



2003 ASSEMBLY BILL 64

February 18, 2003 - Introduced by Representatives GROTHMAN, VRAKAS, MONTGOMERY, AINSWORTH, BIES, GOTTLIEB, GUNDERSON, HAHN, HINES, HUEBSCH, KESTELL, KRAWCZYK, LADWIG, F. LASEE, LASSA, J. LEHMAN, MUSSER, OLSEN, OTT, OWENS, PETROWSKI, PLALE, SCHNEIDER, SERATTI, SHILLING, STONE, SUDER, TOWNS, UNDERHEIM, VAN ROY, WEBER, J. WOOD, ZIEGELBAUER and M. WILLIAMS, cosponsored by Senators ROESSLER, HARSDORF, BRESKE, COWLES, S. FITZGERALD, KANAVAS, A. LASEE, LAZICH, LEIBHAM and REYNOLDS. Referred to Committee on Small Business.

1 **AN ACT** *to create* 106.52 (3) (e) of the statutes; **relating to:** providing an
2 exception to the law prohibiting discrimination in public places of
3 accommodation to permit a fitness center whose facilities and services are
4 intended for the exclusive use of persons of the same sex to provide the use of
5 those facilities and services exclusively to persons of that sex.

Analysis by the Legislative Reference Bureau

Under current law, no person may deny to another the full and equal enjoyment of any public place of accommodation because of sex, race, color, creed, disability, sexual orientation, national origin, or ancestry. Current law, however, does not prohibit separate public toilets, showers, saunas, or dressing rooms for persons of different sexes and does not prohibit a domestic abuse services organization from providing separate facilities, care, treatment, or services for persons of different sexes.

This bill permits a fitness center, which is defined under current law as an establishment that, for profit, provides as its primary purpose services or facilities that are purported to assist patrons in physical exercise, in weight control, or in figure development, whose services or facilities are intended for the exclusive use of persons of the same sex to provide the use of those services or facilities exclusively to persons of that sex, to deny the use of those services or facilities to persons of the opposite sex, and to communicate that the use of those services or facilities will be provided exclusively to persons of the same sex and will be denied to persons of the opposite sex.

