

Senate Bill 319

By: Senators Harrell of the 40th and Jackson of the 41st

A BILL TO BE ENTITLED
AN ACT

1 To provide for a comprehensive state civil rights law protecting individuals from
2 discrimination in housing, public accommodations, and employment; to amend Article 4 of
3 Chapter 3 of Title 8 of the Official Code of Georgia Annotated, relating to fair housing, so
4 as to expand prohibitions regarding discrimination in housing to include sexual orientation,
5 gender identity, and age; to revise nomenclature; to amend Title 10 of the Official Code of
6 Georgia Annotated, relating to commerce and trade, so as to provide for the protection of the
7 right to equal enjoyment of and privileges to public accommodations; to provide for
8 definitions; to provide for a civil right of action; to amend Chapter 1 of Title 34 and Title 45
9 of the Official Code of Georgia Annotated, relating to labor and industrial relations generally
10 and public officers and employees, respectively, so as to prohibit discrimination in private
11 and public employment; to provide for related matters; to provide for legislative findings and
12 intent; to provide for an effective date; to repeal conflicting laws; and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

S. B. 319

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PART I
SECTION 1-1.

16 (a) The General Assembly finds and declares that:

17 (1) This state is one of only three states without comprehensive state civil rights laws
18 protecting individuals from discrimination in employment, housing, and public
19 accommodations;

20 (2) The General Assembly has considered legislation in recent years, adding specific
21 protections against discrimination for people based on religious beliefs, as well as sexual
22 orientation and gender identity in separate contexts;

23 (3) The Georgia Constitution guarantees equal protection under the law for all citizens;

24 (4) The Georgia Constitution guarantees the natural and inalienable right to worship God,
25 according to the dictates of a person's own conscience; and no human authority should, in
26 any case, control or interfere with such right of conscience;

27 (5) The Georgia Constitution holds that no one should be molested in person or property
28 on account of religious opinions; but the right of freedom of religion shall not be construed
29 as to excuse acts of licentiousness or justify practices inconsistent with the peace and safety
30 of this state; and

31 (6) It is the duty of the General Assembly to enact such laws as will protect all of its
32 citizens in the full enjoyment of the rights, privileges, and immunities due to such
33 citizenship.

34 (b) It is the intent of the General Assembly:

35 (1) To expand and clarify civil rights laws in this state, addressing discrimination in
36 employment, housing, and public accommodations; and

37 (2) That this Act is liberally construed to safeguard against the discrimination prohibited
38 herein and shall be construed in light of federal judicial and administrative interpretations
39 of similar federal civil rights laws.

PART II**SECTION 2-1.**

42 Article 4 of Chapter 3 of Title 8 of the Official Code of Georgia Annotated, relating to fair
43 housing, is amended by revising Code Section 8-3-200, relating to state policy and purposes
44 and construction of article, as follows:

45 "8-3-200.

46 (a) It is the policy of the State of Georgia to provide, within constitutional limitations, for
47 fair housing throughout this state.

48 (b) The general purposes of this article are:

49 (1) To provide for execution in this state of policies embodied in Title VIII of the Civil
50 Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988;

51 (2) To safeguard all individuals from discrimination in any aspect relating to the sale,
52 rental, or financing of dwellings or in the provision of brokerage services or facilities in
53 connection with the sale or rental of a dwelling because of that individual's race, color,
54 religion, sex, sexual orientation, gender identity, age, disability ~~or handicap~~, familial
55 status, or national origin;

56 (3) To promote the elimination of discrimination in any aspect relating to the sale, rental,
57 or financing of dwellings or in the provision of brokerage services or facilities in
58 connection with the sale or rental of a dwelling because of a person's race, color, religion,
59 sex, sexual orientation, gender identity, age, disability ~~or handicap~~, familial status, or
60 national origin; and

61 (4) To promote the protection of each individual's interest in personal dignity and
62 freedom from humiliation and the individual's freedom to take up residence wherever
63 such individual chooses; to secure this state against domestic strife and unrest which
64 would menace its democratic institutions; to preserve the public safety, health, and

65 general welfare; and to further the interests, rights, and privileges of individuals within
66 this state.

67 (c) This article shall be broadly construed to further the general purposes stated in this
68 Code section and the special purposes of the particular provision involved."

69

SECTION 2-2.

70 Said article is further amended by revising paragraphs (1) through (5) of subsection (a) of
71 Code Section 8-3-202, relating to unlawful practices in selling or renting dwellings and
72 exceptions, as follows:

73 "(1) To refuse to sell or rent after the making of a bona fide offer, or to refuse to
74 negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to
75 any person because of race, color, religion, sex, sexual orientation, gender identity, age,
76 disability, familial status, or national origin;

77 (2) To discriminate against any person in the terms, conditions, or privileges of sale or
78 rental of a dwelling, or in the provision of services or facilities in connection therewith,
79 because of race, color, religion, sex, sexual orientation, gender identity, age, disability,
80 familial status, or national origin;

81 (3) To make, print, or publish or cause to be made, printed, or published any notice,
82 statement, or advertisement, with respect to the sale or rental of a dwelling, that indicates
83 any preference, limitation, or discrimination based on race, color, religion, sex, sexual
84 orientation, gender identity, age, disability, familial status, or national origin, or an
85 intention to make any such preference, limitation, or discrimination;

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

89 (5) For profit, to induce or attempt to induce any person to sell or rent any dwelling by
90 representations regarding the entry or prospective entry into the neighborhood of a person

91 or persons of a particular race, color, religion, sex, sexual orientation, gender identity,
92 age, familial status, or national origin or with a disability;"

93 **SECTION 2-3.**

94 Said article is further amended by revising Code Section 8-3-203, relating to unlawful denial
95 of or discrimination in membership or participation in service or organization relating to
96 selling or renting dwellings, as follows:

97 "8-3-203.

98 It shall be unlawful to deny any person access to or membership or participation in any
99 multiple-listing service, real estate brokers' organization, or other service, organization, or
100 facility relating to the business of selling or renting dwellings or to discriminate against
101 such person in the terms or conditions of such access, membership, or participation on
102 account of race, color, religion, sex, sexual orientation, gender identity, age, disability,
103 familial status, or national origin."

104 **SECTION 2-4.**

105 Said article is further amended by revising subsections (b) and (c) of Code Section 8-3-204,
106 relating to discrimination in residential real estate transactions and appraisals, as follows:

107 "(b) It shall be unlawful for any person or other entity whose business includes engaging
108 in residential real estate related transactions to discriminate against any person in making
109 available such a transaction or in the terms or conditions of such a transaction because of
110 race, color, religion, sex, sexual orientation, gender identity, age, disability, ~~handicap,~~
111 familial status, or national origin.

112 (c) Nothing in this article shall be construed to prohibit a person engaged in the business
113 of furnishing appraisals of real property from taking into consideration factors other than
114 race, color, religion, national origin, sex, sexual orientation, gender identity, age, disability,
115 ~~handicap,~~ or familial status."

116 **SECTION 2-5.**

117 Said article is further amended by revising subsection (a) of Code Section 8-3-205, relating
118 to permissible limitations in sale, rental, or occupancy of dwellings by religious organizations
119 or private clubs and housing for older persons, as follows:

120 "(a) Nothing in this article shall prohibit a religious organization, association, or society,
121 or any nonprofit institution or organization operated, supervised, or controlled by or in
122 conjunction with a religious organization, association, or society, from limiting the sale,
123 rental, or occupancy of dwellings which it owns or operates for other than a commercial
124 purpose to persons of the same religion or from giving preference to such persons unless
125 membership in such religion is restricted on account of race, color, sex, sexual orientation,
126 gender identity, age, disability, handicap, familial status, or national origin. Nothing in this
127 article shall prohibit a private club not in fact open to the public, which as an incident to
128 its primary purpose or purposes provides lodgings which it owns or operates for other than
129 a commercial purpose, from limiting the rental or occupancy of such lodgings to its
130 members or from giving preference to its members."

131 **PART III**132 **SECTION 3-1.**

133 Title 10 of the Official Code of Georgia Annotated, relating to commerce and trade, is
134 amended by adding a new chapter to read as follows:

135 "CHAPTER 16

136 10-16-1.

137 (a) It is the policy of the State of Georgia to provide, within constitutional limitations, for
138 equal enjoyment of public accommodations throughout this state.

139 (b) The general purpose of this chapter is to provide for execution in this state of the
140 policies embodied in 42 U.S.C. Section 2000a, et seq.

141 (c) This chapter shall be broadly construed to further the general purposes stated in this
142 Code section and the special purposes of the particular provision involved.

143 10-16-2.

144 As used in this chapter, the term 'place of accommodation' means:

145 (1) Any inn, hotel, motel, or other establishment which provides lodging to transient
146 guests, other than an establishment located within a building which contains not more
147 than five rooms for rent or hire and which is actually occupied by the proprietor of such
148 establishment as his or her residence;

149 (2) Any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility
150 principally engaged in selling food for consumption on the premises, including, but not
151 limited to, any such facility located on the premises of any retail establishment; or any
152 gasoline station;

153 (3) Any motion picture house, theater, concert hall, sports arena, stadium, or other
154 establishment that provides exhibition, entertainment, recreation, exercise, amusement
155 gathering, or display;

156 (4) Any establishment that provides a good, service, or program, including a store,
157 shopping center, online retailer or service provider, salon, bank, gas station, food bank,
158 service or care center, shelter, travel agency, or funeral parlor, or establishment that
159 provides health care, accounting, or legal services;

160 (5) Any train service, bus service, car service, taxi service, airline service, station, depot,
161 or other establishment that provides transportation service; and

162 (6) Any establishment which is physically located within the premises of any
163 establishment otherwise covered by this Code section or within the premises of which is

164 physically located at any such covered establishment, and which holds itself out as
165 serving patrons of such covered establishment.

166 10-16-3.

167 (a) All persons shall be entitled to the full and equal enjoyment of the goods, services,
168 facilities, privileges, advantages, and accommodations of any place of public
169 accommodation without discrimination or segregation on the basis of race, color, religion,
170 sex, sexual orientation, gender identity, age, disability, or national origin.

171 (b) No person shall:

172 (1) Withhold, deny, or attempt to withhold or deny, or deprive or attempt to deprive any
173 person of any right or privilege secured by subsection (a) of this Code section;

174 (2) Intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any
175 person with the purpose of interfering with any right or privilege secured by subsection
176 (a) of this Code section; or

177 (3) Punish or attempt to punish any person for exercising or attempting to exercise any
178 right or privilege secured by subsection (a) of this Code section.

179 10-16-4.

180 Whenever any person has engaged or there are reasonable grounds to believe that any
181 person is about to engage in any act or practice prohibited by Code Section 10-16-3, a civil
182 action for preventive relief, including an application for a permanent or temporary
183 injunction, restraining order, or other order, may be instituted by the person aggrieved, and
184 the court may grant such relief as it deems appropriate. In any action commenced pursuant
185 to this chapter, the court, in its discretion, may allow the prevailing party reasonable
186 attorney's fees as part of the costs.

187 10-16-5.

188 This chapter shall be broadly construed to safeguard against the discrimination prohibited
189 by this chapter and shall be construed in light of federal judicial decisions interpreting 42
190 U.S.C. Section 2000a, et seq., and 42 U.S.C. Section 1981."

191 **PART IV**

192 **SECTION 4-1.**

193 Chapter 1 of Title 34 of the Official Code of Georgia Annotated, relating to general
194 provisions regarding labor and industrial relations, is amended by adding a new Code section
195 to read as follows:

196 "34-1-11.

197 (a)(1) It is the policy of the State of Georgia to provide, within constitutional limitations,
198 for equal employment opportunities throughout this state.

199 (2) The general purpose of this Code section is to provide for execution in this state of
200 189 policies embodied in 42 U.S.C. Section 2000e, et seq.

201 (b) As used in this Code section, the term 'employer' means a person engaged in an
202 industry affecting commerce, as defined in 42 U.S.C. Section 2000e as of January 1, 2023,
203 who has 15 or more employees for each working day in each of 20 or more calendar weeks
204 in the current or preceding calendar year, and any agent of such a person, but such term
205 does not include:

206 (1) The United States, a corporation wholly owned by the government of the United
207 States, or an Indian tribe;

208 (2) A bona fide private membership club, other than a labor organization, as defined in
209 42 U.S.C. Section 2000e as of January 1, 2023, which is exempt from taxation under
210 Section 501(c)(3) of the Internal Revenue Code of 1986; or

211 (3) A public employer, as defined in Code Section 45-19-22.

212 (c) It shall be unlawful for an employer to:

213 (1) Fail or refuse to hire or to discharge any individual, or otherwise to discriminate
214 against any individual with respect to such individual's compensation, terms, conditions,
215 or privileges of employment, because of such individual's race, disability, religion, sex,
216 sexual orientation, gender identity, age, or national origin; or

217 (2) Limit, segregate, or classify its employees or applicants for employment in any way
218 which would deprive or tend to deprive any individual of employment opportunities or
219 otherwise adversely affect such individual's status as an employee, because of such
220 individual's race, disability, religion, sex, sexual orientation, gender identity, age, or
221 national origin.

222 (d) An employee in this state shall have a private right of action for a claim against his or
223 her employer on the basis of discrimination for a violation of subsection (c) of this Code
224 section.

225 (e)(1) If the court finds that a respondent has intentionally engaged in or is intentionally
226 engaging in an unlawful employment practice charged in the complaint, the court may
227 enjoin the respondent from engaging in such unlawful employment practice and order
228 such affirmative action as may be appropriate, which may include, but is not limited to,
229 reinstatement or hiring of employees, with or without back pay, or any other equitable
230 relief as the court deems appropriate. Back pay liability shall not accrue from a date
231 more than two years prior to the filing of a claim. Interim earnings or amounts earnable
232 with reasonable diligence by the person or persons discriminated against shall operate to
233 reduce the back pay otherwise allowable.

234 (2) No order of the court shall require the hiring, reinstatement, or promotion of an
235 individual as an employee, or the payment to such individual of any back pay, if such
236 individual was refused admission, suspended, or expelled, or was refused employment
237 or advancement or was suspended or discharged for any reason other than such

238 individual's race, disability, religion, sex, sexual orientation, gender identity, age, or
 239 national origin in violation of this Code section.
 240 (f) This Code section shall be broadly construed to safeguard against the discrimination
 241 prohibited in this Code section and shall be construed in light of federal judicial decisions
 242 interpreting 42 U.S.C. Section 2000e, et seq."

243 **SECTION 4-2.**

244 Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees,
 245 is amended by revising Code Section 45-19-21, relating to the purposes and construction of
 246 article, as follows:

247 "45-19-21.

248 (a) The general purposes of this article are:

249 (1) To provide for execution within public employment in ~~the~~ this state of the policies
 250 embodied in Title VII of the federal Civil Rights Act of 1964 (78 Stat. 241), as amended
 251 by the Equal Employment Opportunity Act of 1972 (86 Stat. 103), as from time to time
 252 amended, the federal Age Discrimination in Employment Act of 1967 (81 Stat. 602), as
 253 from time to time amended, and the federal Rehabilitation Act of 1973 (87 Stat. 355), as
 254 from time to time amended;

255 (2) To safeguard all individuals in public employment from discrimination in
 256 employment; and

257 (3) To promote the elimination of discrimination against all individuals in public
 258 employment because of such individuals' race, color, religion, national origin, sex, sexual
 259 orientation, gender identity, disability, or age thereby to promote the protection of their
 260 interest in personal dignity and freedom from humiliation; to make available to ~~the~~ this
 261 state their full productive capacities; to secure ~~the~~ this state against domestic strife and
 262 unrest which would menace its democratic institutions; to preserve the public safety,

263 health, and general welfare; and to further the interests, rights, and privileges of
264 individuals within ~~the~~ this state.

265 (b) This article shall be broadly construed to further the general purposes stated in this
266 Code section and the special purposes of the particular provision involved.

267 (c) Nothing in this article shall be construed as indicating an intent to exclude local or
268 federal laws on the same subject matter, which laws are not inconsistent with this article.

269 (d) Nothing contained in this article shall be deemed to repeal any other nonconflicting law
270 of this state relating to discrimination because of race, color, religion, national origin, sex,
271 sexual orientation, gender identity, disability, or age."

272 **SECTION 4-3.**

273 Said title is further amended by revising paragraph (4) of Code Section 45-19-22, relating
274 to definitions, as follows:

275 "(4) 'Discrimination' means any direct or indirect act or practice of exclusion, distinction,
276 restriction, segregation, limitation, refusal, denial, or any other act or practice of
277 differentiation or preference in the treatment of a person or persons because of race,
278 color, religion, national origin, sex, sexual orientation, gender identity, disability,
279 ~~handicap~~, or age or the aiding, abetting, inciting, coercing, or compelling of such an act
280 or practice. This term shall not include any direct or indirect act or practice of exclusion,
281 distinction, restriction, segregation, limitation, refusal, denial, or any other act or practice
282 of differentiation or preference in the treatment of a person or persons because of religion
283 if an employer demonstrates that the employer is unable to accommodate reasonably an
284 employee's or prospective employee's religious observance or practice without undue
285 hardship on the conduct of the employer's operation."

286

SECTION 4-4.

287 Said title is further amended by revising paragraphs (8) and (14) of Code Section 45-19-27,
288 relating to additional powers and duties of administrator, as follows:

289 "(8) To receive, initiate, investigate, seek to conciliate, and make determinations
290 regarding complaints alleging violations of this article and to approve or disapprove plans
291 required by the Governor to eliminate or reduce imbalance in employment with respect
292 to race, color, disability, religion, sex, sexual orientation, gender identity, national origin,
293 or age;"

294 "(14) To adopt, promulgate, amend, and rescind, subject to approval of the board and the
295 Governor and after giving proper notice and hearing to all public employers pursuant to
296 Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' such rules and
297 regulations as may be necessary to carry out the provisions of this article, including
298 regulations requiring the posting or inclusion in advertising material of notices prepared
299 or approved by the administrator and regulations regarding the filing, approval, or
300 disapproval of plans to eliminate or reduce imbalance in employment with respect to race,
301 color, disability, religion, sex, sexual orientation, gender identity, national origin, or age;"

302

SECTION 4-5.

303 Said title is further amended by revising Code Section 45-19-29, relating to unlawful
304 practices generally, as follows:

305 "45-19-29.

306 It is an unlawful practice for an employer:

307 (1) To fail or refuse to hire, to discharge, or otherwise to discriminate against any
308 individual with respect to the individual's compensation, terms, conditions, or privileges
309 of employment because of such individual's race, color, religion, national origin, sex,
310 sexual orientation, gender identity, disability, or age;

311 (2) To limit, segregate, or classify his or her employees in any way which would deprive
312 or tend to deprive an individual of employment opportunities or otherwise adversely
313 affect an individual's status as an employee because of such individual's race, color,
314 religion, national origin, sex, sexual orientation, gender identity, disability, or age; or
315 (3) To hire, promote, advance, segregate, or affirmatively hire an individual solely
316 because of race, color, religion, national origin, sex, sexual orientation, gender identity,
317 disability, or age, but this paragraph shall not prohibit an employer from voluntarily
318 adopting and carrying out a plan to fill vacancies or hire new employees in a manner to
319 eliminate or reduce imbalance in employment with respect to race, color, disability,
320 religion, sex, sexual orientation, gender identity, national origin, or age if the plan has
321 first been filed with the administrator for review and comment for a period of not less
322 than 30 days."

323

SECTION 4-6.

324 Said title is further amended by revising Code Section 45-19-30, relating to unlawful
325 practices in training or apprenticeship programs, as follows:

326 "45-19-30.

327 It is an unlawful practice for an employer controlling apprenticeship or other training or
328 retraining, including on-the-job training programs, to discriminate against an individual
329 because of such individual's race, color, religion, national origin, sex, sexual orientation,
330 gender identity, disability, or age in admission to or employment in any program
331 established to provide apprenticeship or other training or to discriminate by allowing
332 admission or promotion to an apprenticeship or training program solely because of race,
333 color, religion, national origin, sex, sexual orientation, gender identity, disability, or age."

334

SECTION 4-7.

335 Said title is further amended by revising Code Section 45-19-31, relating to unlawful
336 practices in advertisement of employment, as follows:

337 "45-19-31.

338 It is an unlawful practice for an employer to print or publish or cause to be printed or
339 published a notice or advertisement relating to employment by such an employer indicating
340 any preference, limitation, specification, or discrimination based on race, color, religion,
341 national origin, sex, sexual orientation, gender identity, disability, or age, except that such
342 a notice or advertisement may indicate a preference, limitation, or specification based on
343 race, color, religion, national origin, sex, sexual orientation, gender identity, disability, or
344 age when religion, national origin, sex, sexual orientation, gender identity, disability, or age
345 is a bona fide occupational qualification for employment."

346

SECTION 4-8.

347 Said title is further amended by revising Code Section 45-19-33, relating to different
348 standards of compensation or different terms and conditions of employment when not based
349 on race, color, religion, sex, national origin, disability, or age, as follows:

350 "45-19-33.

351 It is not an unlawful practice for an employer to apply different standards of compensation
352 or different terms, conditions, or privileges of employment pursuant to a bona fide seniority
353 or merit system, or a system which measures earnings by quantity or quality of production,
354 or to employees who work in different locations, provided that such differences are not the
355 result of an intention to discriminate because of race, color, religion, national origin, sex,
356 sexual orientation, gender identity, disability, or age; nor is it an unlawful practice for an
357 employer to give and to act upon the results of any professionally developed ability test,
358 provided that such test, its administration, or action upon the results thereof is not designed,

359 intended, or used to discriminate because of race, color, religion, national origin, sex,
360 sexual orientation, gender identity, disability, or age."

361 **SECTION 4-9.**

362 Said title is further amended by revising subsections (b) and (c) of Code Section 45-19-35,
363 relating to use of quotas because of imbalances in employee ratios prohibited, grants of
364 preferential treatment to certain individuals or groups not required by article, adoption of
365 plans required by Governor to reduce imbalance, and effect of article upon certain
366 employment practices, as follows:

367 "(b) Nothing contained in this article requires an employer to grant preferential treatment
368 to an individual or to a group because of the race, color, religion, national origin, sex,
369 sexual orientation, gender identity, disability, or age of the individual or group on account
370 of an imbalance which may exist with respect to the total number or percentage of persons
371 of any race, color, religion, national origin, sex, sexual orientation, gender identity,
372 disability, or age in ~~the~~ this state or a community, section, or other area or in the available
373 work force in ~~the~~ this state or a community, section, or other area.

374 (c) It is specifically provided that neither subsection (a) nor (b) of this Code section nor
375 any other provision of this article shall prohibit an employer from adopting or carrying out
376 a plan to fill vacancies or hire new employees in a manner to eliminate or reduce imbalance
377 in employment with respect to race, color, disability, religion, sex, sexual orientation,
378 gender identity, national origin, or age if such plan is required by the Governor and filed
379 with and approved by the administrator prior to its final adoption and implementation."

380 **SECTION 4-10.**

381 Said title is further amended by revising paragraph (7) of subsection (c) of Code Section
382 45-19-38, relating to findings, conclusions, and order of special master generally and order
383 to cease and desist from unlawful practice and to take remedial action, as follows:

384 "(7) Recommending to the Governor that the respondent be required to adopt and file
385 with the administrator, within a specified time limitation, for the administrator's approval
386 a plan to fill vacancies or hire new employees in a manner to eliminate or reduce
387 imbalance in employment with respect to race, color, disability, religion, sex, sexual
388 orientation, gender identity, national origin, or age."

389 **SECTION 4-11.**

390 Said title is further amended by revising paragraph (1) of subsection (b) of Code Section
391 45-20-1, relating to purposes and principles, as follows:

392 "(1) Assuring fair treatment of applicants and employees in all aspects of personnel
393 administration without regard to race, color, national origin, sex, sexual orientation,
394 gender identity, age, disability, religious creed, or political affiliations. This 'fair
395 treatment' principle includes compliance with all state and federal equal employment
396 opportunity and nondiscrimination laws;"

397 **SECTION 4-12.**

398 Said title is further amended by revising paragraph (2) of Code Section 45-20-4, relating to
399 duties and responsibilities of commissioner in administration of this chapter, as follows:

400 "(2) To submit to the Governor the rules and regulations adopted by the board. Such
401 rules and regulations when approved by the Governor shall have the force and effect of
402 law and shall be binding upon the state departments covered by this article and shall
403 include provisions for the establishment and maintenance of classification and
404 compensation plans, the conduct of examinations, appointments, promotions, transfers,
405 demotions, appeals of classified employees, reports of performance, payroll certification,
406 and other phases of personnel administration. Such rules and regulations shall define and
407 prohibit improper political activity by any departmental employee of the State Personnel
408 Board or any employee covered under the terms of this article and shall provide that there

409 shall be no discrimination for or against any person or employee in any manner, to
410 include, but not be limited to, hiring, discharge, compensation, benefits, terms or
411 conditions of employment, promotion, job classification, transfer, privileges, or demotion
412 because of political affiliation, religious affiliation, race, creed, national origin, sex,
413 sexual orientation, gender identity, age between 40 and 70 years, or physical disability.
414 Such rules and regulations shall conform to the minimum standards for merit systems of
415 personnel administration as specified by those federal departments from which federal
416 funds are obtained for use by the several state departments covered by this article.
417 Compensation plans and modifications thereto promulgated under the rules and
418 regulations of the commissioner shall become effective as adopted upon approval ~~of~~ by
419 the director of the Office of Planning and Budget;"

420

PART V

421

SECTION 5-1.

422 This Act shall become effective on January 1, 2023.

423

SECTION 5-2.

424 All laws and parts of laws in conflict with this Act are repealed.