

1 H.364

2 Introduced by Representatives Higley of Lowell, Oliver of Sheldon, Parsons
3 of Newbury, Peterson of Clarendon, Williams of Granby, and
4 Wilson of Lyndon

5 Referred to Committee on

6 Date:

7 Subject: Labor; employment practices; commerce and trade; public
8 accommodations; discrimination; immunization status

9 Statement of purpose of bill as introduced: This bill proposes to prohibit
10 discrimination in employment and public accommodations on the basis of an
11 individual's immunization status.

12 An act relating to prohibiting discrimination based on immunization status

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 9 V.S.A. § 4501 is amended to read:

15 § 4501. DEFINITIONS

16 As used in this chapter:

17 * * *

18 (12) "Immunization status" means an individual's immunization history,
19 including whether an individual has received a vaccination against one or more
20 infectious diseases.

1 Sec. 2. 9 V.S.A. § 4502 is amended to read:

2 § 4502. PUBLIC ACCOMMODATIONS

3 (a) An owner or operator of a place of public accommodation or an agent
4 or employee of ~~such an~~ an owner or operator shall not, because of the race, creed,
5 color, national origin, marital status, sex, sexual orientation, ~~or~~ gender identity,
6 or immunization status of any person, refuse, withhold from, or deny to that
7 person any of the accommodations, advantages, facilities, and privileges of the
8 place of public accommodation.

9 * * *

10 Sec. 3. 9 V.S.A. § 4503 is amended to read:

11 § 4503. UNFAIR HOUSING PRACTICES

12 (a) It shall be unlawful for any person:

13 (1) To refuse to sell or rent, or refuse to negotiate for the sale or rental
14 of, or otherwise make unavailable or deny, a dwelling or other real estate to
15 any person because of the race, sex, sexual orientation, gender identity, age,
16 marital status, religious creed, color, national origin, immunization status, or
17 disability of a person, or because a person intends to occupy a dwelling with
18 one or more minor children, or because a person is a recipient of public
19 assistance, or because a person is a victim of abuse, sexual assault, or stalking.

20 (2) To discriminate against, or to harass, any person in the terms,
21 conditions, privileges, and protections of the sale or rental of a dwelling or

1 other real estate, or in the provision of services or facilities in connection with
2 a dwelling or other real estate, because of the race, sex, sexual orientation,
3 gender identity, age, marital status, religious creed, color, national origin,
4 immunization status, or disability of a person, or because a person intends to
5 occupy a dwelling with one or more minor children, or because a person is a
6 recipient of public assistance, or because a person is a victim of abuse, sexual
7 assault, or stalking.

8 (3) To make, print, or publish, or cause to be made, printed, or published
9 any notice, statement, or advertisement, with respect to the sale or rental of a
10 dwelling or other real estate that indicates any preference, limitation, or
11 discrimination based on race, sex, sexual orientation, gender identity, age,
12 marital status, religious creed, color, national origin, immunization status, or
13 disability of a person, or because a person intends to occupy a dwelling with
14 one or more minor children, or because a person is a recipient of public
15 assistance, or because a person is a victim of abuse, sexual assault, or stalking.

16 (4) To represent to any person because of the race, sex, sexual
17 orientation, gender identity, age, marital status, religious creed, color, national
18 origin, immunization status, or disability of a person, or because a person
19 intends to occupy a dwelling with one or more minor children, or because a
20 person is a recipient of public assistance, or because a person is a victim of
21 abuse, sexual assault, or stalking, that any dwelling or other real estate is not

1 available for inspection, sale, or rental when the dwelling or real estate is in
2 fact so available.

3 * * *

4 (6) To discriminate against any person in the making or purchasing of
5 loans or providing other financial assistance for real-estate-related transactions
6 or in the selling, brokering, or appraising of residential real property, because
7 of the race, sex, sexual orientation, gender identity, age, marital status,
8 religious creed, color, national origin, immunization status, or disability of a
9 person, or because a person intends to occupy a dwelling with one or more
10 minor children, or because a person is a recipient of public assistance, or
11 because a person is a victim of abuse, sexual assault, or stalking.

12 (7) To engage in blockbusting practices, for profit, which may include
13 inducing or attempting to induce a person to sell or rent a dwelling by
14 representations regarding the entry into the neighborhood of a person or
15 persons of a particular race, sex, sexual orientation, gender identity, age,
16 marital status, religious creed, color, national origin, immunization status, or
17 disability of a person, or because a person intends to occupy a dwelling with
18 one or more minor children, or because a person is a recipient of public
19 assistance, or because a person is a victim of abuse, sexual assault, or stalking.

20 (8) To deny any person access to or membership or participation in any
21 multiple listing service, real estate brokers' organization, or other service,

1 organization, or facility relating to the business of selling or renting dwellings,
2 or to discriminate against any person in the terms or conditions of such access,
3 membership, or participation, on account of race, sex, sexual orientation,
4 gender identity, age, marital status, religious creed, color, national origin,
5 immunization status, or disability of a person, or because a person is a recipient
6 of public assistance, or because a person is a victim of abuse, sexual assault, or
7 stalking.

8 * * *

9 (12) To discriminate in land use decisions or in the permitting of
10 housing because of race, sex, sexual orientation, gender identity, age, marital
11 status, religious creed, color, national origin, immunization status, disability,
12 the presence of one or more minor children, income, or because of the receipt
13 of public assistance, or because a person is a victim of abuse, sexual assault, or
14 stalking, except as otherwise provided by law.

15 * * *

16 Sec. 4. 21 V.S.A. § 495 is amended to read:

17 § 495. UNLAWFUL EMPLOYMENT PRACTICE

18 (a) It shall be unlawful employment practice, except where a bona fide
19 occupational qualification requires persons of a particular race, color, religion,
20 national origin, sex, sexual orientation, gender identity, ancestry, place of birth,
21 age, crime victim status, immunization status, or physical or mental condition:

1 (1) For any employer, employment agency, or labor organization to
2 discriminate against any individual because of race, color, religion, ancestry,
3 national origin, sex, sexual orientation, gender identity, place of birth, crime
4 victim status, immunization status, or age or against a qualified individual with
5 a disability;

6 (2) For any person seeking employees or for any employment agency or
7 labor organization to cause to be printed, published, or circulated any notice or
8 advertisement relating to employment or membership indicating any
9 preference, limitation, specification, or discrimination based upon race, color,
10 religion, ancestry, national origin, sex, sexual orientation, gender identity,
11 place of birth, crime victim status, immunization status, age, or disability;

12 (3) For any employment agency to fail or refuse to classify properly or
13 refer for employment or to otherwise discriminate against any individual
14 because of race, color, religion, ancestry, national origin, sex, sexual
15 orientation, gender identity, place of birth, crime victim status, immunization
16 status, or age or against a qualified individual with a disability;

17 (4) For any labor organization, because of race, color, religion, ancestry,
18 national origin, sex, sexual orientation, gender identity, place of birth, crime
19 victim status, immunization status, or age to discriminate against any
20 individual or against a qualified individual with a disability or to limit,
21 segregate, or qualify its membership;

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Sec. 5. 21 V.S.A. § 495d is amended to read:

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§ 495d. DEFINITIONS

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As used in this subchapter:

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(16) “Immunization status” means an individual’s immunization history,

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including whether an individual has received a vaccination against one or more

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infectious diseases.

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Sec. 6. EFFECTIVE DATE

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This act shall take effect on passage.