

Regular Session, 2014

SENATE BILL NO. 424

BY SENATOR MORRELL

HOUSING. Prohibits discriminatory housing practices based on certain criteria. (8/1/14)

1 AN ACT

2 To amend and reenact R.S. 51:2602(A), 2606(A)(1) through (5), 2607(A) and (C), and 2608,
3 and to enact R.S. 51:2603(13) through (16), relative to the Louisiana Equal Housing
4 Opportunity Act; to provide for definitions; to prohibit discriminatory housing
5 practices based on certain criteria; to provide certain terms, conditions, procedures,
6 and effects; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 51:2602(A), 2606(A)(1) through (5), 2607(A) and (C), and 2608 are
9 hereby amended and reenacted and R.S. 51:2603(13) through (16) are hereby enacted to read
10 as follows:

11 §2602. Policy

12 A. The legislature finds and declares that persons in this state who seek a
13 place to live should be able to find such housing whenever it is available. Further,
14 in many localities there may be housing shortages. All persons should therefore be
15 able to compete for available housing on an open, fair, and equitable basis, regardless
16 of race, color, religion, sex, **sexual orientation, gender identity, gender**
17 **expression**, handicap, **marital status**, familial status, or national origin.

1 * * *

2 §2603. Definitions

3 As used in this Chapter:

4 (1) * * *

5 * * *

6 (13) "Gender expression" means a person's actual or perceived gender-
7 related appearance or behavior with or without regard to the person's
8 designated sex at birth.

9 (14) "Gender identity" means a person's actual or perceived gender-
10 related identity with or without regard to the person's designated sex at birth.

11 (15) "Marital status" means being married, divorced, widowed,
12 separated, single, or a cohabitant.

13 (16) "Sexual orientation" means a person's actual or perceived
14 heterosexuality, homosexuality, or bisexuality.

15 * * *

16 §2606. Discrimination in sale or rental of housing and other prohibited practices

17 A. As made applicable by R.S. 51:2604, and except as exempted by
18 Subsection B thereof and R.S. 51:2605, it is unlawful:

19 (1) To refuse to sell or rent after the making of a bona fide offer, or to refuse
20 to negotiate for the sale or rental of, or otherwise make unavailable or deny, a
21 dwelling to any person because of race, color, religion, sex, **sexual orientation,**
22 **gender identity, gender expression, marital status,** familial status, or national
23 origin.

24 (2) To discriminate against any person in the terms, conditions, or privileges
25 of sale or rental of a dwelling, or in the provision of services or facilities in
26 connection therewith, because of race, color, religion, sex, **sexual orientation,**
27 **gender identity, gender expression, marital status,** familial status, or national
28 origin.

29 (3) To make, print, or publish, or cause to be made, printed, or published any

1 notice, statement, or advertisement, with respect to the sale or rental of a dwelling
2 that indicates any preference, limitation, or discrimination based on race, color,
3 religion, sex, **sexual orientation, gender identity, gender expression**, handicap,
4 **marital status**, familial status, or national origin, or an intention to make any such
5 preference, limitation, or discrimination.

6 (4) To represent to any person because of race, color, religion, sex, **sexual**
7 **orientation, gender identity, gender expression**, handicap, **marital status**, familial
8 status, or national origin that any dwelling is not available for inspection, sale, or
9 rental when such dwelling is in fact so available.

10 (5) For profit, to induce or attempt to induce any person to sell or rent any
11 dwelling by representations regarding the entry or prospective entry into the
12 neighborhood of a person or persons of a particular race, color, religion, sex, **sexual**
13 **orientation, gender identity, gender expression**, handicap, **marital status**, familial
14 status, or national origin.

15 * * *

16 §2607. Discrimination in residential real estate related transactions

17 A. It is unlawful for any person or other entity whose business includes
18 engaging in residential real estate related transactions to discriminate against any
19 person in making available such a transaction, or in the terms or conditions of such
20 a transaction, because of race, color, religion, sex, **sexual orientation, gender**
21 **identity, gender expression**, handicap, **marital status**, familial status, or national
22 origin.

23 * * *

24 C. Nothing in this Chapter prohibits a person engaged in the business of
25 furnishing appraisals of real property to take into consideration factors other than
26 race, color, religion, national origin, sex, **sexual orientation, gender identity,**
27 **gender expression**, handicap, **marital status**, or familial status.

28 §2608. Discrimination in provision of brokerage services

29 It is unlawful to deny any person access to or membership or participation in

1 any multiple-listing service, real estate brokers' organization or other service,
 2 organization, or facility relating to the business of selling or renting dwellings, or to
 3 discriminate against him in the terms or conditions of such access, membership, or
 4 participation, ~~on account of~~ **based on his** race, color, religion, sex, **sexual**
 5 **orientation, gender identity, gender expression,** handicap, **marital status,** familial
 6 status, or national origin.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Nancy Vicknair.

DIGEST

Morrell (SB 424)

Present law provides relative to the Louisiana Equal Housing Opportunity Act.

Proposed law adds definitions for "gender expression", "gender identity", "marital status", and "sexual orientation".

Present law provides that persons living in La. should be able to compete for available housing on an open, fair, and equitable basis, regardless of the following criteria: race, color, religion, sex, handicap, familial status, or national origin.

Proposed law adds sexual orientation, gender identity, gender expression, and marital status to such criteria.

Present law prohibits discrimination of individuals in the sale or rental of housing, in residential real estate related transactions, and in the utilization of brokerage services based on the following criteria: race, color, religion, sex, handicap, familial status, or national origin.

Proposed law adds sexual orientation, gender identity, gender expression, and marital status to such criteria.

Effective August 1, 2014.

(Amends R.S. 51:2602(A), 2606(A)(1)-(5), 2607(A) and (C), and 2608; adds R.S. 51:2603(13)-(16))