



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-4834/1
MIM:amn

2023 SENATE BILL 725

November 21, 2023 - Introduced by Senators ROYS, L. JOHNSON, AGARD, CARPENTER, HESSELBEIN, LARSON, SPREITZER and TAYLOR, cosponsored by Representatives J. ANDERSON, HONG, MOORE OMOKUNDE, C. ANDERSON, CLANCY, JACOBSON, JOERS, MADISON, PALMERI, RATCLIFF, BALDEH, BARE, CABRERA, DRAKE, EMERSON, OHNSTAD, ORTIZ-VELEZ, SHELTON, SINICKI, SNODGRASS and STUBBS. Referred to Committee on Housing, Rural Issues and Forestry.

1 **AN ACT to amend** 66.0125 (3) (a), 66.0125 (3) (c) 1. b., 66.1011 (1), 66.1201 (2m),
2 66.1213 (3), 66.1301 (2m), 66.1331 (2m), 66.1333 (3) (e) 2., 106.50 (1m) (h),
3 106.50 (5m) (f) 1., 224.77 (1) (o), 234.29 and 452.14 (3) (n) of the statutes;
4 **relating to:** discrimination in housing based on citizenship or immigration
5 status.

Analysis by the Legislative Reference Bureau

Under current law, including the open housing law, it is unlawful for any person to engage in certain forms of discrimination in housing based upon certain characteristics of an individual such as sex, race, color, sexual orientation, disability, religion, national origin, marital status, and family status. This bill adds citizenship and immigration status to the list of characteristics on which it is unlawful to discriminate in housing.

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

6 **SECTION 1.** 66.0125 (3) (a) of the statutes is amended to read:
7 66.0125 (3) (a) The purpose of the commission is to study, analyze, and
8 recommend solutions for the major social, economic, and cultural problems that

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1 affect people residing or working within the local governmental unit, including
2 problems of the family, youth, education, the aging, juvenile delinquency, health and
3 zoning standards, discrimination in employment and public accommodations and
4 facilities on the basis of sex, class, race, religion, sexual orientation, or ethnic or
5 minority status and discrimination in housing on the basis of sex, class, race,
6 citizenship or immigration status, religion, sexual orientation, ethnic or minority
7 status, or status as a victim of domestic abuse, sexual assault, or stalking.

8 **SECTION 2.** 66.0125 (3) (c) 1. b. of the statutes is amended to read:

9 66.0125 (3) (c) 1. b. To ensure to all residents of a local governmental unit,
10 regardless of sex, race, sexual orientation, or color, the right to enjoy equal
11 employment opportunities and to ensure to those residents, regardless of sex, race,
12 citizenship or immigration status, sexual orientation, color, or status as a victim of
13 domestic abuse, sexual assault, or stalking, the right to possess equal housing
14 opportunities.

15 **SECTION 3.** 66.1011 (1) of the statutes is amended to read:

16 66.1011 (1) DECLARATION OF POLICY. The right of all persons to have equal
17 opportunities for housing regardless of their sex, race, color, disability, as defined in
18 s. 106.50 (1m) (g), sexual orientation, as defined in s. 111.32 (13m), religion, national
19 origin, citizenship or immigration status, marital status, family status, as defined
20 in s. 106.50 (1m) (k), status as a victim of domestic abuse, sexual assault, or stalking,
21 as defined in s. 106.50 (1m) (u), lawful source of income, age, or ancestry is a matter
22 both of statewide concern under ss. 101.132 and 106.50 and also of local interest
23 under this section and s. 66.0125. The enactment of ss. 101.132 and 106.50 by the
24 legislature does not preempt the subject matter of equal opportunities in housing
25 from consideration by political subdivisions, and does not exempt political

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1 subdivisions from their duty, nor deprive them of their right, to enact ordinances that
2 prohibit discrimination in any type of housing solely on the basis of an individual
3 being a member of a protected class.

4 **SECTION 4.** 66.1201 (2m) of the statutes is amended to read:

5 66.1201 **(2m)** DISCRIMINATION. Persons otherwise entitled to any right, benefit,
6 facility, or privilege under ss. 66.1201 to 66.1211 may not be denied the right, benefit,
7 facility, or privilege in any manner for any purpose nor be discriminated against
8 because of sex, race, color, creed, sexual orientation, status as a victim of domestic
9 abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), ~~or~~ national origin,
10 or citizenship or immigration status.

11 **SECTION 5.** 66.1213 (3) of the statutes is amended to read:

12 66.1213 **(3)** DISCRIMINATION. Persons otherwise entitled to any right, benefit,
13 facility, or privilege under this section may not be denied the right, benefit, facility,
14 or privilege in any manner for any purpose nor be discriminated against because of
15 sex, race, color, creed, sexual orientation, status as a victim of domestic abuse, sexual
16 assault, or stalking, as defined in s. 106.50 (1m) (u), ~~or~~ national origin, or citizenship
17 or immigration status.

18 **SECTION 6.** 66.1301 (2m) of the statutes is amended to read:

19 66.1301 **(2m)** DISCRIMINATION. Persons entitled to any right, benefit, facility,
20 or privilege under ss. 66.1301 to 66.1329 may not be denied the right, benefit, facility,
21 or privilege in any manner for any purpose nor be discriminated against because of
22 sex, race, color, creed, sexual orientation, status as a victim of domestic abuse, sexual
23 assault, or stalking, as defined in s. 106.50 (1m) (u), ~~or~~ national origin, or citizenship
24 or immigration status.

25 **SECTION 7.** 66.1331 (2m) of the statutes is amended to read:

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1 66.1331 **(2m)** DISCRIMINATION. Persons otherwise entitled to any right, benefit,
2 facility, or privilege under this section may not be denied the right, benefit, facility,
3 or privilege in any manner for any purpose nor be discriminated against because of
4 sex, race, color, creed, sexual orientation, status as a victim of domestic abuse, sexual
5 assault, or stalking, as defined in s. 106.50 (1m) (u), ~~or national origin, or citizenship~~
6 or immigration status.

7 **SECTION 8.** 66.1333 (3) (e) 2. of the statutes is amended to read:

8 66.1333 **(3)** (e) 2. Persons otherwise entitled to any right, benefit, facility, or
9 privilege under this section may not be denied the right, benefit, facility, or privilege
10 in any manner for any purpose nor be discriminated against because of sex, race,
11 color, creed, sexual orientation, status as a victim of domestic abuse, sexual assault,
12 or stalking, as defined in s. 106.50 (1m) (u), ~~or national origin, or citizenship or~~
13 immigration status.

14 **SECTION 9.** 106.50 (1m) (h) of the statutes is amended to read:

15 106.50 **(1m)** (h) “Discriminate” means to segregate, separate, exclude, or treat
16 a person or class of persons unequally in a manner described in sub. (2), (2m), or (2r)
17 because of sex, race, color, sexual orientation, disability, religion, national origin,
18 citizenship or immigration status, marital status, family status, status as a victim
19 of domestic abuse, sexual assault, or stalking, lawful source of income, age, or
20 ancestry.

21 **SECTION 10.** 106.50 (5m) (f) 1. of the statutes is amended to read:

22 106.50 **(5m)** (f) 1. Nothing in this section prohibits an owner or agent from
23 requiring that a person who seeks to buy or rent housing supply information
24 concerning family status, and marital, financial, and business status but not
25 concerning race, color, disability, sexual orientation, ancestry, national origin,

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1 citizenship or immigration status, religion, creed, status as a victim of domestic
2 abuse, sexual assault, or stalking, or, subject to subd. 2., age.

3 **SECTION 11.** 224.77 (1) (o) of the statutes is amended to read:

4 224.77 (1) (o) In the course of practice as a mortgage banker, mortgage loan
5 originator, or mortgage broker, except in relation to housing designed to meet the
6 needs of elderly individuals, treat a person unequally solely because of sex, race,
7 color, handicap, sexual orientation, as defined in s. 111.32 (13m), religion, national
8 origin, citizenship or immigration status, age, or ancestry, the person's lawful source
9 of income, or the sex, marital status, or status as a victim of domestic abuse, sexual
10 assault, or stalking, as defined in s. 106.50 (1m) (u), of the person maintaining a
11 household.

12 **SECTION 12.** 234.29 of the statutes is amended to read:

13 **234.29 Equality of occupancy and employment.** The authority shall
14 require that occupancy of housing projects assisted under this chapter be open to all
15 regardless of sex, race, citizenship or immigration status, religion, sexual
16 orientation, status as a victim of domestic abuse, sexual assault, or stalking, as
17 defined in s. 106.50 (1m) (u), or creed, and that contractors and subcontractors
18 engaged in the construction of economic development or housing projects, shall
19 provide an equal opportunity for employment, without discrimination as to sex, race,
20 religion, sexual orientation, or creed.

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

22 452.14 (3) (n) Treated any person unequally solely because of sex, race, color,
23 handicap, national origin, citizenship or immigration status, ancestry, marital

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SECTION 13

1 status, lawful source of income, or status as a victim of domestic abuse, sexual
2 assault, or stalking, as defined in s. 106.50 (1m) (u).

3 (END)