



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-1913/1
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2023 SENATE BILL 474

September 29, 2023 - Introduced by Senators SPREITZER, CARPENTER, ROYS, AGARD, HESSELBEIN, L. JOHNSON, LARSON, SMITH and TAYLOR, cosponsored by Representatives NEUBAUER, SNODGRASS, CABRERA, RATCLIFF, CLANCY, C. ANDERSON, J. ANDERSON, BALDEH, BARE, CONLEY, CONSIDINE, DRAKE, EMERSON, HONG, JOERS, MOORE OMOKUNDE, OHNSTAD, ORTIZ-VELEZ, PALMERI, SHANKLAND, SHELTON, SINICKI and SUBECK. Referred to Committee on Government Operations.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT** *to amend* 15.04 (1) (g), 16.765 (1), 16.765 (2), 36.09 (1) (e), 36.11 (3) (a),
2 36.12 (1), 36.29 (1), 38.04 (13) (b), 38.23 (1), 38.23 (4), 47.02 (3m) (f), 48.82 (1)
3 (a), 48.82 (6), 51.90, 66.0125 (3) (a), 66.0125 (3) (c) 1. b., 66.0125 (9), 66.1011 (1),
4 66.1201 (2m), 66.1213 (3), 66.1301 (2m), 66.1331 (2m), 66.1333 (3) (e) 2., 86.195
5 (5) (c), 106.50 (1), 106.50 (1m) (h), 106.50 (1m) (nm), 106.50 (5m) (f) 1., 106.52
6 (3) (a) 1., 106.52 (3) (a) 2., 106.52 (3) (a) 3., 106.52 (3) (a) 4., 106.52 (3) (a) 5.,
7 106.52 (3) (b), 106.52 (3) (c), 106.52 (3) (d), 106.52 (3) (e), 106.58, 111.31 (1),
8 111.31 (2), 111.31 (3), 111.321, 111.36 (title), 111.36 (1) (br), 111.36 (1) (c), 111.36
9 (1) (d) 1., 111.36 (1) (d) 2., 111.36 (2), 111.70 (2), 111.81 (12) (b), 111.85 (2) (b),
10 118.019 (2d), 118.13 (1), 118.20 (1), 118.40 (4) (b) 2., 194.025, 224.77 (1) (o),
11 227.10 (3) (a), 230.01 (2) (b), 230.18, 234.29, 321.37, 440.45 (1), 440.45 (2),
12 452.14 (3) (n), 625.12 (2), 632.35 and 756.001 (3); and **to create** 106.50 (1m)
13 (kg), 106.52 (1) (cr), 111.32 (7j), 118.13 (1m) and 628.34 (3) (c) of the statutes;
14 **relating to:** discrimination in employment, housing, public accommodations,

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1 education, insurance coverage, national guard, jury duty, and adoption and in
2 the receipt of mental health or vocational rehabilitation services.

Analysis by the Legislative Reference Bureau

This bill prohibits discrimination on the basis of an individual's gender identity or gender expression, which is defined in the bill as an individual's gender-related identity, gender-related appearance, gender-related expression, or gender-related behavior, regardless of the individual's assigned sex at birth or gender identifiers on official documents issued by a federal, state, or local government agency. The bill also make changes to various discrimination laws, including all of the following:

1. Current law prohibits discrimination in employment, housing, and the equal enjoyment of a public place of accommodation or amusement on the basis of a person's sex or sexual orientation. Current law also requires certain state agencies, authorities, and corporations to include provisions in contracts they execute obliging the contractor to similarly not discriminate against any employee or applicant for employment. This bill adds gender identity or gender expression as a prohibited basis for discrimination in these areas.

2. Current law prohibits the University of Wisconsin System, the Technical College System, public elementary and secondary schools, and charter schools from discriminating against a student on the basis of the student's sex or sexual orientation. This bill prohibits the same educational institutions from discriminating against a student on the basis of the student's gender identity or gender expression, and from discriminating against a student based on the protected status of the student's parent. This bill also prohibits the UW System Board of Regents from investing gifts, grants, and bequests in companies that practice discrimination based on sexual orientation or gender identity or gender expression.

3. Current law prohibits the exclusion of an individual from jury duty on the basis of the individual's sex or sexual orientation. This bill adds gender identity or gender expression as a prohibited basis for exclusion of an individual from jury duty.

4. Current law allows only either a single adult or a husband and wife jointly to adopt a child. This bill allows only either a single individual or two individuals married to each other jointly to adopt a child, and also provides that no otherwise qualified person may be denied the benefits of the adoption and guardianship statute subchapter because of the person's sex, sexual orientation, or gender identity or gender expression.

5. Current law requires heads of executive departments and agencies to determine whether there is arbitrary discrimination on the basis of sex or sexual orientation, and to take remedial action if such discrimination is found. This bill requires these heads to also determine if there is discrimination on the basis of gender identity or gender expression, and take remedial action regarding such discrimination.

6. Current law prohibits discriminating against an employee, prospective employee, patient, or resident of an approved treatment facility providing treatment

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of alcoholic, drug dependent, mentally ill, or developmentally disabled persons on the basis of sex. This bill adds sexual orientation and gender identity or gender expression as prohibited bases of discrimination.

7. Current law prohibits agency rules from discriminating against a person by reason of sex or sexual orientation. This bill adds gender identity or gender expression as prohibited bases of discrimination.

8. Current law prohibits discrimination on the basis of sex in the provision of vocational rehabilitation or mental health services. This bill adds sexual orientation and gender identity or gender expression to the prohibited bases of discrimination.

9. Current law prohibits the national guard or state defense force from denying membership based on sex or sexual orientation. This bill adds gender identity or gender expression as a prohibited basis of discrimination. This bill also provides that no member of the national guard or state defense force may be denied equal access to facilities most consistent with the person's gender identity.

10. Current law provides that sex is a bona fide occupational qualification if all of the members of one sex are physically incapable of performing the essential duties required by a job, or if the essence of the employer's business operation would be undermined if employees were not hired exclusively from one sex. This bill adds to the sex as a bona fide occupational qualification law that an individual may not be treated or regarded inconsistent with the individual's gender identity, or discriminated against based on the individual's gender identity or gender expression.

11. Current law allows public places of accommodation or amusement to provide separate facilities to persons of different sexes. This bill provides that public places of accommodation or amusement may provide separate facilities to persons of different sexes, but prohibits those places from denying individuals equal access to the facilities most consistent with the individual's gender identity.

12. This bill prohibits an insurer from discriminating against an individual on the basis of age, residence, race, color, creed, religion, national origin, ancestry, marital status, occupation, gender identity or gender expression, sex, or sexual orientation, and also prohibits motor carriers, automobile insurers, transportation network companies, and real estate brokers and salespersons from discriminating against an individual on the basis of sexual orientation or gender identity or gender expression.

13. The bill expressly prohibits a school board from discriminating against a student-led organization because the organization's mission is related to sexual orientation, gender identity, or gender expression.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 15.04 (1) (g) of the statutes is amended to read:

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1 15.04 (1) (g) *Discrimination review*. In order to determine whether there is any
2 arbitrary discrimination on the basis of race, religion, national origin, sex, marital
3 status ~~or~~, gender identity or gender expression, as defined in s. 111.32 (7j), or sexual
4 orientation, as defined in s. 111.32 (13m), examine and assess the statutes under
5 which the head has powers or regulatory responsibilities, the procedures by which
6 those statutes are administered, and the rules promulgated under those statutes.
7 If the department or agency head finds any such discrimination, ~~he or she~~ the agency
8 head shall take remedial action, including making recommendations to the
9 appropriate executive, legislative, or administrative authority.

10 **SECTION 2.** 16.765 (1) of the statutes is amended to read:

11 16.765 (1) Contracting agencies, the University of Wisconsin Hospitals and
12 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
13 Aerospace Authority, the Lower Fox River Remediation Authority, the Wisconsin
14 Economic Development Corporation, and the Bradley Center Sports and
15 Entertainment Corporation shall include in all contracts executed by them a
16 provision obligating the contractor not to discriminate against any employee or
17 applicant for employment because of age, race, religion, color, ~~handicap~~ disability,
18 sex, physical condition, developmental disability, as defined in s. 51.01 (5), sexual
19 orientation, as defined in s. 111.32 (13m), gender identity or gender expression, as
20 defined in s. 111.32 (7j), or national origin and, except with respect to sexual
21 orientation ~~or gender identity or gender expression~~, obligating the contractor to take
22 affirmative action to ensure equal employment opportunities.

23 **SECTION 3.** 16.765 (2) of the statutes is amended to read:

24 16.765 (2) Contracting agencies, the University of Wisconsin Hospitals and
25 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin

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1 Aerospace Authority, the Lower Fox River Remediation Authority, the Wisconsin
2 Economic Development Corporation, and the Bradley Center Sports and
3 Entertainment Corporation shall include the following provision in every contract
4 executed by them: “In connection with the performance of work under this contract,
5 the contractor agrees not to discriminate against any employee or applicant for
6 employment because of age, race, religion, color, handicap disability, sex, physical
7 condition, developmental disability, as defined in s. 51.01 (5), sexual orientation, as
8 defined in s. 111.32 (13m), gender identity or gender expression, as defined in s.
9 111.32 (7j), or national origin. This provision shall include, but not be limited to, the
10 following: employment, upgrading, demotion or transfer; recruitment or recruitment
11 advertising; layoff or termination; rates of pay or other forms of compensation; and
12 selection for training, including apprenticeship. Except with respect to sexual
13 orientation or gender identity or gender expression, the contractor further agrees to
14 take affirmative action to ensure equal employment opportunities. The contractor
15 agrees to post in conspicuous places, available for employees and applicants for
16 employment, notices to be provided by the contracting officer setting forth the
17 provisions of the nondiscrimination ~~clause~~. clause.”

18 **SECTION 4.** 36.09 (1) (e) of the statutes is amended to read:

19 36.09 (1) (e) Subject to par. (em), the board shall appoint a president of the
20 system; a chancellor for each institution; a dean for each college campus; the state
21 geologist; the director of the laboratory of hygiene; the director of the psychiatric
22 institute; the state cartographer; and the requisite number of officers, other than the
23 vice presidents, associate vice presidents, and assistant vice presidents of the
24 system; faculty; academic staff; and other employees and fix the salaries, subject to
25 the limitations under par. (j) and s. 230.12 (3) (e), the duties and the term of office

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1 for each. The board shall fix the salaries, subject to the limitations under par. (j) and
2 s. 230.12 (3) (e), and the duties for each chancellor, vice president, associate vice
3 president, and assistant vice president of the system. No sectarian or partisan tests
4 or any tests based upon race, religion, national origin, ~~or sex, gender identity or~~
5 gender expression, as defined in s. 111.32 (7j), or sexual orientation, as defined in s.
6 111.32 (13m), shall ever be allowed or exercised in the appointment of the employees
7 of the system.

8 **SECTION 5.** 36.11 (3) (a) of the statutes is amended to read:

9 36.11 **(3)** (a) The board shall establish the policies for admission within the
10 system and within these policies each institution shall establish specific
11 requirements for admission to its courses of instruction. No sectarian or partisan
12 tests ~~test~~ or any tests ~~test~~ based upon race, color, creed, religion, sex, national origin
13 of U.S. ~~citizens or sex, disability, ancestry, age, sexual orientation, as defined in s.~~
14 111.32 (13m), gender identity or gender expression, as defined in s. 111.32 (7j),
15 pregnancy, marital status, or parental status shall ever be allowed in the admission
16 of students thereto a student to any service, course, program, or facility of the system
17 or any of its institutions.

18 **SECTION 6.** 36.12 (1) of the statutes is amended to read:

19 36.12 **(1)** No student may be denied admission to, participation in, or the
20 benefits of, or be discriminated against in, any service, program, course, or facility
21 of the system or its institutions because of the student's race, color, creed, religion,
22 sex, national origin, disability, ancestry, age, sexual orientation, as defined in s.
23 111.32 (13m), gender identity or gender expression, as defined in s. 111.32 (7j),
24 pregnancy, marital status, or parental status of the student or of the student's
25 parent.

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1 **SECTION 7.** 36.29 (1) of the statutes is amended to read:

2 **36.29 (1)** All gifts, grants, and bequests for the benefit or advantage of the
3 system or any of its institutions, departments, or facilities or to provide any means
4 of instruction, illustration, or knowledge in connection therewith, whether made to
5 trustees or otherwise, shall be valid notwithstanding any other provision of this
6 chapter except as otherwise provided in this subsection and shall be executed and
7 enforced according to the provisions of the instrument making the same, including
8 all provisions and directions in any such instrument for accumulation of the income
9 of any fund or rents and profits of any real estate without being subject to the
10 limitations and restrictions provided by law in other cases; but no such income
11 accumulation shall be allowed to produce a fund more than 20 times as great as that
12 originally given. No investment of the funds of such gifts, grants, or bequests shall
13 knowingly be made in any company, corporation, subsidiary, or affiliate that
14 practices or condones through its actions discrimination on the basis of race, religion,
15 color, creed, ~~or sex,~~ gender identity or gender expression, as defined in s. 111.32 (7j),
16 or sexual orientation, as defined in s. 111.32 (13m). Except as otherwise provided in
17 this section, the board may invest not to exceed 85 percent of trust funds held and
18 administered by the board in common stocks. This subsection does not apply to a gift,
19 grant, or bequest that the board declines to accept or that the board is not authorized
20 to accept under this section.

21 **SECTION 8.** 38.04 (13) (b) of the statutes is amended to read:

22 **38.04 (13) (b)** No person may, on the ground of sex, gender identity or gender
23 expression, as defined in s. 111.32 (7j), sexual orientation, as defined in s. 111.32
24 (3m), age, race, color, religion, or national origin, be excluded from participating in,

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1 be denied the benefits of, or be subjected to discrimination under any program or
2 activity funded in whole or in part with funds made available under this subsection.

3 **SECTION 9.** 38.23 (1) of the statutes is amended to read:

4 38.23 (1) No student may be denied admission to, participation in, or the
5 benefits of, or be discriminated against in, any service, program, course, or facility
6 of the board or any district because of the student's race, color, creed, religion, sex,
7 national origin, disability, ancestry, age, sexual orientation, as defined in s. 111.32
8 (13m), gender identity or gender expression, as defined in s. 111.32 (7j), pregnancy,
9 marital status, or parental status of the student or of the student's parent.

10 **SECTION 10.** 38.23 (4) of the statutes is amended to read:

11 38.23 (4) Nothing in this section or s. 36.12 prevents institutions from
12 segregating students in dormitories based on sex, except that no person may be
13 denied equal access to the dormitory most consistent with the person's gender
14 identity.

15 **SECTION 11.** 47.02 (3m) (f) of the statutes is amended to read:

16 47.02 (3m) (f) Assure that eligibility for vocational rehabilitation services
17 under this chapter is determined without regard to the sex, gender identity or gender
18 expression, as defined in s. 111.32 (7j), sexual orientation, as defined in s. 111.32
19 (13m), race, age, creed, color, or national origin of the individual applying for
20 services, that no class of individuals is found ineligible solely on the basis of type of
21 disability, and that no age limitations for eligibility exist ~~which~~ that, by themselves,
22 would result in ineligibility for vocational rehabilitation services.

23 **SECTION 12.** 48.82 (1) (a) of the statutes is amended to read:

24 48.82 (1) (a) ~~A husband and wife~~ Two adults married to each other jointly, or
25 ~~either the husband or wife~~ spouse if the other spouse is a parent of the minor.

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1 **SECTION 13.** 48.82 (6) of the statutes is amended to read:

2 48.82 (6) No otherwise qualified person may be denied the benefits of this
3 subchapter because of ~~his or her~~ the person's race, color, ancestry ~~or~~, national origin,
4 sex, gender identity or gender expression, as defined in s. 111.32 (7j), or sexual
5 orientation, as defined in s. 111.32 (13m).

6 **SECTION 14.** 51.90 of the statutes is amended to read:

7 **51.90 Antidiscrimination.** No employee, prospective employee, patient, or
8 resident of an approved treatment facility, or consumer of services provided under
9 this chapter, may be discriminated against because of age, race, creed, color, sex ~~or~~
10 handicap, disability, gender identity or gender expression, as defined in s. 111.32 (7j),
11 or sexual orientation, as defined in s. 111.32 (13m).

12 **SECTION 15.** 66.0125 (3) (a) of the statutes is amended to read:

13 66.0125 (3) (a) The purpose of the commission is to study, analyze, and
14 recommend solutions for the major social, economic, and cultural problems that
15 affect people residing or working within the local governmental unit, including
16 problems of the family, youth, education, the aging, juvenile delinquency, health and
17 zoning standards, discrimination in employment and public accommodations and
18 facilities on the basis of sex, class, race, religion, gender identity or gender
19 expression, as defined in s. 111.32 (7j), sexual orientation, as defined in s. 111.32
20 (13m), or ethnic or minority status and discrimination in housing on the basis of sex,
21 class, race, religion, sexual orientation, as defined in s. 111.32 (13m), gender identity
22 or gender expression, as defined in s. 111.32 (7j), ethnic or minority status, or status
23 as a victim of domestic abuse, sexual assault, or stalking.

24 **SECTION 16.** 66.0125 (3) (c) 1. b. of the statutes is amended to read:

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1 66.0125 (3) (c) 1. b. To ensure to all residents of a local governmental unit,
2 regardless of sex, race, sexual orientation, as defined in s. 111.32 (13m), gender
3 identity or gender expression, as defined in s. 111.32 (7j), or color, the right to enjoy
4 equal employment opportunities and to ensure to those residents, regardless of sex,
5 race, sexual orientation, as defined in s. 111.32 (13m), gender identity or gender
6 expression, as defined in s. 111.32 (7j), color, or status as a victim of domestic abuse,
7 sexual assault, or stalking, the right to possess equal housing opportunities.

8 **SECTION 17.** 66.0125 (9) of the statutes is amended to read:

9 66.0125 (9) INTENT. It is the intent of this section to promote fair and friendly
10 relations among all the people in this state, and to that end race, creed, sexual
11 orientation, as defined in s. 111.32 (13m), gender identity or gender expression, as
12 defined in s. 111.32 (7j), or color ought not to be made tests in the matter of the right
13 of any person to earn a livelihood or to enjoy the equal use of public accommodations
14 and facilities and race, creed, sexual orientation, as defined in s. 111.32 (13m), gender
15 identity or gender expression, as defined in s. 111.32 (7j), color, or status as a victim
16 of domestic abuse, sexual assault, or stalking ought not to be made tests in the matter
17 of the right of any person to sell, lease, occupy, or use real estate.

18 **SECTION 18.** 66.1011 (1) of the statutes is amended to read:

19 66.1011 (1) DECLARATION OF POLICY. The right of all persons to have equal
20 opportunities for housing regardless of their sex, race, color, disability, as defined in
21 s. 106.50 (1m) (g), sexual orientation, as defined in s. 111.32 (13m), gender identity
22 or gender expression, as defined in s. 111.32 (7j), religion, national origin, marital
23 status, family status, as defined in s. 106.50 (1m) (k), status as a victim of domestic
24 abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), lawful source of
25 income, age, or ancestry is a matter both of statewide concern under ss. 101.132 and

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1 106.50 and also of local interest under this section and s. 66.0125. The enactment
2 of ss. 101.132 and 106.50 by the legislature does not preempt the subject matter of
3 equal opportunities in housing from consideration by political subdivisions, and does
4 not exempt political subdivisions from their duty, nor deprive them of their right, to
5 enact ordinances that prohibit discrimination in any type of housing solely on the
6 basis of an individual being a member of a protected class.

7 **SECTION 19.** 66.1201 (2m) of the statutes is amended to read:

8 66.1201 (2m) DISCRIMINATION. Persons otherwise entitled to any right, benefit,
9 facility, or privilege under ss. 66.1201 to 66.1211 may not be denied the right, benefit,
10 facility, or privilege in any manner for any purpose nor be discriminated against
11 because of sex, race, color, creed, national origin, gender identity or gender
12 expression, as defined in s. 111.32 (7j), sexual orientation, as defined in s. 111.32
13 (13m), or status as a victim of domestic abuse, sexual assault, or stalking, as defined
14 in s. 106.50 (1m) (u), or national origin.

15 **SECTION 20.** 66.1213 (3) of the statutes is amended to read:

16 66.1213 (3) DISCRIMINATION. Persons otherwise entitled to any right, benefit,
17 facility, or privilege under this section may not be denied the right, benefit, facility,
18 or privilege in any manner for any purpose nor be discriminated against because of
19 sex, race, color, creed, national origin, gender identity or gender expression, as
20 defined in s. 111.32 (7j), sexual orientation, as defined in s. 111.32 (13m), or status
21 as a victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m)
22 (u), or national origin.

23 **SECTION 21.** 66.1301 (2m) of the statutes is amended to read:

24 66.1301 (2m) DISCRIMINATION. Persons entitled to any right, benefit, facility,
25 or privilege under ss. 66.1301 to 66.1329 may not be denied the right, benefit, facility,

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1 or privilege in any manner for any purpose nor be discriminated against because of
2 sex, race, color, creed, national origin, gender identity or gender expression, as
3 defined in s. 111.32 (7j), sexual orientation, as defined in s. 111.32 (13m), or status
4 as a victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m)
5 (u), ~~or national origin.~~

6 **SECTION 22.** 66.1331 (2m) of the statutes is amended to read:

7 66.1331 **(2m)** DISCRIMINATION. Persons otherwise entitled to any right, benefit,
8 facility, or privilege under this section may not be denied the right, benefit, facility,
9 or privilege in any manner for any purpose nor be discriminated against because of
10 sex, race, color, creed, national origin, gender identity or gender expression, as
11 defined in s. 111.32 (7j), sexual orientation, as defined in s. 111.32 (13m), or status
12 as a victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m)
13 (u), ~~or national origin.~~

14 **SECTION 23.** 66.1333 (3) (e) 2. of the statutes is amended to read:

15 66.1333 **(3)** (e) 2. Persons otherwise entitled to any right, benefit, facility, or
16 privilege under this section may not be denied the right, benefit, facility, or privilege
17 in any manner for any purpose nor be discriminated against because of sex, race,
18 color, creed, national origin, gender identity or gender expression, as defined in s.
19 111.32 (7j), sexual orientation, as defined in s. 111.32 (13m), or status as a victim of
20 domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), ~~or~~
21 ~~national origin.~~

22 **SECTION 24.** 86.195 (5) (c) of the statutes is amended to read:

23 86.195 **(5)** (c) *Conformity with discrimination laws.* Each business identified
24 as a motorist service on a specific information sign shall, as a condition of eligibility
25 for erection, installation, and maintenance of a sign under this section, give written

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1 assurance to the department that the business conforms with all applicable laws
2 concerning the provisions of public accommodations without regard to race, religion,
3 color, sex, sexual orientation, as defined in s. 111.32 (13m), gender identity or gender
4 expression, as defined in s. 111.32 (7j), or national origin.

5 **SECTION 25.** 106.50 (1) of the statutes is amended to read:

6 106.50 (1) INTENT. It is the intent of this section to render unlawful
7 discrimination in housing. It is the declared policy of this state that all persons shall
8 have an equal opportunity for housing regardless of sex,; race,; color,; sexual
9 orientation,; gender identity or gender expression; disability,; religion,; national
10 origin,; marital status,; family status,; status as a victim of domestic abuse, sexual
11 assault, or stalking,; lawful source of income,; age,; or ancestry, and it is the duty of
12 the political subdivisions to assist in the orderly prevention or removal of all
13 discrimination in housing through the powers granted under ss. 66.0125 and
14 66.1011. The legislature hereby extends the state law governing equal housing
15 opportunities to cover single-family residences that are owner-occupied. The
16 legislature finds that the sale and rental of single-family residences constitute a
17 significant portion of the housing business in this state and should be regulated.
18 This section shall be considered an exercise of the police powers of the state for the
19 protection of the welfare, health, peace, dignity, and human rights of the people of
20 this state.

21 **SECTION 26.** 106.50 (1m) (h) of the statutes is amended to read:

22 106.50 (1m) (h) "Discriminate" means to segregate, separate, exclude, or treat
23 a person or class of persons unequally in a manner described in sub. (2), (2m), or (2r)
24 because of sex,; race,; color,; sexual orientation,; gender identity or gender
25 expression; disability,; religion,; national origin,; marital status,; family status,;

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1 status as a victim of domestic abuse, sexual assault, or stalking; lawful source of
2 income; age; or ancestry.

3 **SECTION 27.** 106.50 (1m) (kg) of the statutes is created to read:

4 106.50 (1m) (kg) “Gender identity or gender expression” has the meaning given
5 in s. 111.32 (7j).

6 **SECTION 28.** 106.50 (1m) (nm) of the statutes is amended to read:

7 106.50 (1m) (nm) “Member of a protected class” means a group of natural
8 persons, or a natural person, who may be categorized because of sex; race; color;
9 disability; sexual orientation; gender identity or gender expression; religion;
10 national origin; marital status; family status; status as a victim of domestic abuse,
11 sexual abuse, or stalking; lawful source of income; age; or ancestry.

12 **SECTION 29.** 106.50 (5m) (f) 1. of the statutes is amended to read:

13 106.50 (5m) (f) 1. Nothing in this section prohibits an owner or agent from
14 requiring that a person who seeks to buy or rent housing supply information
15 concerning family status, and marital, financial, and business status, but not
16 concerning race; color; disability; sexual orientation; gender identity or gender
17 expression; ancestry; national origin; religion; creed; status as a victim of domestic
18 abuse, sexual assault, or stalking; or, subject to subd. 2., age.

19 **SECTION 30.** 106.52 (1) (cr) of the statutes is created to read:

20 106.52 (1) (cr) “Gender identity or gender expression” has the meaning given
21 in s. 111.32 (7j).

22 **SECTION 31.** 106.52 (3) (a) 1. of the statutes is amended to read:

23 106.52 (3) (a) 1. Deny to another or charge another a higher price than the
24 regular rate for the full and equal enjoyment of any public place of accommodation

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1 or amusement because of sex;_; race;_; color;_; creed;_; disability;_; sexual orientation;_;
2 gender identity or gender expression; national origin; or ancestry.

3 **SECTION 32.** 106.52 (3) (a) 2. of the statutes is amended to read:

4 106.52 (3) (a) 2. Give preferential treatment to some classes of persons in
5 providing services or facilities in any public place of accommodation or amusement
6 because of sex;_; race;_; color;_; creed;_; sexual orientation;_; gender identity or gender
7 expression; national origin; or ancestry.

8 **SECTION 33.** 106.52 (3) (a) 3. of the statutes is amended to read:

9 106.52 (3) (a) 3. Directly or indirectly publish, circulate, display, or mail any
10 written communication which that the communicator knows is to the effect that any
11 of the facilities of any public place of accommodation or amusement will be denied
12 to any person by reason of, or that the patronage of any person is unwelcome,
13 objectionable, or unacceptable, because of sex;_; race;_; color;_; creed;_; disability;_; sexual
14 orientation;_; gender identity or gender expression; national origin; or ancestry or
15 that the patronage of a person is unwelcome, objectionable or unacceptable for any
16 of those reasons.

17 **SECTION 34.** 106.52 (3) (a) 4. of the statutes is amended to read:

18 106.52 (3) (a) 4. Refuse to furnish or charge another a higher rate for any
19 automobile insurance because of race, color, creed, disability, national origin or,
20 ancestry, gender identity or gender expression, or sexual orientation.

21 **SECTION 35.** 106.52 (3) (a) 5. of the statutes is amended to read:

22 106.52 (3) (a) 5. Refuse to rent, charge a higher price than the regular rate, or
23 give preferential treatment, regarding the use of any private facilities commonly
24 rented to the public because of sex;_; race;_; color;_; creed;_; sexual orientation;_; gender

SENATE BILL 474**SECTION 35**

1 ~~identity or gender expression; national origin; or ancestry, regarding the use of any~~
2 ~~private facilities commonly rented to the public.~~

3 **SECTION 36.** 106.52 (3) (b) of the statutes is amended to read:

4 106.52 (3) (b) Nothing in this subsection prohibits separate dormitories at
5 higher educational institutions or separate public toilets, showers, saunas and
6 dressing rooms for persons of different sexes, except that no person may be denied
7 equal access to the facilities most consistent with the person's gender identity.

8 **SECTION 37.** 106.52 (3) (c) of the statutes is amended to read:

9 106.52 (3) (c) Nothing in this subsection prohibits separate treatment of
10 persons based on sex with regard to public toilets, showers, saunas and dressing
11 rooms for persons of different sexes, except that no person may be denied equal access
12 to the facilities most consistent with the person's gender identity.

13 **SECTION 38.** 106.52 (3) (d) of the statutes is amended to read:

14 106.52 (3) (d) Nothing in this subsection prohibits a domestic abuse services
15 organization, as defined in s. 995.67 (1) (b), from providing separate shelter facilities,
16 private home shelter care, advocacy, counseling or other care, treatment or services
17 for persons of different sexes or from providing for separate treatment of persons
18 based on sex with regard to the provision of shelter facilities, private home shelter
19 care, advocacy, counseling or other care, treatment or services for persons of different
20 sexes, except that no person may be denied equal access to the facilities most
21 consistent with the person's gender identity.

22 **SECTION 39.** 106.52 (3) (e) of the statutes is amended to read:

23 106.52 (3) (e) Nothing in this section prohibits a fitness center whose services
24 or facilities are intended for the exclusive use of persons of the same sex from
25 providing the use of those services or facilities exclusively to persons of that sex, from

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1 denying the use of those services or facilities to persons of the opposite sex, or from
2 directly or indirectly publishing, circulating, displaying, or mailing any written
3 communication to the effect that the use of those services or facilities will be provided
4 exclusively to persons of the same sex and will be denied to persons of the opposite
5 sex, except that no person may be denied equal access to the facilities most consistent
6 with the person's gender identity.

7 **SECTION 40.** 106.58 of the statutes is amended to read:

8 **106.58 Discrimination in education prohibited.** No child may be excluded
9 from or discriminated against in admission to any public school or in obtaining the
10 advantages, privileges, and courses of study of such a public school on account of the
11 sex,; race,; religion or,; national origin,; ancestry,; creed,; pregnancy,; marital or
12 parental status,; sexual orientation, as defined in s. 111.32 (13m); gender identity or
13 gender expression, as defined in s. 111.32 (7j); or physical, mental, emotional, or
14 learning disability of the child or of the child's parent.

15 **SECTION 41.** 111.31 (1) of the statutes is amended to read:

16 111.31 (1) The legislature finds that the practice of unfair discrimination in
17 employment against properly qualified individuals by reason of their age,; race,;
18 creed,; color,; disability,; marital status,; sex,; national origin,; ancestry,; sexual
19 orientation,; gender identity or gender expression; arrest record,; conviction record,;
20 military service,; use or nonuse of lawful products off the employer's premises during
21 nonworking hours,; or declining to attend a meeting or to participate in any
22 communication about religious matters or political matters, substantially and
23 adversely affects the general welfare of the state. Employers, labor organizations,
24 employment agencies, and licensing agencies that deny employment opportunities
25 and discriminate in employment against properly qualified individuals solely

SENATE BILL 474**SECTION 41**

1 because of their age, race, creed, color, disability, marital status, sex, national
2 origin, ancestry, sexual orientation, gender identity or gender expression, arrest
3 record, conviction record, military service, use or nonuse of lawful products off the
4 employer's premises during nonworking hours, or declining to attend a meeting or
5 to participate in any communication about religious matters or political matters,
6 deprive those individuals of the earnings that are necessary to maintain a just and
7 decent standard of living.

8 **SECTION 42.** 111.31 (2) of the statutes is amended to read:

9 111.31 (2) It is the intent of the legislature to protect by law the rights of all
10 individuals to obtain gainful employment and to enjoy privileges free from
11 employment discrimination because of age, race, creed, color, disability, marital
12 status, sex, national origin, ancestry, sexual orientation, gender identity or
13 gender expression, arrest record, conviction record, military service, use or nonuse
14 of lawful products off the employer's premises during nonworking hours, or
15 declining to attend a meeting or to participate in any communication about religious
16 matters or political matters, and to encourage the full, nondiscriminatory utilization
17 of the productive resources of the state to the benefit of the state, the family, and all
18 the people of the state. It is the intent of the legislature in promulgating this
19 subchapter to encourage employers to evaluate an employee or applicant for
20 employment based upon the individual qualifications of the employee or applicant
21 rather than upon a particular class to which the individual may belong.

22 **SECTION 43.** 111.31 (3) of the statutes is amended to read:

23 111.31 (3) In the interpretation and application of this subchapter, and
24 otherwise, it is declared to be the public policy of the state to encourage and foster
25 to the fullest extent practicable the employment of all properly qualified individuals

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1 regardless of age; race; creed; color; disability; marital status; sex; national
2 origin; ancestry; sexual orientation; gender identity or gender expression; arrest
3 record; conviction record; military service; use or nonuse of lawful products off the
4 employer's premises during nonworking hours; or declining to attend a meeting or
5 to participate in any communication about religious matters or political matters.
6 Nothing in this subsection requires an affirmative action program to correct an
7 imbalance in the work force. This subchapter shall be liberally construed for the
8 accomplishment of this purpose.

9 **SECTION 44.** 111.32 (7j) of the statutes is created to read:

10 111.32 (7j) "Gender identity or gender expression" means any of the following
11 with respect to an individual, whether actual or perceived, and regardless of the
12 individual's assigned sex at birth or gender identifiers on official documents issued
13 by a federal, state, or local government agency:

- 14 (a) Gender-related identity.
15 (b) Gender-related appearance.
16 (c) Gender-related expression.
17 (d) Gender-related behavior.

18 **SECTION 45.** 111.321 of the statutes is amended to read:

19 **111.321 Prohibited bases of discrimination.** Subject to ss. 111.33 to
20 111.365, no employer, labor organization, employment agency, licensing agency, or
21 other person may engage in any act of employment discrimination as specified in s.
22 111.322 against any individual on the basis of age; race; creed; color; disability;
23 marital status; sex; national origin; ancestry; sexual orientation; gender identity
24 or gender expression; arrest record; conviction record; military service; use or
25 nonuse of lawful products off the employer's premises during nonworking hours; or

SENATE BILL 474**SECTION 45**

1 declining to attend a meeting or to participate in any communication about religious
2 matters or political matters.

3 **SECTION 46.** 111.36 (title) of the statutes is amended to read:

4 **111.36 (title) Sex, sexual orientation, gender identity or gender**
5 **expression; exceptions and special cases.**

6 **SECTION 47.** 111.36 (1) (br) of the statutes is amended to read:

7 111.36 (1) (br) Engaging in harassment that consists of unwelcome verbal or
8 physical conduct directed at another individual because of that individual's gender,
9 or gender identity or gender expression, other than the conduct described in par. (b),
10 and that has the purpose or effect of creating an intimidating, hostile or offensive
11 work environment or has the purpose or effect of substantially interfering with that
12 individual's work performance. Under this paragraph, substantial interference with
13 an employee's work performance or creation of an intimidating, hostile or offensive
14 work environment is established when the conduct is such that a reasonable person
15 under the same circumstances as the employee would consider the conduct
16 sufficiently severe or pervasive to interfere substantially with the person's work
17 performance or to create an intimidating, hostile or offensive work environment.

18 **SECTION 48.** 111.36 (1) (c) of the statutes is amended to read:

19 111.36 (1) (c) Discriminating against any ~~woman~~ individual on the basis of
20 pregnancy, childbirth, ~~maternity~~ parental leave, or related medical conditions by
21 engaging in any of the actions prohibited under s. 111.322, including, but not limited
22 to, actions concerning fringe benefit programs covering illnesses and disability.

23 **SECTION 49.** 111.36 (1) (d) 1. of the statutes is amended to read:

24 111.36 (1) (d) 1. ~~For any employer, labor organization, licensing agency or~~
25 ~~employment agency or other person to refuse~~ Refusing to hire, employ, admit, or

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1 license, ~~or to bar or terminate~~ any individual; barring or terminating from
2 employment, membership, or licensure any individual,; ~~or to discriminate~~
3 discriminating against an any individual in promotion, in compensation, or in the
4 terms, conditions, or privileges of employment because of the individual's sexual
5 orientation; ~~or~~ or gender identity or gender expression.

6 **SECTION 50.** 111.36 (1) (d) 2. of the statutes is amended to read:

7 111.36 (1) (d) 2. ~~For any employer, labor organization, licensing agency or~~
8 ~~employment agency or other person to discharge~~ Discharging or otherwise
9 discriminate discriminating against any person because ~~he or she~~ the person has
10 opposed any discriminatory practices under this paragraph or because ~~he or she~~ the
11 person has made a complaint, testified, or assisted in any proceeding under this
12 paragraph.

13 **SECTION 51.** 111.36 (2) of the statutes is amended to read:

14 111.36 (2) For the purposes of this subchapter, sex is a bona fide occupational
15 qualification if all of the members of one sex are physically incapable of performing
16 the essential duties required by a job, or if the essence of the employer's business
17 operation would be undermined if employees were not hired exclusively from one sex,
18 provided that an individual may not, for the purposes of this subsection, be treated
19 or regarded inconsistent with the individual's gender identity, or discriminated
20 against based on the individual's gender identity or gender expression.

21 **SECTION 52.** 111.70 (2) of the statutes is amended to read:

22 111.70 (2) RIGHTS OF MUNICIPAL EMPLOYEES. Municipal employees have the right
23 of self-organization, and the right to form, join, or assist labor organizations, to
24 bargain collectively through representatives of their own choosing, and to engage in
25 lawful, concerted activities for the purpose of collective bargaining or other mutual

SENATE BILL 474**SECTION 52**

1 aid or protection. Municipal employees have the right to refrain from any and all
2 such activities. A general municipal employee has the right to refrain from paying
3 dues while remaining a member of a collective bargaining unit. A public safety
4 employee or a transit employee, however, may be required to pay dues in the manner
5 provided in a fair-share agreement; a fair-share agreement covering a public safety
6 employee or a transit employee must contain a provision requiring the municipal
7 employer to deduct the amount of dues as certified by the labor organization from the
8 earnings of the employee affected by the fair-share agreement and to pay the amount
9 deducted to the labor organization. A fair-share agreement covering a public safety
10 employee or transit employee is subject to the right of the municipal employer or a
11 labor organization to petition the commission to conduct a referendum. Such
12 petition must be supported by proof that at least 30 percent of the employees in the
13 collective bargaining unit desire that the fair-share agreement be terminated. Upon
14 so finding, the commission shall conduct a referendum. If the continuation of the
15 agreement is not supported by at least the majority of the eligible employees, it shall
16 terminate. The commission shall declare any fair-share agreement suspended upon
17 such conditions and for such time as the commission decides whenever it finds that
18 the labor organization involved has refused on the basis of race, color, sexual
19 orientation, as defined in s. 111.32 (13m), gender identity or gender expression, as
20 defined in s. 111.32 (7j), creed, or sex to receive as a member any public safety
21 employee or transit employee of the municipal employer in the bargaining unit
22 involved, and such agreement is subject to this duty of the commission. Any of the
23 parties to such agreement or any public safety employee or transit employee covered
24 by the agreement may come before the commission, as provided in s. 111.07, and ask
25 the performance of this duty.

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1 **SECTION 53.** 111.81 (12) (b) of the statutes is amended to read:

2 111.81 **(12)** (b) Which discriminates with regard to the terms or conditions of
3 membership because of race, color, creed, sex, age, sexual orientation, as defined in
4 s. 111.32 (13m), gender identity or gender expression, as defined in s. 111.32 (7j), or
5 national origin.

6 **SECTION 54.** 111.85 (2) (b) of the statutes is amended to read:

7 111.85 **(2)** (b) The commission shall declare any fair-share or maintenance of
8 membership agreement suspended upon such conditions and for such time as the
9 commission decides whenever it finds that the labor organization involved has
10 refused on the basis of race, color, sex, sexual orientation, as defined in s. 111.32
11 (13m), gender identity or gender expression, as defined in s. 111.32 (7j), or creed to
12 receive as a member any public safety employee in the collective bargaining unit
13 involved, and the agreement shall be made subject to the findings and orders of the
14 commission. Any of the parties to the agreement, or any public safety employee
15 covered thereby, may come before the commission, as provided in s. 111.07, and
16 petition the commission to make such a finding.

17 **SECTION 55.** 118.019 (2d) of the statutes is amended to read:

18 118.019 **(2d)** NONDISCRIMINATION. An instructional program under this section
19 shall use instructional methods and materials that, consistent with s. 118.13 (1), do
20 not discriminate against a pupil based upon the pupil's race, gender, gender identity
21 or gender expression, as defined in s. 111.32 (7j), religion, sexual orientation, as
22 defined in s. 111.32 (13m), or ethnic or cultural background or against sexually active
23 pupils or children with disabilities. Nothing in this subsection shall be construed to
24 prohibit a school board from approving an instructional program under this section

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1 that includes instruction on abstinence from sexual activity or that is
2 abstinence-centered.

3 **SECTION 56.** 118.13 (1) of the statutes is amended to read:

4 118.13 (1) Except as provided in s. 120.13 (37m), no person may be denied
5 admission to any public school or be denied participation in, be denied the benefits
6 of, or be discriminated against in any curricular, extracurricular, pupil services,
7 recreational, or other program or activity because of the person's sex;[;] race;[;] religion;[;]
8 national origin;[;] ancestry;[;] creed;[;] pregnancy;[;] marital or parental status;[;] sexual
9 orientation ~~or~~, as defined in s. 111.32 (13m); gender identity or gender expression, as
10 defined in s. 111.32 (7j); or physical, mental, emotional, or learning disability of the
11 person or of the person's parent.

12 **SECTION 57.** 118.13 (1m) of the statutes is created to read:

13 118.13 (1m) A school board may not discriminate against a pupil-led
14 organization because the organization's mission is related to sexual orientation, as
15 defined in s. 111.32 (13m), or gender identity or gender expression, as defined in s.
16 111.32 (7j).

17 **SECTION 58.** 118.20 (1) of the statutes is amended to read:

18 118.20 (1) No discrimination because of sex, except where sex is a bona fide
19 occupational qualification as defined in s. 111.36 (2);[;] race, ~~nationality;~~ national
20 origin; sexual orientation, as defined in s. 111.32 (13m); gender identity or gender
21 expression, as defined in s. 111.32 (7j); or political or religious affiliation may be
22 practiced in the employment of teachers or administrative personnel in public
23 schools or in their assignment or reassignment. No questions of any nature or form
24 relative to sex, except where sex is a bona fide occupational qualification, ~~as defined~~
25 described in s. 111.36 (2);[;] race, ~~nationality;~~ national origin; sexual orientation, as

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1 defined in s. 111.32 (13m); gender identity or gender expression, as defined in s.
2 111.32 (7j); or political or religious affiliation may be asked applicants for teaching
3 or administrative positions in the public schools either by public school officials or
4 employees or by teachers agencies or placement bureaus.

5 **SECTION 59.** 118.40 (4) (b) 2. of the statutes is amended to read:

6 118.40 (4) (b) 2. Except as provided in sub. (3) (h), discriminate in admission
7 or deny participation in any program or activity on the basis of ~~a person's~~ the sex;
8 race; religion; national origin; ancestry; pregnancy; marital or parental status;
9 sexual orientation, as defined in s. 111.32 (13m); gender identity or gender
10 expression, as defined in s. 111.32 (7j); or physical, mental, emotional, or learning
11 disability of the person or of the person's parent.

12 **SECTION 60.** 194.025 of the statutes is amended to read:

13 **194.025 Discrimination prohibited.** No motor carrier may engage in any
14 practice, act, or omission ~~which~~ that results in discrimination on the basis of race,
15 creed, sex, sexual orientation, as defined in s. 111.32 (13m), gender identity or gender
16 expression, as defined in s. 111.32 (7j), or national origin.

17 **SECTION 61.** 224.77 (1) (o) of the statutes is amended to read:

18 224.77 (1) (o) In the course of practice as a mortgage banker, mortgage loan
19 originator, or mortgage broker, except in relation to housing designed to meet the
20 needs of elderly individuals, treat a person unequally solely because of sex, race,
21 color, ~~handicap~~ disability, sexual orientation, as defined in s. 111.32 (13m), gender
22 identity or gender expression, as defined in s. 111.32 (7j), religion, national origin,
23 age, ~~or~~ ancestry, the person's lawful source of income, or the sex, marital status, or
24 status as a victim of domestic abuse, sexual assault, or stalking, as defined in s.
25 106.50 (1m) (u), of the person maintaining a household.

SENATE BILL 474**SECTION 62**

1 **SECTION 62.** 227.10 (3) (a) of the statutes is amended to read:

2 227.10 (3) (a) No rule, either by its terms or in its application, may discriminate
3 for or against any person by reason of sex, sexual orientation, as defined in s. 111.32
4 (13m), gender identity or gender expression, as defined in s. 111.32 (7j), race, creed,
5 color, ~~sexual orientation~~, national origin, or ancestry.

6 **SECTION 63.** 230.01 (2) (b) of the statutes is amended to read:

7 230.01 (2) (b) It is the policy of this state to provide for equal employment
8 opportunity by ensuring that all personnel actions including hire, tenure or term,
9 and condition or privilege of employment be based on the ability to perform the duties
10 and responsibilities assigned to the particular position without regard to age, race,
11 creed or religion, color, disability, sex, national origin, ancestry, sexual orientation,
12 as defined in s. 111.32 (13m), gender identity or gender expression, as defined in s.
13 111.32 (7j), or political affiliation.

14 **SECTION 64.** 230.18 of the statutes is amended to read:

15 **230.18 Discrimination prohibited.** No question in any form of application
16 or in any evaluation used in the hiring process may be so framed as to elicit
17 information concerning the partisan political or religious opinions or affiliations of
18 any applicant nor may any inquiry be made concerning such those opinions or
19 affiliations and all disclosures thereof of those opinions or affiliations shall be
20 discountenanced except that the director may evaluate the competence and
21 impartiality of applicants for positions such as clinical chaplain in a state
22 institutional program. No discriminations may be exercised in the recruitment,
23 application, or hiring process against or in favor of any person because of the person's
24 political or religious opinions or affiliations or because of age, sex, disability, race,
25 color, sexual orientation, as defined in s. 111.32 (13m), gender identity or gender

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1 expression, as defined in s. 111.32 (7j), national origin, or ancestry, except as
2 otherwise provided.

3 **SECTION 65.** 234.29 of the statutes is amended to read:

4 **234.29 Equality of occupancy and employment.** The authority shall
5 require that occupancy of housing projects assisted under this chapter be open to all
6 regardless of sex,~~;~~ race,~~;~~ religion,~~;~~ creed; sexual orientation, as defined in s. 111.32
7 (13m); gender identity or gender expression, as defined in s. 111.32 (7j); or status as
8 a victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m)
9 (u), ~~or creed,~~ and that contractors and subcontractors engaged in the construction of
10 economic development or housing projects, shall provide an equal opportunity for
11 employment, without discrimination as to sex, race, religion, sexual orientation, as
12 defined in s. 111.32 (13m), gender identity or gender expression, as defined in s.
13 111.32 (7j), or creed.

14 **SECTION 66.** 321.37 of the statutes is amended to read:

15 **321.37 No discrimination.** No person, otherwise qualified, may be denied
16 membership in the national guard or state defense force because of sex, color, race,
17 creed, ~~or~~ sexual orientation, as defined in s. 111.32 (13m), or gender identity or
18 gender expression, as defined in s. 111.32 (7j), and no member of the national guard
19 or state defense force may be segregated within the national guard or state defense
20 force on the basis of sex, color, race, creed, ~~or~~ sexual orientation, as defined in s.
21 111.32 (13m), or gender identity or gender expression, as defined in s. 111.32 (7j).
22 Nothing in this section prohibits separate facilities for persons of different sexes with
23 regard to dormitory accommodations, toilets, showers, saunas, and dressing rooms,
24 except that no person may be denied equal access to facilities most consistent with
25 the person's gender identity.

SENATE BILL 474**SECTION 67**

1 **SECTION 67.** 440.45 (1) of the statutes is amended to read:

2 440.45 (1) Each licensed company shall adopt a policy of nondiscrimination on
3 the basis of trip origin or destination, race, color, national origin, religious belief or
4 affiliation, sex, disability, age, sexual orientation, as defined in s. 111.32 (13m), or
5 gender identity or gender expression, as defined in s. 111.32 (7j), with respect to
6 passengers and prospective passengers and notify all of its participating drivers of
7 the nondiscrimination policy.

8 **SECTION 68.** 440.45 (2) of the statutes is amended to read:

9 440.45 (2) A participating driver may not discriminate against any passenger
10 or prospective passenger on the basis of destination, race, color, national origin,
11 religious belief or affiliation, sex, disability, age, sexual orientation, as defined in s.
12 111.32 (13m), or gender identity or gender expression, as defined in s. 111.32 (7j).

13 **SECTION 69.** 452.14 (3) (n) of the statutes is amended to read:

14 452.14 (3) (n) Treated any person unequally solely because of sex,~~;~~ race,~~;~~ color,~~;~~
15 ~~handicap,~~ disability, national origin,~~;~~ ancestry,~~;~~ marital status,~~;~~ lawful source of
16 income,~~;~~ sexual orientation, as defined in s. 111.32 (13m); gender identity or gender
17 expression, as defined in s. 111.32 (7j); or status as a victim of domestic abuse, sexual
18 assault, or stalking, as defined in s. 106.50 (1m) (u).

19 **SECTION 70.** 625.12 (2) of the statutes is amended to read:

20 625.12 (2) CLASSIFICATION. Except as provided in s. 632.729, risks may be
21 classified in any reasonable way for the establishment of rates and minimum
22 premiums, except that no classifications may be based on race, color, creed ~~or~~,
23 national origin, sexual orientation, as defined in s. 111.32 (13m), or gender identity
24 or gender expression, as defined in s. 111.32 (7j), and classifications in automobile
25 insurance may not be based on physical condition or developmental disability as

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1 defined in s. 51.01 (5). Subject to ss. 632.365 and 632.729, rates thus produced may
2 be modified for individual risks in accordance with rating plans or schedules that
3 establish reasonable standards for measuring probable variations in hazards,
4 expenses, or both. Rates may also be modified for individual risks under s. 625.13
5 (2).

6 **SECTION 71.** 628.34 (3) (c) of the statutes is created to read:

7 628.34 (3) (c) No insurer may refuse to insure or refuse to continue to insure,
8 or limit the amount, extent, or kind of coverage available to an individual, or charge
9 an individual a different rate for the same coverage because of a person's age, sex,
10 residence, race, color, creed, religion, national origin, ancestry, marital status,
11 occupation, gender identity or gender expression, as defined in s. 111.32 (7j), or
12 sexual orientation, as defined in s. 111.32 (13m).

13 **SECTION 72.** 632.35 of the statutes is amended to read:

14 **632.35 Prohibited rejection, cancellation, and nonrenewal.** No insurer
15 may cancel or refuse to issue or renew an automobile insurance policy wholly or
16 partially because of ~~one or more of the following characteristics of any person: a~~
17 person's age, sex, residence, race, color, creed, religion, national origin, ancestry,
18 marital status or, occupation, gender identity or gender expression, as defined in s.
19 111.32 (7j), or sexual orientation, as defined in s. 111.32 (13m).

20 **SECTION 73.** 756.001 (3) of the statutes is amended to read:

21 756.001 (3) No person who is qualified and able to serve as a juror may be
22 excluded from that service in any court of this state on the basis of sex, race, color,
23 sexual orientation, as defined in s. 111.32 (13m), gender identity or gender
24 expression, as defined in s. 111.32 (7j), disability, religion, national origin, marital

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SECTION 73

1 status, family status, lawful source of income, age, or ancestry or because of a
2 physical condition.

3 (END)