



2013 ASSEMBLY BILL 722

February 3, 2014 - Introduced by Representative SINICKI. Referred to Committee on Housing and Real Estate.

1 **AN ACT to amend** 66.0125 (3) (a), 66.0125 (3) (c) 1. b., 66.0125 (9), 66.1011 (1),
2 66.1201 (2m), 66.1213 (3), 66.1301 (2m), 66.1331 (2m), 66.1333 (3) (e) 2., 106.50
3 (1), 106.50 (1m) (h), 106.50 (1m) (nm), 106.50 (5m) (f) 1., 224.77 (1) (o), 234.29
4 and 452.14 (3) (n) of the statutes; **relating to:** prohibiting discrimination in
5 housing because of political opinions, beliefs, or affiliations.

Analysis by the Legislative Reference Bureau

Current law prohibits discrimination in housing on the basis of sex, race, color, sexual orientation, disability, religion, national origin, marital status, family status, lawful source of income, age, ancestry, or status as a victim of domestic abuse, sexual assault, or stalking. This bill prohibits discrimination in housing on the basis of a person's political opinions, beliefs, or affiliations.

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 religion, sexual orientation, ethnic or minority status, political opinions, beliefs, or
7 affiliations, 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 sexual orientation, color, political opinions, beliefs, or affiliations, or status as a
13 victim of domestic abuse, sexual assault, or stalking, the right to possess equal
14 housing opportunities.

15 **SECTION 3.** 66.0125 (9) of the statutes is amended to read:

16 66.0125 (9) INTENT. It is the intent of this section to promote fair and friendly
17 relations among all the people in this state, and to that end race, creed, sexual
18 orientation, or color ought not to be made tests in the matter of the right of any person
19 to earn a livelihood or to enjoy the equal use of public accommodations and facilities
20 and race, creed, sexual orientation, color, political opinions, beliefs, or affiliations, or
21 status as a victim of domestic abuse, sexual assault, or stalking ought not to be made
22 tests in the matter of the right of any person to sell, lease, occupy, or use real estate.

23 **SECTION 4.** 66.1011 (1) of the statutes is amended to read:

24 66.1011 (1) DECLARATION OF POLICY. The right of all persons to have equal
25 opportunities for housing regardless of their sex, race, color, disability, as defined in

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1 s. 106.50 (1m) (g), sexual orientation, as defined in s. 111.32 (13m), religion, national
2 origin, political opinions, beliefs, or affiliations, marital status, family status, as
3 defined in s. 106.50 (1m) (k), status as a victim of domestic abuse, sexual assault, or
4 stalking, as defined in s. 106.50 (1m) (u), lawful source of income, age, or ancestry
5 is a matter both of statewide concern under ss. 101.132 and 106.50 and also of local
6 interest under this section and s. 66.0125. The enactment of ss. 101.132 and 106.50
7 by the legislature does not preempt the subject matter of equal opportunities in
8 housing from consideration by political subdivisions, and does not exempt political
9 subdivisions from their duty, nor deprive them of their right, to enact ordinances that
10 prohibit discrimination in any type of housing solely on the basis of an individual
11 being a member of a protected class.

12 **SECTION 5.** 66.1201 (2m) of the statutes is amended to read:

13 66.1201 (2m) DISCRIMINATION. Persons otherwise entitled to any right, benefit,
14 facility, or privilege under ss. 66.1201 to 66.1211 may not be denied the right, benefit,
15 facility, or privilege in any manner for any purpose nor be discriminated against
16 because of sex, race, color, creed, sexual orientation, political opinions, beliefs, or
17 affiliations, status as a victim of domestic abuse, sexual assault, or stalking, as
18 defined in s. 106.50 (1m) (u), or national origin.

19 **SECTION 6.** 66.1213 (3) of the statutes is amended to read:

20 66.1213 (3) DISCRIMINATION. Persons otherwise entitled to any right, benefit,
21 facility, or privilege under this section may not be denied the right, benefit, facility,
22 or privilege in any manner for any purpose nor be discriminated against because of
23 sex, race, color, creed, sexual orientation, political opinions, beliefs, or affiliations,
24 status as a victim of domestic abuse, sexual assault, or stalking, as defined in s.
25 106.50 (1m) (u), or national origin.

ASSEMBLY BILL 722**SECTION 7**

1 **SECTION 7.** 66.1301 (2m) of the statutes is amended to read:

2 66.1301 **(2m)** DISCRIMINATION. Persons entitled to any right, benefit, facility,
3 or privilege under ss. 66.1301 to 66.1329 may not be denied the right, benefit, facility,
4 or privilege in any manner for any purpose nor be discriminated against because of
5 sex, race, color, creed, sexual orientation, political opinions, beliefs, or affiliations,
6 status as a victim of domestic abuse, sexual assault, or stalking, as defined in s.
7 106.50 (1m) (u), or national origin.

8 **SECTION 8.** 66.1331 (2m) of the statutes is amended to read:

9 66.1331 **(2m)** DISCRIMINATION. Persons otherwise entitled to any right, benefit,
10 facility, or privilege under this section may not be denied the right, benefit, facility,
11 or privilege in any manner for any purpose nor be discriminated against because of
12 sex, race, color, creed, sexual orientation, political opinions, beliefs, or affiliations,
13 status as a victim of domestic abuse, sexual assault, or stalking, as defined in s.
14 106.50 (1m) (u), or national origin.

15 **SECTION 9.** 66.1333 (3) (e) 2. of the statutes is amended to read:

16 66.1333 **(3)** (e) 2. Persons otherwise entitled to any right, benefit, facility, or
17 privilege under this section may not be denied the right, benefit, facility, or privilege
18 in any manner for any purpose nor be discriminated against because of sex, race,
19 color, creed, sexual orientation, political opinions, beliefs, or affiliations, status as a
20 victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u),
21 or national origin.

22 **SECTION 10.** 106.50 (1) of the statutes is amended to read:

23 106.50 **(1)** INTENT. It is the intent of this section to render unlawful
24 discrimination in housing. It is the declared policy of this state that all persons shall
25 have an equal opportunity for housing regardless of sex, race, color, sexual

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1 orientation, disability, religion, national origin, political opinions, beliefs, or
2 affiliations, marital status, family status, status as a victim of domestic abuse,
3 sexual assault, or stalking, lawful source of income, age, or ancestry and it is the duty
4 of the political subdivisions to assist in the orderly prevention or removal of all
5 discrimination in housing through the powers granted under ss. 66.0125 and
6 66.1011. The legislature hereby extends the state law governing equal housing
7 opportunities to cover single-family residences that are owner-occupied. The
8 legislature finds that the sale and rental of single-family residences constitute a
9 significant portion of the housing business in this state and should be regulated.
10 This section shall be considered an exercise of the police powers of the state for the
11 protection of the welfare, health, peace, dignity, and human rights of the people of
12 this state.

13 **SECTION 11.** 106.50 (1m) (h) of the statutes is amended to read:

14 106.50 (1m) (h) “Discriminate” means to segregate, separate, exclude, or treat
15 a person or class of persons unequally in a manner described in sub. (2), (2m), or (2r)
16 because of sex, race, color, sexual orientation, disability, religion, national origin,
17 political opinions, beliefs, or affiliations, marital status, family status, status as a
18 victim of domestic abuse, sexual assault, or stalking, lawful source of income, age,
19 or ancestry.

20 **SECTION 12.** 106.50 (1m) (nm) of the statutes is amended to read:

21 106.50 (1m) (nm) “Member of a protected class” means a group of natural
22 persons, or a natural person, who may be categorized because of sex, race, color,
23 disability, sexual orientation, religion, national origin, political opinions, beliefs, or
24 affiliations, marital status, family status, status as a victim of domestic abuse,
25 sexual abuse, or stalking, lawful source of income, age, or ancestry.

ASSEMBLY BILL 722**SECTION 13**

1 **SECTION 13.** 106.50 (5m) (f) 1. of the statutes is amended to read:

2 106.50 **(5m)** (f) 1. Nothing in this section prohibits an owner or agent from
3 requiring that a person who seeks to buy or rent housing supply information
4 concerning family status, and marital, financial, and business status but not
5 concerning race, color, disability, sexual orientation, ancestry, national origin,
6 religion, creed, political opinions, beliefs, or affiliations, status as a victim of
7 domestic abuse, sexual assault, or stalking, or, subject to subd. 2., age.

8 **SECTION 14.** 224.77 (1) (o) of the statutes is amended to read:

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

17 **SECTION 15.** 234.29 of the statutes is amended to read:

18 **234.29 Equality of occupancy and employment.** The authority shall
19 require that occupancy of housing projects assisted under this chapter be open to all
20 regardless of sex, race, religion, creed, political opinions, beliefs, or affiliations,
21 sexual orientation, status as a victim of domestic abuse, sexual assault, or stalking,
22 as defined in s. 106.50 (1m) (u), ~~or creed~~, and that contractors and subcontractors
23 engaged in the construction of economic development or housing projects, shall
24 provide an equal opportunity for employment, without discrimination as to sex, race,
25 religion, sexual orientation, or creed.

