



General Assembly

Raised Bill No. 1442

January Session, 2025

LCO No. 5785



* 0 5 7 8 5 J U D *

Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING LEGAL PROCEEDINGS CONDUCTED BY THE COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES.

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

1 Section 1. Section 46a-51 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2025*):

3 As used in section 4a-60a and this chapter:

4 (1) "Blind" refers to an individual whose central visual acuity does
5 not exceed 20/200 in the better eye with correcting lenses, or whose
6 visual acuity is greater than 20/200 but is accompanied by a limitation
7 in the fields of vision such that the widest diameter of the visual field
8 subtends an angle no greater than twenty degrees;

9 (2) "Commission" means the Commission on Human Rights and
10 Opportunities created by section 46a-52;

11 (3) "Commission legal counsel" means a member of the legal staff
12 employed by the commission pursuant to section 46a-54;

13 (4) "Commissioner" means a member of the commission;

14 (5) "Court" means the Superior Court or any judge of said court;

15 (6) "Discrimination" includes segregation and separation;

16 (7) "Discriminatory employment practice" means any discriminatory
17 practice specified in subsection (b), (d), (e) or (f) of section 31-51i or
18 section 46a-60 or 46a-81c, as amended by this act;

19 (8) "Discriminatory practice" means a violation of section 4a-60, 4a-
20 60a, 4a-60g, 31-40y, subsection (b), (d), (e) or (f) of section 31-51i,
21 subparagraph (C) of subdivision (15) of section 46a-54, subdivisions (16)
22 and (17) of section 46a-54, section 46a-58, 46a-59, 46a-60, 46a-64, 46a-64c,
23 as amended by this act, 46a-66 or 46a-68, sections 46a-68c to 46a-68f,
24 inclusive, sections 46a-70 to 46a-78, inclusive, subsection (a) of section
25 46a-80, sections 46a-81b to 46a-81o, inclusive, sections 46a-80b to 46a-
26 80e, inclusive, sections 46a-80k to 46a-80m, inclusive, or section 19a-
27 498c;

28 (9) "Employee" means any person employed by an employer but shall
29 not include any individual employed by such individual's parents,
30 spouse or child. "Employee" includes any elected or appointed official
31 of a municipality, board, commission, counsel or other governmental
32 body;

33 (10) "Employer" includes the state and all political subdivisions
34 thereof and means any person or employer with one or more persons in
35 such person's or employer's employ;

36 (11) "Employment agency" means any person undertaking with or
37 without compensation to procure employees or opportunities to work;

38 (12) "Labor organization" means any organization which exists for the
39 purpose, in whole or in part, of collective bargaining or of dealing with
40 employers concerning grievances, terms or conditions of employment,
41 or of other mutual aid or protection in connection with employment;

42 (13) "Intellectual disability" means intellectual disability as defined in

43 section 1-1g;

44 (14) "Person" means one or more individuals, partnerships,
45 associations, corporations, limited liability companies, legal
46 representatives, trustees, trustees in bankruptcy, receivers and the state
47 and all political subdivisions and agencies thereof;

48 (15) "Physically disabled" refers to any individual who has any
49 chronic physical handicap, infirmity or impairment, whether congenital
50 or resulting from bodily injury, organic processes or changes or from
51 illness, including, but not limited to, epilepsy, deafness or being hard of
52 hearing or reliance on a wheelchair or other remedial appliance or
53 device;

54 (16) "Respondent" means any person alleged in a complaint filed
55 pursuant to section 46a-82 to have committed a discriminatory practice;

56 (17) "Discrimination on the basis of sex" includes but is not limited to
57 discrimination related to pregnancy, child-bearing capacity,
58 sterilization, fertility or related medical conditions;

59 (18) "Discrimination on the basis of religious creed" includes but is
60 not limited to discrimination related to all aspects of religious
61 observances and practice as well as belief, unless an employer
62 demonstrates that the employer is unable to reasonably accommodate
63 to an employee's or prospective employee's religious observance or
64 practice without undue hardship on the conduct of the employer's
65 business;

66 (19) "Learning disability" refers to an individual who exhibits a severe
67 discrepancy between educational performance and measured
68 intellectual ability and who exhibits a disorder in one or more of the
69 basic psychological processes involved in understanding or in using
70 language, spoken or written, which may manifest itself in a diminished
71 ability to listen, speak, read, write, spell or to do mathematical
72 calculations;

73 (20) "Mental disability" refers to an individual who has a record of, or
74 is regarded as having one or more mental disorders, as defined in the
75 most recent edition of the American Psychiatric Association's
76 "Diagnostic and Statistical Manual of Mental Disorders";

77 (21) "Gender identity or expression" means a person's gender-related
78 identity, appearance or behavior, whether or not that gender-related
79 identity, appearance or behavior is different from that traditionally
80 associated with the person's physiology or assigned sex at birth, which
81 gender-related identity can be shown by providing evidence including,
82 but not limited to, medical history, care or treatment of the gender-
83 related identity, consistent and uniform assertion of the gender-related
84 identity or any other evidence that the gender-related identity is
85 sincerely held, part of a person's core identity or not being asserted for
86 an improper purpose;

87 (22) "Veteran" means veteran as defined in subsection (a) of section
88 27-103;

89 (23) "Race" is inclusive of ethnic traits historically associated with
90 race, including, but not limited to, hair texture and protective hairstyles;

91 (24) "Protective hairstyles" includes, but is not limited to, wigs,
92 headwraps and hairstyles such as individual braids, cornrows, locs,
93 twists, Bantu knots, afros and afro puffs;

94 (25) "Domestic violence" has the same meaning as provided in
95 subsection (b) of section 46b-1; [and]

96 (26) "Sexual orientation" means a person's identity in relation to the
97 gender or genders to which they are romantically, emotionally or
98 sexually attracted, inclusive of any identity that a person (A) may have
99 previously expressed, or (B) is perceived by another person to hold; and

100 (27) "Employer's agent" means an individual who is authorized by an
101 employer to (A) undertake or recommend tangible employment

102 decisions affecting the employee, or (B) direct the employee's daily work
103 activities.

104 Sec. 2. Section 46a-81c of the general statutes is repealed and the
105 following is substituted in lieu thereof (*Effective July 1, 2025*):

106 It shall be a discriminatory practice in violation of this section: (1) For
107 an employer [himself or his] or the employer's agent, except in the
108 case of a bona fide occupational qualification or need, to refuse to hire
109 or employ or to bar or to discharge from employment any individual or
110 to discriminate against [him] any individual in compensation or in
111 terms, conditions or privileges of employment because of the
112 individual's sexual orientation or civil union status, (2) for any
113 employment agency, except in the case of a bona fide occupational
114 qualification or need, to fail or refuse to classify properly or refer for
115 employment or otherwise to discriminate against any individual
116 because of the individual's sexual orientation or civil union status, (3)
117 for a labor organization, because of the sexual orientation or civil union
118 status of any individual to exclude from full membership rights or to
119 expel from its membership such individual or to discriminate in any
120 way against any of its members or against any employer or any
121 individual employed by an employer, unless such action is based on a
122 bona fide occupational qualification, or (4) for any person, employer,
123 employment agency or labor organization, except in the case of a bona
124 fide occupational qualification or need, to advertise employment
125 opportunities in such a manner as to restrict such employment so as to
126 discriminate against individuals because of their sexual orientation or
127 civil union status.

128 Sec. 3. Section 46a-64c of the general statutes is repealed and the
129 following is substituted in lieu thereof (*Effective July 1, 2025*):

130 (a) It shall be a discriminatory practice in violation of this section:

131 (1) To refuse to sell or rent after the making of a bona fide offer, or to
132 refuse to negotiate for the sale or rental of, or otherwise make

133 unavailable or deny, a dwelling to any person because of race, creed,
134 color, national origin, ancestry, sex, gender identity or expression,
135 marital status, age, lawful source of income, familial status, status as a
136 veteran or status as a victim of domestic violence.

137 (2) To discriminate against any person in the terms, conditions, or
138 privileges of sale or rental of a dwelling, or in the provision of services
139 or facilities in connection therewith, because of race, creed, color,
140 national origin, ancestry, sex, gender identity or expression, marital
141 status, age, lawful source of income, familial status, [or] status as a
142 veteran or status as a victim of domestic violence.

143 (3) To make, print or publish, or cause to be made, printed or
144 published any notice, statement, or advertisement, with respect to the
145 sale or rental of a dwelling that indicates any preference, limitation, or
146 discrimination based on race, creed, color, national origin, ancestry, sex,
147 gender identity or expression, marital status, age, lawful source of
148 income, familial status, learning disability, physical or mental disability,
149 [or] status as a veteran or status as a victim of domestic violence, or an
150 intention to make any such preference, limitation or discrimination.

151 (4) (A) To represent to any person because of race, creed, color,
152 national origin, ancestry, sex, gender identity or expression, marital
153 status, age, lawful source of income, familial status, learning disability,
154 physical or mental disability, [or] status as a veteran or status as a victim
155 of domestic violence, that any dwelling is not available for inspection,
156 sale or rental when such dwelling is in fact so available.

157 (B) It shall be a violation of this subdivision for any person to restrict
158 or attempt to restrict the choices of any buyer or renter to purchase or
159 rent a dwelling (i) to an area which is substantially populated, even if
160 less than a majority, by persons of the same protected class as the buyer
161 or renter, (ii) while such person is authorized to offer for sale or rent
162 another dwelling which meets the housing criteria as expressed by the
163 buyer or renter to such person, and (iii) such other dwelling is in an area

164 which is not substantially populated by persons of the same protected
165 class as the buyer or renter. As used in this subdivision, "area" means
166 municipality, neighborhood or other geographic subdivision which
167 may include an apartment or condominium complex; and "protected
168 class" means race, creed, color, national origin, ancestry, sex, gender
169 identity or expression, marital status, age, lawful source of income,
170 familial status, learning disability, physical or mental disability, [or]
171 status as a veteran or status as a victim of domestic violence.

172 (5) For profit, to induce or attempt to induce any person to sell or rent
173 any dwelling by representations regarding the entry or prospective
174 entry into the neighborhood of a person or persons of a particular race,
175 creed, color, national origin, ancestry, sex, gender identity or expression,
176 marital status, age, lawful source of income, familial status, learning
177 disability, physical or mental disability, [or] status as a veteran or status
178 as a victim of domestic violence.

179 (6) (A) To discriminate in the sale or rental, or to otherwise make
180 unavailable or deny, a dwelling to any buyer or renter because of a
181 learning disability or physical or mental disability of: (i) Such buyer or
182 renter; (ii) a person residing in or intending to reside in such dwelling
183 after it is so sold, rented, or made available; or (iii) any person associated
184 with such buyer or renter.

185 (B) To discriminate against any person in the terms, conditions or
186 privileges of sale or rental of a dwelling, or in the provision of services
187 or facilities in connection with such dwelling, because of a learning
188 disability or physical or mental disability of: (i) Such person; or (ii) a
189 person residing in or intending to reside in such dwelling after it is so
190 sold, rented, or made available; or (iii) any person associated with such
191 person.

192 (C) For purposes of this subdivision, discrimination includes: (i) A
193 refusal to permit, at the expense of a person with a physical or mental
194 disability, reasonable modifications of existing premises occupied or to

195 be occupied by such person if such modifications may be necessary to
196 afford such person full enjoyment of the premises; except that, in the
197 case of a rental, the landlord may, where it is reasonable to do so,
198 condition permission for a modification on the renter agreeing to restore
199 the interior of the premises to the condition that existed before the
200 modification, reasonable wear and tear excepted; (ii) a refusal to make
201 reasonable accommodations in rules, policies, practices or services,
202 when such accommodations may be necessary to afford such person
203 equal opportunity to use and enjoy a dwelling; (iii) in connection with
204 the design and construction of covered multifamily dwellings for the
205 first occupancy after March 13, 1991, a failure to design and construct
206 those dwellings in such manner that they comply with the requirements
207 of Section 804(f) of the Fair Housing Act or the provisions of the state
208 building code as adopted pursuant to the provisions of sections 29-269
209 and 29-273, whichever requires greater accommodation. "Covered
210 multifamily dwellings" means buildings consisting of four or more units
211 if such buildings have one or more elevators, and ground floor units in
212 other buildings consisting of four or more units.

213 (7) For any person or other entity engaging in residential real-estate-
214 related transactions to discriminate against any person in making
215 available such a transaction, or in the terms or conditions of such a
216 transaction, because of race, creed, color, national origin, ancestry, sex,
217 gender identity or expression, marital status, age, lawful source of
218 income, familial status, learning disability, physical or mental disability,
219 [or] status as a veteran or status as a victim of domestic violence.

220 (8) To deny any person access to or membership or participation in
221 any multiple-listing service, real estate brokers' organization or other
222 service, organization, or facility relating to the business of selling or
223 renting dwellings, or to discriminate against him in the terms or
224 conditions of such access, membership or participation, on account of
225 race, creed, color, national origin, ancestry, sex, gender identity or
226 expression, marital status, age, lawful source of income, familial status,
227 learning disability, physical or mental disability, [or] status as a veteran

228 or status as a victim of domestic violence.

229 (9) To coerce, intimidate, threaten, or interfere with any person in the
230 exercise or enjoyment of, or on account of his having exercised or
231 enjoyed, or on account of his having aided or encouraged any other
232 person in the exercise or enjoyment of, any right granted or protected
233 by this section.

234 (b) (1) The provisions of this section shall not apply to (A) the rental
235 of a room or rooms in a single-family dwelling unit if the owner actually
236 maintains and occupies part of such living quarters as his residence or
237 (B) a unit in a dwelling containing living quarters occupied or intended
238 to be occupied by no more than two families living independently of
239 each other, if the owner actually maintains and occupies the other such
240 living quarters as his residence. (2) The provisions of this section with
241 respect to the prohibition of discrimination on the basis of marital status
242 shall not be construed to prohibit the denial of a dwelling to a man or a
243 woman who are both unrelated by blood and not married to each other.

244 (3) The provisions of this section with respect to the prohibition of
245 discrimination on the basis of age shall not apply to minors, to special
246 discount or other public or private programs to assist persons sixty
247 years of age and older or to housing for older persons as defined in
248 section 46a-64b, provided there is no discrimination on the basis of age
249 among older persons eligible for such housing. (4) The provisions of this
250 section with respect to the prohibition of discrimination on the basis of
251 familial status shall not apply to housing for older persons as defined in
252 section 46a-64b or to a unit in a dwelling containing units for no more
253 than four families living independently of each other, if the owner of
254 such dwelling resides in one of the units. (5) The provisions of this
255 section with respect to the prohibition of discrimination on the basis of
256 lawful source of income shall not prohibit the denial of full and equal
257 accommodations solely on the basis of insufficient income. (6) The
258 provisions of this section with respect to the prohibition of
259 discrimination on the basis of sex shall not apply to the rental of sleeping
260 accommodations to the extent they utilize shared bathroom facilities

261 when such sleeping accommodations are provided by associations and
262 organizations which rent such sleeping accommodations on a
263 temporary or permanent basis for the exclusive use of persons of the
264 same sex based on considerations of privacy and modesty.

265 (c) Nothing in this section limits the applicability of any reasonable
266 state statute or municipal ordinance restricting the maximum number
267 of persons permitted to occupy a dwelling.

268 (d) Nothing in this section or section 46a-64b shall be construed to
269 invalidate or limit any state statute or municipal ordinance that requires
270 dwellings to be designed and constructed in a manner that affords
271 persons with physical or mental disabilities greater access than is
272 required by this section or section 46a-64b.

273 (e) Nothing in this section prohibits a person engaged in the business
274 of furnishing appraisals of real property to take into consideration
275 factors other than race, creed, color, national origin, ancestry, sex,
276 gender identity or expression, marital status, age, lawful source of
277 income, familial status, learning disability, physical or mental disability,
278 [or] status as a veteran or status as a victim of domestic violence.

279 (f) Notwithstanding any other provision of this chapter, complaints
280 alleging a violation of this section shall be investigated within one
281 hundred days of filing and a final administrative disposition shall be
282 made within one year of filing unless it is impracticable to do so. If the
283 Commission on Human Rights and Opportunities is unable to complete
284 its investigation or make a final administrative determination within
285 such time frames, it shall notify the complainant and the respondent in
286 writing of the reasons for not doing so.

287 (g) Any person who violates any provision of this section shall be
288 guilty of a class D misdemeanor.

289 Sec. 4. Subsection (e) of section 46a-83 of the general statutes is
290 repealed and the following is substituted in lieu thereof (*Effective July 1,*

291 2025):

292 (e) If the complaint is not resolved after the mandatory mediation
293 conference, the complainant, the respondent or the commission may at
294 any time after such conference and before a draft investigative report is
295 issued request early legal intervention. If a request for early legal
296 intervention is made, a commission legal counsel shall determine not
297 later than ninety days after the date of the request whether the
298 complaint should be (1) heard pursuant to section 46a-84, (2) processed
299 pursuant to subsection (f) of this section, or (3) released from the
300 jurisdiction of the commission. In making such determination,
301 commission legal counsel may hold additional proceedings and may
302 utilize and direct commission staff. If a commission legal counsel
303 determines that the complaint should be processed pursuant to
304 subsection (f) of this section, the commission legal counsel may
305 recommend that the investigator make a finding of no reasonable cause.
306 The investigator shall make such a finding unless the investigator
307 believes the commission legal counsel made a mistake of fact. If the
308 investigator intends to make a finding of reasonable cause after the
309 commission legal counsel recommends otherwise, the investigator shall
310 consult with the commission legal counsel.

311 Sec. 5. Subsection (c) of section 46a-94a of the general statutes is
312 repealed and the following is substituted in lieu thereof (*Effective July 1,*
313 2025):

314 (c) The commission on its own motion may, whenever justice so
315 requires, reopen any matter previously closed, provided such matter
316 has not been appealed to the Superior Court pursuant to subsection (a)
317 of this section. Notice of such reopening shall be given to all parties. A
318 complainant or respondent may, for good cause shown, in the interest
319 of justice, apply in writing for the reopening of a [previously closed
320 proceeding] matter that was closed prior to the commencement of a
321 contested case proceeding, provided such application is filed with the
322 executive director of the commission within two years of the

323 commission's final decision and the complainant has (1) not been issued
324 a release of jurisdiction pursuant to section 46a-83a, as amended by this
325 act, and filed a civil action, or (2) requested and received a release of
326 jurisdiction from the commission pursuant to section 46a-101.

327 Sec. 6. Subsection (c) of section 46a-55 of the general statutes is
328 repealed and the following is substituted in lieu thereof (*Effective July 1,*
329 *2025*):

330 (c) The executive director may, within available appropriations,
331 assign a commission legal counsel to bring a civil action concerning an
332 alleged discriminatory practice, in accordance with this subsection, in
333 lieu of an administrative hearing pursuant to section 46a-84, when the
334 executive director determines that a civil action is in the public interest
335 and if the parties to the administrative hearing mutually agree, in
336 writing, to the bringing of such civil action by commission legal counsel.
337 The commission legal counsel shall bring such a civil action in the
338 Superior Court not later than ninety days following the date the
339 commission legal counsel notifies the parties of the executive director's
340 determination. Such civil action may be served by certified mail and
341 shall not be subject to the provisions of section 46a-100 [,] or 46a-101, [or
342 46a-102.] The jurisdiction of the Superior Court in an action brought
343 under this subsection shall be limited to such claims, counterclaims,
344 defenses or the like that could be presented at an administrative hearing
345 before the commission, had the complaint remained with the
346 commission for disposition. A complainant may intervene as a matter
347 of right without permission of the court or the parties. The civil action
348 shall be tried to the court without a jury. If the commission legal counsel
349 determines that the interests of the state will not be adversely affected,
350 the complainant or attorney for the complainant shall present all or part
351 of the case in support of the complaint. The court may grant any relief
352 available under section 46a-104. Where the Superior Court finds that a
353 respondent has committed a discriminatory practice, the court shall
354 grant the commission its fees and costs and award the commission a
355 civil penalty, not exceeding ten thousand dollars, provided such

356 discriminatory practice has been established by clear and convincing
357 evidence, which shall be payable to the commission and used by the
358 commission to advance the public interest in eliminating discrimination.

359 Sec. 7. Subsection (b) of section 46a-82b of the general statutes is
360 repealed and the following is substituted in lieu thereof (*Effective July 1,*
361 *2025*):

362 (b) If the commission fails to issue a determination of reasonable
363 cause or no reasonable cause on any such complaint not later than
364 January 1, 1997, the executive director of the commission shall issue
365 forthwith a release of the complaint from the commission, allowing the
366 complainant to bring a civil action. Upon receipt of a release pursuant
367 to this section, the complainant may bring a civil action in accordance
368 with the provisions of sections 46a-100, 46a-101, 46a-103 and 46a-104. [,
369 notwithstanding the statute of limitations pursuant to section 46a-102.]

370 Sec. 8. Section 46a-83a of the general statutes is repealed and the
371 following is substituted in lieu thereof (Effective July 1, 2025):

If a complaint is dismissed for failure to accept full relief pursuant to subsection (m) of section 46a-83, and the complainant does not request reconsideration of such dismissal as provided in subsection (h) of section 46a-83, the executive director shall issue a release of jurisdiction and the complainant may, within ninety days of receipt of the release from the commission, bring an action in accordance with sections 46a-100, [and 46a-102 to 46a-104, inclusive] 46a-103 and 46a-104.

379 Sec. 9. Section 46a-102 of the general statutes is repealed. *(Effective July*
380 *1, 2025)*

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2025</i>	46a-51
Sec. 2	<i>July 1, 2025</i>	46a-81c
Sec. 3	<i>July 1, 2025</i>	46a-64c

Sec. 4	<i>July 1, 2025</i>	46a-83(e)
Sec. 5	<i>July 1, 2025</i>	46a-94a(c)
Sec. 6	<i>July 1, 2025</i>	46a-55(c)
Sec. 7	<i>July 1, 2025</i>	46a-82b(b)
Sec. 8	<i>July 1, 2025</i>	46a-83a
Sec. 9	<i>July 1, 2025</i>	Repealer section

Statement of Purpose:

To (1) define "employer's agent" for purposes of the state's discrimination laws, (2) make conforming statutory changes relating to an individual's status as a victim of domestic violence, (3) clarify when requests for early legal intervention can be made, (4) clarify when commission proceedings may be reopened or appealed, and (5) align state law with federal law concerning a complainant's ability to pursue a matter in state court.

[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.]