

1999 DRAFTING REQUEST

Bill

Received: **02/23/2000**

Received By: **grantpr**

Wanted: **As time permits**

Identical to LRB:

For: **Marty Reynolds (608) 266-7506**

By/Representing: **Carol**

This file may be shown to any legislator: NO

Drafter: **grantpr**

May Contact:

Alt. Drafters: **shoveme**

Subject: **Munis - miscellaneous
Discrimination**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Local antidiscrimination housing ordinances

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	grantpr 02/23/2000	csicilia 02/23/2000		_____			S&L
/1			jfrantze 02/23/2000	_____	lrb-docadmin 02/23/2000	lrb-docadmin 02/24/2000	

FE Sent For: **02/24/2000.**

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2/23/00

Carol / Manty Reynolds office -
they have a copy of LRB-3551/e,
relating to antidiscrimination
housing ordinances, done for
Risser, & wd: like a companion
bill. Any q's, call Sarah in
Risser's office.

LRB-4620/1
MES & PLG : cjs:...

1999 BILL

1 **AN ACT to amend** 66.432 (2) of the statutes; **relating to:** local antidiscrimination
2 housing ordinances.

Analysis by the Legislative Reference Bureau

Under current law, a city, village, town or county (political subdivision) may enact an ordinance prohibiting discrimination in housing against an individual solely because the individual is a member of a protected class. "Protected class" is defined to mean a group of natural persons, or a natural person, who may be categorized based on one or more of the following characteristics: sex, race, color, disability, sexual orientation, religion, national origin, marital status, family status, lawful source of income, age or ancestry. The ordinance may be similar to state statutes, or it may be more inclusive. Also under current law, the ordinance may permit a complainant, aggrieved person or respondent to elect to remove an action brought under the ordinance to circuit court, after a finding has been made that there is reasonable cause to believe that a violation of the ordinance has occurred.

Under this bill, a political subdivision has no authority to determine whether a complainant, aggrieved person or respondent may remove such an action to circuit court; such persons may elect to remove the action to circuit court.

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

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

BILL

1 SECTION 1. **66.432 (2)** of the statutes is amended to read:

2 **66.432 (2) ANTIDISCRIMINATION HOUSING ORDINANCES.** ~~Political subdivisions~~ A
3 political subdivision may enact ~~ordinances~~ an ordinance prohibiting discrimination
4 in housing within ~~their respective~~ its boundaries solely on the basis of an individual
5 being a member of a protected class. ~~Such an~~ The ordinance may be similar to ss.
6 101.132 and 106.04 (1) to (8) or may be more inclusive in its terms or in respect to
7 the different types of housing subject to its provisions, but ~~any such~~ an ordinance
8 establishing a forfeiture as a penalty for violation shall not be for an amount that is
9 less than the statutory forfeitures under s. 106.04. ~~Such an ordinance may permit~~
10 a A complainant, aggrieved person or respondent ~~to~~ may elect to remove the action
11 to circuit court after a finding has been made that there is reasonable cause to believe
12 that a violation of the ordinance has occurred. ~~Such an~~ The ordinance may also
13 authorize the political subdivision, at any time after a complaint has been filed
14 alleging an ordinance violation, to file a complaint in circuit court seeking a
15 temporary injunction or restraining order pending final disposition of the complaint.

16 SECTION 2. **Initial applicability.**

17 (1) This act first applies to complaints that are pending or filed on the effective
18 date of this subsection.

19 (END)

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 02/23/2000

To: Representative Reynolds

Relating to LRB drafting number: LRB-4620

Topic

Local antidiscrimination housing ordinances

Subject(s)

Munis - miscellaneous, Discrimination

1. **JACKET** the draft for introduction Rep Marty Reynolds
in the Senate or **the Assembly** (check only one). Only the requester under whose name the drafting request is entered in the **LRB's** drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____
A revised draft will be submitted for your approval **with changes incorporated.**

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction MA Grant

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Peter R. Grant, Managing Attorney
Telephone: (608) 267-3362

Done
02-24-00
9MB



STEPHEN R MILLER
CHIEF

State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
P. O. BOX 2037
MADISON, WI 53701-2037

LEGAL SECTION (608) 266-3561
LEGAL FAX (608) 264-8522

REFERENCE SECTION (608) 266-0341
REFERENCE FAX (608) 266-5648

FISCAL ESTIMATES

BILL NUMBER:

ASSEMBLY BILL 874

Note: The analysis of this bill states that a fiscal estimate was required for this bill. A request was made though the department of administration to have a fiscal estimate prepared. The agency(s) assigned to prepare a fiscal estimate for this bill did not return a estimate for this bill so none are included in this file.