



General Assembly

February Session, 2024

Raised Bill No. 5419

LCO No. 2637



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

***AN ACT CONCERNING THE AUTHORITY OF THE ATTORNEY
GENERAL TO INITIATE LEGAL ACTIONS IN RESPONSE TO
ALLEGED DISCRIMINATORY HOUSING PRACTICES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 46a-89 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2024*):

3 (a) (1) Whenever a complaint filed pursuant to section 46a-82 alleges
4 a violation of section 46a-60 or 46a-81c, and the executive director
5 believes that equitable relief is required to prevent irreparable harm to
6 the complainant, the commission may bring a petition in the superior
7 court for the judicial district of Hartford, the judicial district in which
8 the discriminatory practice which is the subject of the complaint
9 occurred or the judicial district in which the respondent resides,
10 provided this subdivision shall not apply to complaints against
11 employers with less than fifty employees.

12 (2) The petition shall seek appropriate temporary injunctive relief
13 against the respondent pending final disposition of the complaint
14 pursuant to the procedures set forth in this chapter. The injunctive relief

15 may include an order temporarily restraining the respondent from
16 doing any act that would render ineffectual any order a presiding officer
17 may render with respect to the complaint.

18 (3) Upon service on the respondent of notice pursuant to section 46a-
19 89a, the respondent shall be temporarily restrained from taking any
20 action that would render ineffectual the temporary injunctive relief
21 requested in the petition, provided nothing in this section shall be
22 construed to prevent the respondent from having any employment
23 duties enjoined under this section and section 46a-89a, from being
24 carried out by another employee and the notice shall so provide.

25 (b) (1) Whenever a complaint filed pursuant to section 46a-82 alleges
26 a violation of section 46a-64, 46a-64c, 46a-81d or 46a-81e, [and the
27 commission] or, as a result of an investigation conducted pursuant to
28 section 3-129, of a potential violation of section 46a-64, 46a-64c, 46a-81d
29 or 46a-81e, and the commission or the Attorney General believes that
30 injunctive relief is required or that the imposition of punitive damages
31 or a civil penalty would be appropriate, the commission or Attorney
32 General may bring a petition in the superior court for the judicial district
33 in which the discriminatory practice which is the subject of the
34 complaint or investigation occurred or the judicial district in which the
35 respondent resides.

36 (2) The petition shall seek: (A) Appropriate injunctive relief,
37 including temporary or permanent orders or decrees restraining and
38 enjoining the respondent from selling or renting to anyone other than
39 the complainant or injured person or otherwise making unavailable to
40 the complainant or injured person any dwelling or commercial property
41 with respect to which the [complaint is made] petition is brought,
42 pending the final determination of such complaint by the commission
43 or such petition by the court; (B) an award of damages to the
44 complainant or injured person based on the remedies available under
45 subsection (c) of section 46a-86; (C) an award of punitive damages
46 payable to the complainant or the state in the case of a petition brought
47 by the Attorney General, not to exceed fifty thousand dollars; (D) a civil

48 penalty payable to the state against the respondent to vindicate the
49 public interest: (i) In an amount not exceeding ten thousand dollars if
50 the respondent has not been adjudged to have committed any prior
51 discriminatory housing practice; (ii) in an amount not exceeding
52 twenty-five thousand dollars if the respondent has been adjudged to
53 have committed one other discriminatory housing practice during the
54 five-year period prior to the date of the filing of this [complaint] petition;
55 and (iii) in an amount not exceeding fifty thousand dollars if the
56 respondent has been adjudged to have committed two or more
57 discriminatory housing practices during the seven-year period prior to
58 the date of the filing of the [complaint] petition; except that if the acts
59 constituting the discriminatory housing practice that is the object of the
60 [complaint] petition are committed by the same natural person who has
61 been previously adjudged to have committed acts constituting a
62 discriminatory housing practice, then the civil penalties set forth in
63 clauses (ii) and (iii) of this subparagraph may be imposed without
64 regard to the period of time within which any subsequent
65 discriminatory housing practice occurred; or (E) two or more of such
66 remedies.

67 (3) Upon service on the respondent of notice pursuant to section 46a-
68 89a, the respondent shall be temporarily restrained from selling or
69 renting the dwelling or commercial property which is the subject of the
70 [complaint] petition to anyone other than the complainant or injured
71 person, or from otherwise making such dwelling or commercial
72 property unavailable to the complainant or injured person, until the
73 court or judge has decided the petition for temporary injunctive relief
74 and the notice shall so provide.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	46a-89

Statement of Purpose:

To permit the Attorney General to bring legal actions in response to alleged discriminatory housing practices.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]