing in this article  
105 shall prohibit a private club not in fact open to the public, which as an incident to its  
106 primary purpose or purposes provides lodgings which it owns or operates for other than a  
107 commercial purpose, from limiting the rental or occupancy of such lodgings to its members  
108 or from giving preference to its members."

109 **SECTION 6.**

110 All laws and parts of laws in conflict with this Act are repealed.