

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend SS/SCS/Senate Bill No. 43, Page 3, Section 213.010, Line 9,

of said page, by inserting after "sex," the following: "sexual orientation, gender identity,"; and further amend line 11 of said page, by inserting after "housing" the following: ". Discrimination includes any unfair treatment based on a person's presumed or assumed race, color, religion, national origin, ancestry, sex, sexual orientation, gender identity, age as it relates to employment, disability, or familial status as it relates to housing, whether or not the presumption or assumption as to such characteristics is correct"; and

Further amend said bill and section, Page 4, Line 28 of said page, by inserting after "(12)" the following: "Gender identity, the gender-related identity, appearance, or mannerisms, or other gender-related characteristics of an individual, with or without regard to the individual's designed sex at birth;

(13)"; and

Further amend said bill and section, Page 6, Line 2 of said page, by striking "his" and inserting in lieu thereof the following: "the proprietor's"; and further amend Line 28 of said page, by inserting immediately after "(19)" the following:

1     "Sexual orientation", one's actual or perceived emotional or  
2     physical attraction to, or romantic or physical relationships  
3     with, members of the same gender, members of a different gender,  
4     or members of any gender, or the lack of any emotional or  
5     physical attraction to, or romantic or physical relationships  
6     with, anyone. The term "sexual orientation" includes a history of  
7     such attraction or relationship or a history of no such  
8     attraction or relationship;

9         (20)"; and further amend said section by renumbering the  
10        subdivisions accordingly; and

11        Further amend said bill and section, Page 7, Line 1 of said  
12        page, by inserting after all of said line the following:

13        "213.030. 1. The powers and duties of the commission shall  
14        be:

15           (1) To seek to eliminate and prevent discrimination because  
16        of race, color, religion, national origin, ancestry, sex, sexual  
17        orientation, gender identity, age as it relates to employment,  
18        disability, or familial status as it relates to housing and to  
19        take other actions against discrimination because of race, color,  
20        religion, national origin, ancestry, sex, sexual orientation,  
21        gender identity, age, disability, or familial status as provided  
22        by law; and the commission is hereby given general jurisdiction  
23        and power for such purposes;

24           (2) To implement the purposes of this chapter first by  
25        conference, conciliation and persuasion so that persons may be  
26        guaranteed their civil rights and goodwill be fostered;

27           (3) To formulate policies to implement the purposes of this  
28        chapter and to make recommendations to agencies and officers of  
29        the state and political subdivisions in aid of such policies and

1 purposes;

2 (4) To appoint such employees as it may deem necessary, fix  
3 their compensation within the appropriations provided and in  
4 accordance with the wage structure established for other state  
5 agencies, and prescribe their duties;

6 (5) To obtain upon request and utilize the services of all  
7 governmental departments and agencies to be paid from  
8 appropriations to this commission;

9 (6) To adopt, promulgate, amend, and rescind suitable rules  
10 and regulations to carry out the provisions of this chapter and  
11 the policies and practices of the commission in connection  
12 therewith;

13 (7) To receive, investigate, initiate, and pass upon  
14 complaints alleging discrimination in employment, housing or in  
15 places of public accommodations because of race, color, religion,  
16 national origin, ancestry, sex, sexual orientation, gender  
17 identity, age as it relates to employment, disability, or  
18 familial status as it relates to housing and to require the  
19 production for examination of any books, papers, records, or  
20 other materials relating to any matter under investigation;

21 (8) To hold hearings, subpoena witnesses, compel their  
22 attendance, administer oaths, to take the testimony of any person  
23 under oath, and, in connection therewith, to require the  
24 production for examination of any books, papers or other  
25 materials relating to any matter under investigation or in  
26 question before the commission;

27 (9) To issue publications and the results of studies and  
28 research which will tend to promote goodwill and minimize or  
29 eliminate discrimination in housing, employment or in places of

1 public accommodation because of race, color, religion, national  
2 origin, ancestry, sex, sexual orientation, gender identity, age  
3 as it relates to employment, disability, or familial status as it  
4 relates to housing;

5 (10) To provide each year to the governor and to the  
6 general assembly a full written report of all its activities and  
7 of its recommendations;

8 (11) To adopt an official seal;

9 (12) To cooperate, act jointly, enter into cooperative or  
10 work-sharing agreements with the United States Equal Employment  
11 Opportunity Commission, the United States Department of Housing  
12 and Urban Development, and other federal agencies and local  
13 commissions or agencies to achieve the purposes of this chapter;

14 (13) To accept grants, private gifts, bequests, and  
15 establish funds to dispose of such moneys so long as the  
16 conditions of the grant, gift, or bequest are not inconsistent  
17 with the purposes of this chapter and are used to achieve the  
18 purposes of this chapter;

19 (14) To establish a human rights fund as defined in section  
20 213.010, for the purposes of administering sections 213.040,  
21 213.045, 213.050, 213.070, 213.075, and 213.076.

22 2. No rule or portion of a rule promulgated under the  
23 authority of this chapter shall become effective unless it has  
24 been promulgated pursuant to the provisions of [section 536.024]  
25 chapter 536."; and

26 Further amend said bill and page, Section 213.040, Line 6 of  
27 aid page, by inserting after "sex," the following: "sexual  
28 orientation, gender identity"; and further amend line 11 of said  
29 page, by inserting after "sex," the following: "sexual

1 orientation, gender identity,"; and further amend line 17 of said  
2 page, by inserting after "sex," the following: "sexual  
3 orientation, gender identity,"; and further amend line 21 of said  
4 page, by inserting after "sex," the following: "sexual  
5 orientation, gender identity,"; and further amend line 28 of said  
6 page, by inserting after "sex," the following: "sexual  
7 orientation, gender identity,"; and

8 Further amend said bill and section, Page 14, Line 10 of  
9 said page, by inserting after all of said line the following:

10 "213.045. It shall be unlawful for any bank, building and  
11 loan association, insurance company or other corporation,  
12 association, firm or enterprise whose business consists in whole  
13 or in part in the making of commercial real estate loans, to deny  
14 a loan or other financial assistance because of race, color,  
15 religion, national origin, ancestry, sex, sexual orientation,  
16 gender identity, disability or familial status to a person  
17 applying therefor for the purpose of purchasing, construction,  
18 improving, repairing, or maintaining a dwelling, or to  
19 discriminate against [him] such person in fixing of the amount,  
20 interest rate, duration or other terms or conditions of such loan  
21 or other financial assistance, because of the race, color,  
22 religion, national origin, ancestry, sex, sexual orientation,  
23 gender identity, disability, or familial status of such person or  
24 of any person associated with [him] such person in connection  
25 with such loan or other financial assistance, or of the present  
26 or prospective owners, lessees, tenants, or occupants, of the  
27 dwellings in relation to which such loan or other financial  
28 assistance is to be made or given."; and

29 Further amend said bill, Page 14, Section 213.050, Line 16

1 of said page, by inserting after "sex," the following: "sexual  
2 orientation, gender identity,"; and

3 Further amend said bill, Page 14, Section 213.055, line 19  
4 of said page, by inserting after "sex," the following: "sexual  
5 orientation, gender identity,"; and further amend line 23 of said  
6 page, by inserting after "his" the following: "or her"; and  
7 further amend line 25 of said page, by inserting after "sex," the  
8 following: "sexual orientation, gender identity,"; and further  
9 amend line 27 of said page, by striking the word "his" as it  
10 appears both times on said line and inserting in lieu thereof  
11 both times "such person's"; and

12 Further amend said bill and section, page 15, line 2 of said  
13 page, by striking "his" and inserting in lieu thereof the  
14 following: "such person's"; and further amend line 3 of said  
15 page, by inserting after "sex," the following: "sexual  
16 orientation, gender identity,"; and further amend line 9 of said  
17 page, by inserting after "sex," the following: "sexual  
18 orientation, gender identity,"; and further amend line 15 of said  
19 page, by striking "his" and inserting in lieu thereof the  
20 following: "such person's"; and further amend line 17 of said  
21 page, by inserting after "sex," the following: "sexual  
22 orientation, gender identity,"; and further amend line 21 of said  
23 page, by striking "his" and inserting in lieu thereof the  
24 following: "such person's"; and further amend line 22 of said  
25 page, by inserting after "sex," the following: "sexual  
26 orientation, gender identity,"; and

27 Further amend bill and section, page 16, line 3 of said  
28 page, by inserting after "sex," the following: "sexual  
29 orientation, gender identity,"; and further amend line 8 of said

1 page, by inserting after "sex," the following: "sexual  
2 orientation, gender identity,"; and line 11 of said page, by  
3 inserting after "sex," the following: "sexual orientation,  
4 gender identity,"; and further amend line 21 of said page, by  
5 inserting after "sex," the following: "sexual orientation,  
6 gender identity,"; and further amend line 27 of said page, by  
7 inserting after "sex," the following: "sexual orientation,  
8 gender identity,"; and

9 Further amend said bill and section, page 17, line 5 of said  
10 page, by inserting after "sex," the following: "sexual  
11 orientation, gender identity,"; and further amend line 9 of said  
12 page, by inserting after "sex," the following: "sexual  
13 orientation, gender identity,"; and further amend line 15 of said  
14 page, by inserting after "sex," the following: "sexual  
15 orientation, gender identity,"; and

16 Further amend said bill, Page 18, Section 213.065, Line 1 of  
17 said page, by inserting after "sex," the following: "sexual  
18 orientation, gender identity,"; and further amend line 10 of said  
19 page, by inserting after "sex," the following: "sexual  
20 orientation, gender identity,"; and

21 Further amend said bill, Page 19, Section 213.070, Line 1 of  
22 said page, by striking the opening bracket "[" from said line;  
23 and further amend line 3 of said page, by inserting after "sex,"  
24 the following: "sexual orientation, gender identity,"; and  
25 further amend line 5 of said page, by striking the closing  
26 bracket "]" from said line; and

27 Further amend said bill, Page 26, Section 213.101, Line 24  
28 of said page, by inserting after "sex," the following: "sexual  
29 orientation, gender identity,"; and

1 Further amend the title and enacting clause accordingly.

2