

2016 Regular Session

HOUSE BILL NO. 501

BY REPRESENTATIVE SMITH

DISCRIMINATION: Provides relative to discrimination

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AN ACT

To amend and reenact R.S. 4:193(B), R.S. 9:3583, R.S. 12:1041, R.S. 14:107.2(A) and 326(C), R.S. 15:1204.2(B)(4) and 1402(A), R.S. 17:111, 158(F), 1676(D), 2053(D)(3), 3402(A), and 3991(B)(3), R.S. 22:1452(C)(25), 1454(A), and 1964(7)(f), R.S. 23:332 and 2043(B)(1), R.S. 27:27.2(B) and 27.4, R.S. 37:1025(B), 1107(C), 1360.23(H), 1437(D), 1455(A)(28), 2654(C)(1), 2719, 3425(C), and 3447(C), R.S. 38:2315, R.S. 39:1411, R.S. 40:1131.1(C), 2113.4(A), 2113.6(A)(1) and (B), 2120.35(B)(5), 2125(B), 2403(H)(1), and 2504, R.S. 46:437.11(A), 1104, 1134, 1154, 1407(B)(1)(e)(introductory paragraph) and (F), 1995, and 2205, R.S. 47:37(C) and 287.755(C), R.S. 48:274.1(C), R.S. 49:145 and 146(A)(1), and R.S. 51:2231(A), 2232(3), 2235(16)(a), 2236(A), 2237(2), 2247, 2248, 2254(1) and (2), 2255(A)(introductory paragraph), 2602(A), 2606(A)(1) through (5), 2607(A) and (C), and 2608 and to enact R.S. 23:302(9) and (10), relative to discrimination; to expand the application of various provisions relative to discrimination by adding additional criteria; to provide for definitions; to remove certain activities from provisions for the attorney general to institute civil proceedings against certain corporations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 4:193(B) is hereby amended and reenacted to read as follows:

§193. Categories of persons subject to exclusion and ejection; civil liberties

* * *

1 extortion or organized embezzlement, or who is connected directly or indirectly with
2 organizations, syndicates or criminal societies engaged in any of these; or

3 ~~2.~~(2) A director, officer, employee, agent or stockholder acting for, through
4 or on behalf of such corporation has, in conducting the corporation's affairs,
5 purposely engaged in a persistent course of violent revolutionary or unlawful activity
6 aimed at the overthrow of the government of the State of Louisiana or any of its
7 political subdivisions, or any boards, commissions, agency or official or any
8 unlawful activity aimed at ~~homosexuality~~, crimes against nature, intimidation and
9 coercion, bribery, prostitution, gambling, extortion, embezzlement, unlawful sale of
10 narcotics or other illegal conduct, with the knowledge of the president and majority
11 of the board of directors or under such circumstances that the president and a
12 majority of the directors should have knowledge, with the intent to compel or induce
13 other persons, firms or corporations to deal with such corporation or engage in any
14 such illegal conduct, and

15 ~~3.~~(3) For the prevention of future illegal conduct of the same character, the
16 public interest requires the charter of the corporation to be annulled, vacated or
17 forfeited and the corporation to be dissolved or the certificate of authority to transact
18 business in this state revoked.

19 B.(1) The proceedings authorized by this section may be instituted against
20 a corporation in the district court for the parish of its registered office or for any
21 parish in which it is doing business. The proceedings shall be conducted in
22 accordance with the Louisiana Code of Civil Procedure and the applicable rules of
23 court.

24 (2) The proceedings herein authorized shall be in addition to any other
25 proceeding authorized by law for the purpose of annulling, vacating or forfeiting the
26 articles and franchise of a domestic corporation and/or revoking the certificate of
27 authority of a foreign corporation to transact business in this state.

28 Section 4. R.S. 14:107.2(A) and 326(C) are hereby amended and reenacted to read
29 as follows:

1 §107.2. Hate crimes

2 A. It shall be unlawful for any person to select the victim of the following
3 offenses against person and property because of actual or perceived race, age,
4 gender, gender identity or expression, religion, color, creed, disability, sexual
5 orientation, national origin, or ancestry of that person or the owner or occupant of
6 that property or because of actual or perceived membership or service in, or
7 employment with, an organization: first or second degree murder; manslaughter;
8 battery; aggravated battery; second degree battery; aggravated assault with a firearm;
9 terrorizing; mingling harmful substances; simple or third degree rape, forcible or
10 second degree rape, or aggravated or first degree rape; sexual battery, second degree
11 sexual battery; oral sexual battery; carnal knowledge of a juvenile; indecent behavior
12 with juveniles; molestation of a juvenile or a person with a physical or mental
13 disability; simple, second degree, or aggravated kidnapping; simple or aggravated
14 arson; communicating of false information of planned arson; simple or aggravated
15 criminal damage to property; contamination of water supplies; simple or aggravated
16 burglary; criminal trespass; simple, first degree, or armed robbery; purse snatching;
17 extortion; theft; desecration of graves; institutional vandalism; or assault by drive-by
18 shooting.

19 * * *

20 §326. Processions, marches, parades, or demonstrations; permits; liability; bond;
21 exemptions; penalty

22 * * *

23 C. The provisions of this Section shall apply to all groups, associations, or
24 organizations regardless of race, creed, age, sex, sexual orientation, gender identity
25 or expression, disability, as defined in R.S. 51:2232(H), color, or political beliefs
26 of its members; however, nothing contained herein shall apply to a bona fide
27 legitimate labor organization or professional firefighter or police association or to
28 any lawful activity of a labor union permitted by law, nor shall these provisions
29 apply to any procession or parade directly held or sponsored by the governing

1 authority of any municipality or the governing authority of any parish, nor shall these
 2 provisions apply to any procession, march, or parade directly held or sponsored by
 3 a bona fide organization specifically for the celebration of Mardi Gras ~~and~~/or directly
 4 related prelenten or carnival festivities, school parades or other functions, parish
 5 parades or other functions, state, parish, or municipal fairs or other such related
 6 activities. However, the provisions of this Section shall apply only to parishes with
 7 a population of more than four hundred fifty thousand.

8 * * *

9 Section 5. R.S. 15:1204.2(B)(4) and 1402(A) are hereby amended and reenacted to
 10 read as follows:

11 §1204.2. Creation of system; functions; powers; duties

12 * * *

13 B. The system, by and through the commission, shall have the following
 14 functions, powers, and duties:

15 * * *

16 (4) To prepare and distribute, to all such persons and agencies, forms to be
 17 used in reporting data to the system. The forms shall provide for information
 18 regarding crimes which are directed against individuals or groups, or their property,
 19 by reason of their actual or perceived race, age, gender, gender identity or
 20 expression, religion, color, creed, disability, sexual orientation, national origin, or
 21 ancestry or by reason of their actual or perceived membership or service in, or
 22 employment with, an organization as defined in R.S. 14:107.2. The forms shall also
 23 provide for other items of information needed by federal and state bureaus or
 24 departments engaged in the development of national and state statistics.

25 * * *

26 §1402. Legislative findings and declaration

27 A. The legislature hereby finds and declares that it is the right of every
 28 person, regardless of race, color, creed, religion, national origin, sex, sexual
 29 orientation, gender identity or expression, age, or disability, to be secure and

1 protected from fear, intimidation, and physical harm caused by the activities of
2 violent groups and individuals. It is not the intent of this Chapter to interfere with
3 the constitutional exercise of the protected rights of freedom of expression and
4 association. The legislature hereby recognizes the right of every citizen to harbor
5 and constitutionally express beliefs on any lawful subject whatsoever, to associate
6 lawfully with others who share similar beliefs, to petition lawfully constituted
7 authority for a redress of perceived grievances, and to participate in the electoral
8 process.

9 * * *

10 Section 6. R.S. 17:111, 158(F), 1676(D), 2053(D)(3), 3402(A), and 3991(B)(3) are
11 hereby amended and reenacted to read as follows:

12 §111. Discrimination in public schools prohibited; pupil assignment; religious
13 educational institutions

14 A. No person shall be refused admission into or be excluded from any public
15 school in the state of Louisiana on account of race, creed, color, sex, sexual
16 orientation, gender identity or expression, disability, as defined in R.S. 51:2232(~~++~~),
17 or national origin.

18 B. Except with the express approval of a board of education or school board
19 having jurisdiction, a majority of the members of such board having been elected,
20 no student shall be assigned or compelled to attend any school on account of race,
21 creed, color, sexual orientation, gender identity or expression, disability, or national
22 origin, or for the purpose of achieving equality in attendance or increased attendance
23 or reduced attendance, at any school, of persons of one or more particular races,
24 creeds, colors, sexual orientations, gender identities or expressions, disabilities, or
25 national origins, and no school district, school zone or attendance unit, by whatever
26 name known, shall be established, reorganized or maintained for any such purpose,
27 provided that nothing contained in this ~~section~~ Section shall prevent the assignment
28 of a pupil in the manner requested or authorized by his parents or guardian, and
29 provided further that nothing in this Act shall be deemed to affect, in any way, the

1 right of a religious or denominational educational institution to select its pupils
2 exclusively or primarily from members of such religion or denomination or from
3 giving preference to such selection to such members or to make such selection to its
4 pupils as is calculated to promote the religious principle for which it is established.

5 * * *

6 §158. School buses for transportation of students; employment of bus operators;
7 alternative means of transportation; improvement of school bus turnarounds;
8 loading and unloading students

9 * * *

10 F. The provisions of this Section shall apply to eligible public and nonpublic
11 school students. However, these provisions shall not apply to any student or the
12 parent or tutor of any student who attends a school which discriminates on the basis
13 of race, creed, color, sex, sexual orientation, gender identity or expression, or
14 national origin.

15 * * *

16 §1676. Recipients and awards of scholarships

17 * * *

18 D. Scholarship awards shall be made without regard to the applicant's race,
19 disability, as defined in R.S. 51:2232(~~11~~), creed, color, sex, sexual orientation,
20 gender identity or expression, national origin, or ancestry; and in making scholarship
21 awards, the department shall provide a fair and equitable geographical distribution
22 of the awards and shall treat all approved institutions of higher education in a fair
23 and equitable manner.

24 * * *

25 §2053. Payments to independent institutions of higher learning for educating
26 Louisiana residents

27 * * *

28 D. As used in this Section, the term "eligible institutions" shall mean
29 Centenary College, Dillard University, Our Lady of Holy Cross College, Louisiana

1 College, Loyola University, Our Lady of the Lake College, St. Joseph Seminary
2 College, Tulane University, and Xavier University, all in Louisiana. In order to
3 qualify for payments made by the Board of Regents under this Section, eligible
4 institutions shall:

5 * * *

6 (3) Admit students without regard to race, religion, color, sex, sexual
7 orientation, gender identity or expression, disability, or national origin.

8 * * *

9 §3402. Minimum requirements for school certification; admission policies;
10 environment; program

11 The minimum requirements for certification as a Montessori school shall be
12 as follows:

13 A. Admission policies

14 All admissions in a Montessori school shall be open to all persons of all
15 races, creeds, sex, sexual orientation, gender identity or expression, or color, and to
16 all persons with disabilities as defined in R.S. 51:2232~~(H)~~.

17 * * *

18 §3991. Charter schools; requirements; limitations; renewal; amendment; revocation

19 * * *

20 B. Each proposed charter shall contain or make provision for the following:

21 * * *

22 (3) Admission requirements, if any, that are consistent with the school's role,
23 scope, and mission may be established pursuant to rules promulgated by the state
24 board. Such admission requirements shall be specific and shall include a system for
25 admission decisions which precludes exclusion of pupils based on race, religion,
26 gender, ethnicity, sexual orientation, gender identity or expression, national origin,
27 intelligence level as ascertained by an intelligence quotient examination, or
28 identification as a student with an exceptionality as defined in R.S. 17:1942(B).
29 Such admission requirements may include, however, specific requirements related

1 to a school's mission such as auditions for schools with a performing arts mission or
 2 proficiency in a foreign language for schools with a language immersion mission.
 3 Any school which was chartered prior to July 1, 2012, and which incorporated
 4 achievement of a certain academic record as part of its admission requirements may
 5 continue to utilize such admission requirements. No local board shall assign any
 6 pupil to attend a charter school.

7 * * *

8 Section 7. R.S. 22:1452(C)(25), 1454(A), and 1964(7)(f) are hereby amended and
 9 reenacted to read as follows:

10 §1452. Purpose of rate regulation; construction; definitions

11 * * *

12 C. As used in this Subpart, the following definitions shall be applicable:

13 * * *

14 (25) "Unfairly discriminatory" means not capable of being actuarially
 15 justified or based on race, color, creed, age, sex, sexual orientation, gender identity
 16 or expression, disability, or national origin. It does not refer to rates that produce
 17 differences in premiums for policyholders with different loss exposures, so long as
 18 the rate is actuarially justified and reflects such differences with reasonable accuracy.

19 * * *

20 §1454. Rating standards and methods

21 A. Rates shall not be inadequate or unfairly discriminatory in a competitive
 22 market. Rates shall not be excessive, inadequate, or unfairly discriminatory in a
 23 noncompetitive market. Risks may be classified using any criteria except that no
 24 risk shall be classified on the basis of race, color, creed, sex, sexual orientation,
 25 gender identity or expression, disability, or national origin.

26 * * *

1 §1964. Methods, acts, and practices which are defined as unfair or deceptive

2 The following are declared to be unfair methods of competition and unfair
3 or deceptive acts or practices in the business of insurance:

4 * * *

5 (7) Unfair discrimination.

6 * * *

7 (f) Refusing to insure, refusing to continue to insure, or limiting the amount
8 of coverage available to an individual solely because of the sex, marital status, race,
9 religion, age, sexual orientation, gender identity or expression, disability, or national
10 origin of the individual. However, nothing in this Subsection shall prohibit an
11 insurer from taking marital status into account for the purpose of defining persons
12 eligible for dependent benefits. Nothing in this Section shall prohibit or limit the
13 operation of fraternal benefit societies.

14 * * *

15 Section 8. R.S. 23:332 and 2043(B)(1) are hereby amended and reenacted and R.S.
16 23:302(9) and (10) are hereby enacted to read as follows:

17 §302. Definitions

18 For purposes of this Chapter and unless the context clearly indicates
19 otherwise, the following terms shall have the following meanings ascribed to them:

20 * * *

21 (9) "Sexual orientation" means an individual's actual or perceived
22 heterosexuality, homosexuality, or bisexuality.

23 (10) "Gender identity or expression" means a gender-related identity,
24 appearance, expression, or behavior of a person, regardless of the person's assigned
25 sex at birth.

26 * * *

27 §332. Intentional discrimination in employment

28 A. It shall be unlawful discrimination in employment for an employer to
29 engage in any of the following practices:

1 (1) Intentionally fail or refuse to hire or to discharge any individual, or
2 otherwise to intentionally discriminate against any individual with respect to
3 compensation, or terms, conditions, or privileges of employment, because of the
4 individual's race, color, religion, sex, age, sexual orientation, gender identity or
5 expression, or national origin.

6 (2) Intentionally limit, segregate, or classify employees or applicants for
7 employment in any way which would deprive or tend to deprive any individual of
8 employment opportunities, or otherwise adversely affect the individual's status as an
9 employee, because of the individual's race, color, religion, sex, age, sexual
10 orientation, gender identity or expression, or national origin.

11 (3) Intentionally pay wages to an employee at a rate less than that of another
12 employee of the opposite sex for equal work on jobs in which their performance
13 requires equal skill, effort, and responsibility and which are performed under similar
14 working conditions. An employer paying wages in violation of this Section may not
15 reduce the wages of any other employee in order to comply with this Section.

16 B. It shall be unlawful discrimination in employment for an employment
17 agency to intentionally fail or refuse to refer for employment, or otherwise to
18 intentionally discriminate against, any individual because of his race, color, religion,
19 sex, age, sexual orientation, gender identity or expression, or national origin, or to
20 intentionally classify or refer for employment any individual on the basis of his race,
21 color, religion, sex, age, sexual orientation, gender identity or expression, or national
22 origin.

23 C. It shall be unlawful discrimination in employment for a labor organization
24 to engage in any of the following practices:

25 (1) Intentionally exclude or intentionally expel from its membership, or
26 otherwise intentionally discriminate against, any individual because of his race,
27 color, religion, sex, age, sexual orientation, gender identity or expression, or national
28 origin.

1 (2) Intentionally limit, segregate, or classify its membership or applicants for
2 membership, or intentionally classify or fail or refuse to refer for employment any
3 individual in any way which would deprive or tend to deprive any individual of
4 employment opportunities, or would limit such employment opportunities, or
5 otherwise adversely affect his status as an employee or as an applicant for
6 employment, because of such individual's race, color, religion, sex, age, sexual
7 orientation, gender identity or expression, or national origin.

8 (3) Intentionally cause or attempt to cause an employer to discriminate
9 against an individual in violation of this Section.

10 D. It shall be unlawful discrimination in employment for any employer, labor
11 organization, or joint labor-management committee controlling apprenticeship or
12 other training or retraining, including on-the-job training programs, to discriminate
13 against any individual because of his race, color, religion, sex, age, sexual
14 orientation, gender identity or expression, or national origin in admission to, or
15 employment in, any program established to provide apprenticeship or other training.

16 E. It shall be unlawful discrimination in employment for an employer,
17 employment agency, labor organization, or joint labor-management committee
18 controlling apprenticeship or other training or retraining, including on-the-job
19 training programs, to print or publish, or cause to be printed or published, any notice
20 or advertisement relating to employment by an employer or membership in or any
21 classification or referral for employment by a labor organization, or relating to any
22 classification or referral for employment by an employment agency, or relating to
23 admission to, or employment in, any program established to provide apprenticeship
24 or other training by a joint labor-management committee, indicating any preference,
25 limitation, specification, or discrimination based on race, color, religion, sex, age,
26 sexual orientation, gender identity or expression, or national origin. However, a
27 notice or advertisement may indicate a preference, limitation, specification, or
28 discrimination based on religion, sex, age, sexual orientation, gender identity or

1 ~~expression~~, or national origin when religion, sex, or national origin is a bona fide
2 occupational qualification for employment.

3 F. It shall be unlawful discrimination in employment for an insurer to engage
4 in any of the following practices:

5 (1) Intentionally fail or refuse to appoint or to discharge any insurance agent,
6 or otherwise to intentionally discriminate against any insurance agent with respect
7 to his compensation, terms, conditions, or privileges of employment, because of the
8 insurance agent's race, color, religion, sex, age, sexual orientation, gender identity
9 or expression, or national origin.

10 (2) Intentionally limit, segregate, or classify his insurance agents or
11 applicants for an insurance agent in any way which would deprive or tend to deprive
12 any insurance agent or applicant of employment opportunities, or otherwise
13 adversely affect his status as an insurance agent or applicant because of the insurance
14 agent's or applicant's race, color, religion, sex, age, sexual orientation, gender
15 identity or expression, or national origin.

16 G. Nothing contained in this Section shall be construed so as to create a
17 cause of action against an employer, employment agency, labor organization, or
18 insurer for employment practices pursuant to any affirmative action plan.

19 H. Notwithstanding any other provision of this Section, it shall not be
20 unlawful discrimination in employment for:

21 (1) An employer to hire and employ employees, for an employment agency
22 to classify or refer for employment any individual, for a labor organization to
23 classify its membership or to classify or refer for employment any individual, or for
24 an employer, labor organization, or joint labor-management committee controlling
25 apprenticeship or other training or retraining programs to admit or employ any
26 individual in any such program on the basis of his religion, sex, age, sexual
27 orientation, gender identity or expression, or national origin in those certain instances
28 where religion, sex, age, sexual orientation, gender identity or expression, or national

1 origin is a bona fide occupational qualification reasonably necessary for the normal
2 operation of that particular business or enterprise.

3 (2) A school, college, university, or other educational institution or
4 institution of learning to hire and employ employees of a particular religion if such
5 school, college, university, or other educational institution or institution of learning
6 is, in whole or in substantial part, owned, supported, controlled, or managed by a
7 particular religion or by a particular religious corporation, association, or society, or
8 if the curriculum of the school, college, university, or other educational institution
9 or institution of learning is directed toward the propagation of a particular religion.

10 (3) An employer to apply different standards of compensation or different
11 terms, conditions, or privileges of employment pursuant to a bona fide seniority or
12 merit system, or a system which measures earnings by quantity or quality of
13 production, or any other differential based on any factor other than sex, or to
14 employees who work in different locations, provided that such differences are not
15 the result of an intention to discriminate because of race, color, religion, sex, age,
16 sexual orientation, gender identity or expression, or national origin.

17 (4) An employer to give and to act upon the results of any professionally
18 developed ability test, provided that such test, its administration, or action upon the
19 results is not designed, intended, or used to discriminate because of race, color,
20 religion, sex, age, sexual orientation, gender identity or expression, or national
21 origin.

22 * * *

23 §2043. Members

24 * * *

25 B.(1) In making the appointments, the governor shall, as nearly as
26 practicable, appoint members in a manner that is representative of the population of
27 the regions of the state and shall consider factors including but not limited to race,

1 color, religion, gender, age, sexual orientation, gender identity or expression,
2 disability, and national origin.

3 * * *

4 Section 9. R.S. 27:27.2(B) and 27.4 are hereby amended and reenacted to read as
5 follows:

6 §27.2. Board designated excluded persons

7 * * *

8 B. The board and the division shall have the authority to place persons on the
9 excluded list. The board or division may not place a person on the list required by
10 this Section due to the person's race, color, creed, national origin, sex, sexual
11 orientation, gender identity or expression, or disability, as defined in R.S.
12 51:2232(~~HH~~).

13 * * *

14 §27.4. Exclusion or ejection of persons

15 A. Any licensee, permittee, or the casino gaming operator may exclude or
16 eject any person for any reason, except race, color, creed, national origin, sex, sexual
17 orientation, gender identity or expression, or disability as defined in R.S.
18 51:2232(~~HH~~).

19 B. Any licensee or casino gaming operator licensed pursuant to the
20 provisions of this Title, and any employee of a licensee or casino gaming operator
21 shall not be liable for any monetary damages or any other remedy in any judicial
22 proceeding as a result of the exclusion or removal of any person for any reason,
23 except race, color, creed, national origin, sex, sexual orientation, gender identity or
24 expression, or disability as defined in R.S. 51:2232(~~HH~~).

25 Section 10. R.S. 37:1025(B), 1107(C), 1360.23(H), 1437(D), 1455(A)(28),
26 2654(C)(1), 2719, 3425(C), and 3447(C) are hereby amended and reenacted to read as
27 follows:

28 §1025. Qualifications of applicants to the drug administration course

29 * * *

1 §1455. Causes for censure, suspension, or revocation of license, registration, or
2 certification

3 A. The commission may censure a licensee, registrant, or certificate holder
4 or conditionally or unconditionally suspend or revoke any license, registration, or
5 certificate issued under this Chapter, levy fines or impose civil penalties not to
6 exceed five thousand dollars, or impose continuing education requirements on
7 licensees, registrants, or certificate holders if, in the opinion of the commission, a
8 licensee, registrant, or certificate holder is performing or attempting to perform or
9 has performed or has attempted to perform any of the following acts:

10 * * *

11 (28) Having been finally adjudicated and found guilty for refusing, because
12 of race, color, national origin, sex, age, sexual orientation, gender identity or
13 expression, disability, or ethnic group, to show, sell, or rent any real estate for sale
14 or rent to qualified purchasers or renters or for any violation of the Fair Housing Act
15 of 1968 or the Louisiana Equal Housing Opportunity Act ~~and/or~~ including any
16 amendments thereto or any successor legislation subsequently following.

17 * * *

18 §2654. Board of examiners; creation; membership; appointment; terms; chair;
19 quorum

20 * * *

21 C.(1) Appointment to the board shall be made without regard to race, creed,
22 sex, religion, sexual orientation, gender identity or expression, disability, or national
23 origin of the appointee. The Louisiana Speech-Language-Hearing Association, shall
24 within not less than thirty days prior to the expiration of each term of office, submit
25 to the governor a list of at least three names for each respective professional service
26 category of board member, except the physician member and the public member,
27 selected by all licensed speech-language pathologists and audiologists in this state,

1 from which the governor shall make his appointment to fill the office for the next
2 succeeding term.

3 * * *

4 §2719. Discrimination

5 No license, certificate, or registration shall be denied any applicant based
6 upon the applicant's race, religion, creed, national origin, sex, age, sexual orientation,
7 gender identity or expression, ~~or physical impairment so long as the physical~~
8 ~~impairment does not interfere with the performance of professional duties or~~
9 disability.

10 * * *

11 §3425. Qualifications for licensure; renewal

12 * * *

13 C. No license shall be denied any applicant based upon the applicant's race,
14 religion, creed, national origin, sex, age, sexual orientation, gender identity or
15 expression, ~~or physical impairment~~ or disability.

16 * * *

17 §3447. Requirements for licensed professional vocational counselor; renewal of
18 license

19 * * *

20 C. No license shall be denied any applicant based upon the applicant's race,
21 religion, creed, national origin, sex, age, sexual orientation, gender identity or
22 expression, ~~or physical impairment~~ disability.

23 Section 11. R.S. 38:2315 is hereby amended and reenacted to read as follows:

24 §2315. Equal opportunity

25 Every person shall be guaranteed equal employment opportunities in the
26 selection of persons for professional services and such selection of persons for
27 professional services and such selection shall not discriminate against any person
28 because of race, religion, national ancestry, age, sex, sexual orientation, gender
29 identity or expression, ~~or physical condition~~ disability. If any person or persons

1 violates the provisions of this ~~section~~ Section, they shall be subject to the same
2 penalties as provided in R.S. 38:2314(A).

3 Section 12. R.S. 39:1411 is hereby amended and reenacted to read as follows:

4 §1411. No state assistance for discriminatory programs

5 No person in the State of Louisiana shall, on the ground of race, color,
6 religion, age, sex, sexual orientation, gender identity or expression, disability, or
7 national origin, be excluded from participation in, be denied the benefits of, or be
8 subjected to discrimination under any program or activity receiving state financial
9 assistance.

10 Section 13. R.S. 40:1133.1(C), 2113.4(A), 2113.6(A)(1) and (B), 2120.35(B)(5),
11 2125(B), 2403(H)(1), and 2504 are hereby amended and reenacted to read as follows:

12 §1232. Emergency medical personnel training; licensure

13 * * *

14 C. The bureau shall affirmatively provide that there is no discrimination
15 toward any individual in the licensure process on the basis of race, religion, creed,
16 national origin, sex, sexual orientation, gender identity or expression, disability, or
17 age.

18 * * *

19 §2113.4. Duty to provide services; penalty

20 A. Any general hospital licensed under this Part, which is owned or operated,
21 or both, by a hospital service district, which benefits from being financed by the sale
22 of bonds that are exempt from taxation as provided by Louisiana law, or which
23 receives any other type of financial assistance from the state of Louisiana and which
24 offers emergency room services to the public and is actually offering such services
25 at the time, shall make its emergency services available to all persons residing in the
26 territorial area of the hospital regardless of whether the person is covered by private,
27 federal Medicare or Medicaid, or other insurance. Each person shall receive these
28 services free from discrimination based on race, religion, or national ancestry and
29 from arbitrary, capricious, or unreasonable discrimination based on age, sex, sexual

1 B. The department shall promulgate minimum standards for adult brain
2 injury facilities as defined in this Part which, at a minimum, shall:

3 * * *

4 (5) Prohibit discrimination by brain injury facilities on the basis of race,
5 color, creed, sex, age, sexual orientation, gender identity or expression, disability,
6 as defined in R.S. 51:2232(~~HH~~), national origin, or ancestry.

7 * * *

8 §2125. Age; continuation of assistance; discrimination

9 * * *

10 B. Such assistance shall not be provided where an institution or provider
11 discriminates against those seeking services provided herein on the basis of race,
12 color, creed, sex, sexual orientation, gender identity or expression, disability, as
13 defined in R.S. 51:2232(~~HH~~), or national origin.

14 * * *

15 §2403. Council on Peace Officer Standards and Training

16 * * *

17 H.(1) The council may establish and implement curricula and publish
18 training materials to train peace officers to identify, respond to, and report all crimes
19 which are directed against individuals or groups, or their property, by reason of their
20 actual or perceived race, age, gender, gender identity or expression, religion, color,
21 creed, disability, sexual orientation, national origin, or ancestry.

22 * * *

23 §2504. Authority to contract

24 The Interagency Recreation Board may enter into contracts with the private
25 sector for the maintenance, upkeep, and management of golf courses, tennis courts,
26 ball parks, and recreation facilities constructed under the provisions of this Chapter
27 and may enter into other such contracts as may be necessary or appropriate to
28 implement the provisions of this Chapter or any other functions of the board as
29 provided by law, all in accordance with applicable laws. However, any such private

1 contractor shall not in any way prohibit or restrict public access to any recreation
2 facilities constructed under the provisions of this Chapter on the basis of race, sex,
3 creed, age, sexual orientation, gender identity or expression, disability, or color.

4 Section 14. R.S. 46:437.11(A), 1104, 1134, 1154, 1407(B)(1)(e)(introductory
5 paragraph) and (F), 1995, and 2205 are hereby amended and reenacted to read as follows:

6 §437.11. Provider agreements

7 A. The department shall make payments from medical assistance programs
8 funds for goods, services, or supplies rendered to recipients to any person who has
9 a provider agreement in effect with the department, who is complying with all
10 federal and state laws and rules pertaining to the medical assistance programs, and
11 who agrees that no person shall be subjected to discrimination under the medical
12 assistance programs because of race, creed, ethnic origin, sex, age, sexual
13 orientation, gender identity or expression, or ~~physical condition~~ disability.

14 * * *

15 §1104. Application consideration; evaluation

16 It shall be the duty of the board of commissioners to receive, consider,
17 evaluate, and allow or disallow all applications for scholarships made by eligible
18 applicants. The board of commissioners shall make careful and full investigation of
19 the ability and qualifications of each applicant. The board of commissioners shall
20 provide that an affirmative action program for the selection of recipients be
21 established which shall include that no discrimination occur on the basis of race,
22 creed, sex, age, sexual orientation, gender identity or expression, disability, or ethnic
23 origin. The board of commissioners shall establish and publish rules on the selection
24 process of the recipient which shall preclude the appearance of and the possibility
25 of nepotism. The board of commissioners shall notify each applicant selected to
26 receive a scholarship of his selection and shall also notify the dean of the medical
27 school to which the recipient has been admitted or in which he is engaged in study,

1 or the chief administrator of any internship or residency program in which the
2 applicant is engaged.

3 * * *

4 §1134. Application consideration; evaluation

5 It shall be the duty of the board of commissioners to receive, consider,
6 evaluate, and allow or disallow all applications for scholarships made by eligible
7 applicants. The board of commissioners shall make careful and full investigation of
8 the ability and qualifications of each applicant. The board of commissioners shall
9 provide that an affirmative action program for the selection of recipients be
10 established which shall include that no discrimination occur on the basis of race,
11 creed, sex, age, sexual orientation, gender identity or expression, disability, or ethnic
12 origin. The board of commissioners shall establish and publish rules on the selection
13 process of the recipient which shall preclude the appearance of and the possibility
14 of nepotism. The board of commissioners shall notify each applicant selected to
15 receive a scholarship of his selection and shall also notify the dean of the nursing
16 school or office of financial assistance at the school where the student is registered.

17 * * *

18 §1154. Application consideration; evaluation

19 The board shall receive, consider, evaluate, and allow or disallow all
20 applications for scholarships made by eligible applicants. The board shall make
21 careful and full investigation of the ability and qualifications of each applicant. The
22 board shall ensure that no discrimination occurs on the basis of race, creed, sex, age,
23 sexual orientation, gender identity or expression, disability, or ethnic origin. The
24 board shall establish and publish rules on the selection process of the recipient which
25 shall preclude the appearance of and the possibility of nepotism. The board shall
26 notify each applicant selected to receive a scholarship of his selection and shall also
27 notify the dean of the school or office of financial assistance at the school where the
28 student is registered.

29 * * *

1 §1407. Rules, regulations, and standards for licenses

2 * * *

3 B.(1) The regulations developed by the department, at a minimum, shall
4 accomplish all of the following:

5 * * *

6 (e) Prohibit discrimination by specialized providers on the basis of race,
7 color, creed, sex, sexual orientation, gender identity or expression, national origin,
8 disability, ancestry, or whether the child is being breastfed. However, nothing in this
9 Subparagraph shall be construed to affect, limit, or otherwise restrict any of the
10 following:

11 * * *

12 F. Discrimination by specialized providers and child-placing agencies on the
13 basis of race, color, creed, sex, sexual orientation, gender identity or expression,
14 national origin, disability as defined by R.S. 51:2232(~~11~~), ancestry, or whether the
15 child is being breastfed is prohibited. However, this shall not restrict the hiring or
16 admission policies of a church or religious organization, which may give preference
17 in hiring or admission to members of the church or denomination.

18 * * *

19 §1995. Nondiscrimination

20 No citizen of this state shall on the ground of sex, sexual orientation, gender
21 identity or expression, disability, age, race, color, religion, or national origin be
22 excluded from participating in, be denied the benefits of, or be subjected to
23 discrimination under, any program or activity funded in whole or in part with funds
24 made available under this Chapter.

25 * * *

26 §2205. Nondiscrimination of policy

27 All organizations receiving grants under this Chapter shall provide the
28 required transportation services without regard to the race, religion, sex, sexual

1 shall be limited to the total of the tax liability for the taxable year for which it is
2 being claimed and shall be in lieu of the deductions from gross income provided for
3 in R.S. 47:57. The credit shall not be allowed if the taxpayer arbitrarily,
4 capriciously, or unreasonably discriminates against any person because of race,
5 religion, age, sex, sexual orientation, gender identity or expression, disability, ideas,
6 beliefs, or affiliations.

7 * * *

8 Section 16. R.S. 48:274.1(C) is hereby amended and reenacted to read as follows:
9 §274.1. Placing of specific information logo signs on interstate highways; contracts
10 with third parties

11 * * *

12 C. Each business ~~identified~~ identified on a specific information logo sign
13 shall give written assurance to the department of its conformity with all applicable
14 laws concerning the provision of public accommodations without ~~regard to~~
15 discrimination based on race, religion, color, sex, age, sexual orientation, gender
16 identity or expression, disability, or national origin, and shall not be in breach of that
17 assurance.

18 * * *

19 Section 17. R.S. 49:145 and 146(A)(1) are hereby amended and reenacted to read
20 as follows:

21 §145. Use of public buildings; discrimination

22 No person shall be denied access to any public meeting in any public building
23 or facility used or owned by the state or any political subdivision of the state because
24 of race, color, creed, age, sex, sexual orientation, gender identity or expression, or
25 physical or mental disability. For purposes of this Section, a public meeting is a
26 meeting which is advertised as being open to the general public.

27 §146. Facilities to which public invited; discrimination

28 A.(1) In access to public areas, public accommodations, and public facilities,
29 every person shall be free from discrimination based on race, religion, or national

1 ancestry and from arbitrary, capricious, or unreasonable discrimination based on age,
2 sex, sexual orientation, gender identity or expression, or physical or mental
3 disability.

4 * * *

5 Section 18. R.S. 51:2231(A), 2232(5), 2235(16)(a), 2236(A), 2237(2), 2247, 2248,
6 2254(1) and (2), 2255(A)(introductory paragraph), 2602(A), 2606(A)(1) through (5),
7 2607(A) and (C), and 2608 are hereby amended and reenacted to read as follows:

8 §2231. Statement of purpose; limitation on prohibitions against discrimination
9 because of age

10 A. It is the purpose and intent of the legislature by this enactment to provide
11 for execution within Louisiana of the policies embodied in the Federal Civil Rights
12 Act of 1964, 1968, and 1972 and the Age Discrimination in Employment Act of
13 1967, as amended; and to assure that Louisiana has appropriate legislation
14 prohibiting discrimination in public accommodations sufficient to justify the deferral
15 of cases by the federal Equal Employment Opportunity Commission, the executive
16 director of the Louisiana Workforce Commission, and the Department of Justice
17 under those statutes; to safeguard all individuals within the state from discrimination
18 because of race, creed, color, religion, sex, sexual orientation, gender identity or
19 expression, age, disability, or national origin in connection with employment and in
20 connection with public accommodations; to protect their interest in personal dignity
21 and freedom from humiliation; to make available to the state their full productive
22 capacities in employment; to secure the state against domestic strife and unrest
23 which would menace its democratic institutions; to preserve the public safety, health,
24 and general welfare; and to further the interest, rights, and privileges within the state.

25 * * *

26 §2232. Definitions

27 As used in this Chapter:

28 * * *

1 §2237. Local human rights commissions

2 Any parish or municipality, or one or more parishes and municipalities acting
3 jointly, may create a human rights commission, hereinafter referred to as a "local
4 commission":

5 * * *

6 (2) To safeguard all individuals within its jurisdiction from discrimination
7 because of race, creed, color, religion, national origin, sex, sexual orientation, gender
8 identity or expression, disability, or age.

9 * * *

10 §2247. Public accommodations, resorts, amusements; discriminatory practices
11 prohibited

12 Except as otherwise provided in this Chapter, it is a discriminatory practice
13 for a person to deny an individual the full and equal enjoyment of the goods,
14 services, facilities, privileges, advantages, and accommodations of a place of public
15 accommodation, resort, or amusement, as defined in this Chapter, on the grounds of
16 race, creed, color, religion, sex, sexual orientation, gender identity or expression,
17 age, disability, as defined in R.S. 51:2232(~~HH~~), or national origin.

18 * * *

19 §2248. Advertisement of accommodations, goods, services

20 It shall be an unlawful practice for a person, directly or indirectly, to publish,
21 circulate, issue, display, mail, or cause to be published, circulated, issued, displayed,
22 or mailed, a written, printed, oral, or visual communication, notice, or advertisement
23 which indicates that the goods, services, facilities, privileges, advantages, and
24 accommodations of a place of public accommodation, resort, or amusement shall be
25 refused, withheld from, or denied an individual on account of his race, color,
26 religion, age, sex, sexual orientation, gender identity or expression, disability, as
27 defined in R.S. 51:2232(~~HH~~), or national origin, or that the patronage of or presence
28 at a place of public accommodations, resort, or amusement of an individual on
29 account of his race, color, religion, age, sex, sexual orientation, gender identity or

1 expression, disability, as defined in R.S. 51:2232(~~HH~~), or national origin is
2 objectionable, unwelcome, unacceptable, or undesirable.

3 §2254. Unlawful financial practices

4 It shall be an unlawful practice for a financial institution or an individual
5 employed by or acting on behalf of a financial institution:

6 (1) To discriminate against an individual because of the race, creed, color,
7 religion, national origin, sex, age, sexual orientation, gender identity or expression,
8 disability, as defined in R.S. 51:2232(~~HH~~), or age of the individual or the present or
9 prospective owner, tenant, or occupant of the immovable property or of a member,
10 stockholder, director, officer, employee, or representative of any of these, in the
11 granting, withholding, extending, modifying, or renewing of rates, terms, conditions,
12 privileges, or other provisions of financial assistance or in the extension of services
13 in connection therewith.

14 (2) To use a form of application for financial assistance or to make or keep
15 a record or inquiry in connection with applications for financial assistance which
16 indicates directly or indirectly a limitation, specification, or discrimination, as to
17 race, creed, color, religion, age, sex, sexual orientation, gender identity or
18 expression, disability, as defined in R.S. 51:2232(~~HH~~), or national origin, or an intent
19 to make such a limitation, specification, or discrimination.

20 * * *

21 §2255. Unlawful practices in connection with credit transactions; exceptions

22 A. It shall be an unlawful practice for any person, whether acting for himself
23 or another, in connection with any credit transaction because of race, creed, color,
24 religion, national origin, disability, as defined in R.S. 51:2232(~~HH~~), ~~or sex,~~ age,
25 sexual orientation, gender identity or expression:

26 * * *

27 §2602. Policy

28 A. The legislature finds and declares that persons in this state who seek a
29 place to live should be able to find such housing whenever it is available. Further,

1 in many localities there may be housing shortages. All persons should therefore be
2 able to compete for available housing on an open, fair, and equitable basis, regardless
3 of race, color, religion, sex, age, sexual orientation, gender identity or expression,
4 disability, familial status, or national origin.

5 * * *

6 §2606. Discrimination in sale or rental of housing and other prohibited practices

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

9 (1) To refuse to sell or rent after the making of a bona fide offer, or to refuse
10 to negotiate for the sale or rental of, or otherwise make unavailable or deny, a
11 dwelling to any person because of race, color, religion, sex, age, sexual orientation,
12 gender identity or expression, familial status, or national origin.

13 (2) To discriminate against any person in the terms, conditions, or privileges
14 of sale or rental of a dwelling, or in the provision of services or facilities in
15 connection therewith, because of race, color, religion, sex, age, sexual orientation,
16 gender identity or expression, familial status, or national origin.

17 (3) To make, print, or publish, or cause to be made, printed, or published any
18 notice, statement, or advertisement, with respect to the sale or rental of a dwelling
19 that indicates any preference, limitation, or discrimination based on race, color,
20 religion, sex, age, sexual orientation, gender identity or expression, disability,
21 familial status, or national origin, or an intention to make any such preference,
22 limitation, or discrimination.

23 (4) To represent to any person because of race, color, religion, sex, age,
24 sexual orientation, gender identity or expression, disability, familial status, or
25 national origin that any dwelling is not available for inspection, sale, or rental when
26 such dwelling is in fact so available.

27 (5) For profit, to induce or attempt to induce any person to sell or rent any
28 dwelling by representations regarding the entry or prospective entry into the
29 neighborhood of a person or persons of a particular race, color, religion, sex, age,

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 501 Original

2016 Regular Session

Smith

Abstract: Provides relative to discrimination by including sexual orientation and gender identity or expression in various provisions prohibiting or describing discrimination. Also adds age, sex, or disability as prohibited discrimination criteria in a number of such provisions.

Proposed law provides with respect to discrimination in various provisions of law. In general, adds sexual orientation and gender identity or expression in provisions prohibiting or describing discrimination. Also adds age, sex, or disability in a number of such provisions. The following table summarizes these changes:

Citation R.S.	Provisions about discrimination related to	Adds sexual orientation & gender identity or expression as discrimination criteria	Other criteria added
4:193(B)	Exclusion or ejection from a track, race meeting, race, or licensed establishment	Yes	
9:3583	Extending credit	Yes	age, disability
14:107.2(A)	Definition of hate crimes. Prohibited bases for selection of victims of specified crimes	gender identity or expression (sexual orientation already in law)	
14:326(C)	Applications of requirements for permits for parades, or demonstrations	Yes	age
15:1204.2(B)(4)	Requires La. Uniform Crime Reporting System include crimes directed at persons or groups based on certain actual or perceived characteristics	gender identity or expression (sexual orientation already in law)	
15:1402(A)	Rights to be secure from fear, intimidation, and physical harm caused by violent groups and individuals.	Yes	
17:111	School admission and school assignment	Yes	sex (in A) disability (in B)
17:158(F)	Free school transportation for public and nonpublic schools – Not applicable to students who attend a school that discriminates	Yes	sex

Citation R.S.	Provisions about discrimination related to	Adds sexual orientation & gender identity or expression as discrimination criteria	Other criteria added
17:1676(D)	Eligibility for a particular scholarship program for approved institutions of higher education in the state	Yes	
17:2053(D)(3)	Payments to independent institutions of higher learning for educating Louisiana residents	Yes	sex, disability
17:3402(A)	Open admission requirements for certification of a Montessori school	Yes	sex
17:3991(B)(3)	Admission requirements of charter schools	Yes	
22:1452(C)(25)	Unfair discrimination relative to insurance rates	Yes	age, sex, disability
22:1454(A)	Prohibited criteria for establishing risk classifications for insurance rates	Yes	sex, disability
22:1964(7)(f)	Unfair or deceptive trade practices in the insurance business, discrimination in refusing to insure, refusing to continue to insure, or limiting the amount of coverage available	Yes	age, disability
23:332	Louisiana Employment Discrimination Law – Provides for unlawful discrimination in employment	Yes	age
23:2043(B)(1)	Factors for governor to consider in appointments to La. Workforce Investment Council	Yes	age, disability
27:27.2(B)	Persons excluded from gaming premises	Yes	
27:27.4	Exclusion or ejection of persons from gaming premises	Yes	
37:1025(B)	Selection of medication attendants	Yes	age, sex
37:1107(C)	Licensing of licensed professional counselors	Yes	age, disability

Citation R.S.	Provisions about discrimination related to	Adds sexual orientation & gender identity or expression as discrimination criteria	Other criteria added
37:1360.23(H)	Licensing of physicians assistants and admission to training, employment, and utilization programs	Yes	
37:1437(D)	Requirement for applicants for a real estate license to sign a statement that he will not try to induce sale or rental of any dwelling by representations about entry into an area of persons of a particular race, color, religion, or national origin.	Yes	age, sex, disability
37:1455(A)(28)	Penalties for real estate license or certificate holders do not show, sell, or rent real estate by reason of discrimination	Yes	age, disability
37:2654(C)(1)	Appointment of members of the board of the La. Board of Examiners for Speech-Language Pathology and Audiology	Yes	disability
37:2719	Granting a social worker's license, certificate, or registration	Yes	age, disability
37:3425(C)	Granting a clinical exercise physiologist's license	Yes	age, disability
37:3447(C)	Granting a rehabilitation counselor's license	Yes	age, disability
38:2315	Selection of architects, engineers, and landscape architects for public contracts	Yes	disability
39:1411	Program or activity receiving state financial assistance	Yes	age, sex, disability
40:1133.1(C)	Licensure of EMS practitioners	Yes	disability
40:2113.4(A)	Hospital service district hospitals providing emergency services	Yes	disability
40:2113.6(A)(1) and (B)	Licensed hospitals providing emergency services	Yes	disability
40:2120.35(B)(5)	Brain injury facilities	Yes	age

Citation R.S.	Provisions about discrimination related to	Adds sexual orientation & gender identity or expression as discrimination criteria	Other criteria added
40:2125(B)	Financial assistance for exceptional children will not be provided for facilities that discriminate	Yes	sex
40:2403(H)(1)	Council on Peace Officer Standards and Training to provide for curricula and training materials to train peace officers to identify, respond to, and report crimes directed against individuals or groups by reason of actual or perceived characteristics	gender identity or expression (sexual orientation already in the law)	
40:2504	Access to facilities of the Interagency Recreation Board	Yes	age, disability
46:437.11(A)	Payments from medical assistance programs funds for goods, services, or supplies from providers who do not discriminate	Yes	disability
46:1104	Medical scholarship programs of hospital service districts or parish governing authorities, prohibits discrimination in selection of recipients	Yes	disability
46:1134	Nursing scholarship programs of hospital service districts or parish governing authorities, prohibits discrimination in selection of recipients	Yes	disability
46:1154	Allied health professions scholarship programs of hospital service districts or parish governing authorities, prohibits discrimination in selection of recipients	Yes	disability
46:1407(B)(1)(e) & (F)	Licensure of early childhood learning centers and specialized providers and licensure regulations	Yes	
46:1995	Displaced homemaker programs	Yes	disability
46:2205	Transportation assistance for the elderly and handicapped	Yes	

Citation R.S.	Provisions about discrimination related to	Adds sexual orientation & gender identity or expression as discrimination criteria	Other criteria added
47:37(C)	Income tax credit for donations, contributions, or sales below cost of tangible movable property for educational institutions, excludes donors who discriminate	Yes	age, sex, disability
47:287.755(C)	Same as above but applicable to corporation, person, estate, or trust contributing, donating, or selling below cost tangible movable property to educational institutions. Applies to corporate tax	Yes	age, sex, disability
48:274.1(C)	Requires that businesses that have their logo on Interstate highway signs comply with laws relative to discrimination in public accommodations	Yes	age, disability
49:145	Access to public meetings in facilities owned or used by the state or political subdivisions	Yes	age, sex
49:146(A)(1)	Access to public areas, public accommodations, and public facilities	Yes	
51:2231(A)	Legislative intent that creation of the La. Commission on Human Rights is to safeguard from discrimination	Yes	
51:2232(5)	Defines "Discriminatory practice in connection with public accommodations"	Yes	
51:2235(16)(a)	La. Commission on Human Rights authority to create advisory committees on discrimination	Yes	
51:2236(A)	Authorizes parishes and municipalities to adopt and enforce discrimination prohibitions	Yes	
51:2237(2)	Authorizes parishes and municipalities to create a human rights commission to safeguard from discrimination	Yes	

Citation R.S.	Provisions about discrimination related to	Adds sexual orientation & gender identity or expression as discrimination criteria	Other criteria added
51:2247	Denial of full and equal enjoyment of a place of public accommodation, resort, or amusement	Yes	
51:2248	Certain advertising about discrimination by a public accommodation	Yes	age, sex
51:2254(1) and (2)	Granting, withholding, extending, modifying, or renewing of rates, terms, conditions, privileges, or other provisions of financial assistance or in the extension of services in connection therewith	Yes	(1) age (2) age, sex
51:2255(A) (introductory paragraph)	Practices in credit transactions	Yes	age
51:2602(A)	Legislative finding about competing for available housing without discrimination	Yes	age
51:2606(A)(1) through (5)	Sale or rental of housing	Yes	age
51:2607(A) and (C)	Residential real estate related transactions	Yes	age
51:2608	Access or terms of access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings	Yes	age

Proposed law (R.S. 23:302(9) & (10)) add definitions of "sexual orientation" and "gender identity or expression" for purposes of the Louisiana Employment Discrimination Law and provisions for unlawful discrimination in employment. Defines "sexual orientation" as an individual's actual or perceived heterosexuality, homosexuality, or bisexuality. Defines "gender identity or expression" as a gender-related identity, appearance, expression, or behavior of a person, regardless of the person's assigned sex at birth.

Present law (R.S. 12:1041(A)) authorizes the attorney general to institute civil proceedings to annul, vacate, or forfeit the articles of incorporation and franchise of a domestic corporation, or to revoke the certificate of authority to transact business in this state of a foreign corporation when:

- (1) A corporation officer or person controlling corporate management or operation, with the knowledge of the president and a majority of the board of directors or under

circumstances such that they should have knowledge, is engaged in any unlawful activity aimed at organized homosexuality, organized crimes against nature, organized prostitution, organized gambling, organized narcotics, organized extortion or organized embezzlement; or

- (2) A director, officer, employee, agent, or stockholder acting for such corporation has, in conducting the corporation's affairs, purposely engaged in any unlawful activity aimed at homosexuality, crimes against nature, intimidation and coercion, bribery, prostitution, gambling, extortion, embezzlement, unlawful sale of narcotics or other illegal conduct, with the knowledge of the president and majority of the board of directors or under such circumstances that they should have knowledge, with the intent to compel or induce other persons, firms, or corporations to deal with such corporation or engage in such illegal conduct; and
- (3) For the prevention of future illegal conduct of the same character, the public interest requires the corporation charter to be annulled, vacated, or forfeited and the corporation to be dissolved or the certificate of authority to transact business in the state revoked.

Proposed law retains present law except removes references to homosexuality.

(Amends R.S. 4:193(B), R.S. 9:3583, R.S. 12:1041, R.S. 14:107.2(A) and 326(C), R.S. 15:1204.2(B)(4) and 1402(A), R.S. 17:111, 158(F), 1676(D), 2053(D)(3), 3402(A), and 3991(B)(3), R.S. 22:1452(C)(25), 1454(A), and 1964(7)(f), R.S. 23:332 and 2043(B)(1), R.S. 27:27.2(B) and 27.4, R.S. 37:1025(B), 1107(C), 1360.23(H), 1437(D), 1455(A)(28), 2654(C)(1), 2719, 3425(C), and 3447(C), R.S. 38:2315, R.S. 39:1411, R.S. 40:1133.1(C), 2113.4(A), 2113.6(A)(1) and (B), 2120.35(B)(5), 2125(B), 2403(H)(1), and 2504, R.S. 46:437.11(A), 1104, 1134, 1154, 1407(B)(1)(e)(intro. para.) and (F), 1995, and 2205, R.S. 47:37(C) and 287.755(C), R.S. 48:274.1(C), R.S. 49:145 and 146(A)(1), and R.S. 51:2231(A), 2232(5), 2235(16)(a), 2236(A), 2237(2), 2247, 2248, 2254(1) and (2), 2255(A) (intro. para.), 2602(A), 2606(A)(1) - (5), 2607(A) and (C), and 2608; Adds R.S. 23:302(9) and (10))