



2019 ASSEMBLY BILL 440

September 13, 2019 - Introduced by Representatives L. MYERS, STUBBS, ALLEN, ZAMARRIPA, CROWLEY, BOWEN, SPREITZER, CABRERA, MILROY, SARGENT, ANDERSON, HAYWOOD, OHNSTAD, NEUBAUER, SHANKLAND, C. TAYLOR, VINING, BROSTOFF, SUBECK, CONSIDINE, HESSELBEIN, FIELDS and HINTZ, cosponsored by Senators L. TAYLOR, JOHNSON, WIRCH and LARSON. Referred to Committee on Judiciary.

1 **AN ACT to renumber** 15.04 (1) (g), 48.82 (1), 106.58, 118.13 (1), 118.20 (1), 230.18
2 and 756.001 (1); and **to create** 15.04 (1) (g) 1., 16.70 (10p), 16.70 (10t), 36.05
3 (10g), 36.05 (10r), 38.01 (6g), 38.01 (6r), 47.01 (4), 47.01 (4m), 48.82 (1d), 51.01
4 (13g), 51.01 (13r), 66.1011 (1m) (f), 66.1011 (1m) (g), 66.1201 (3) (mg), 66.1201
5 (3) (mr), 66.1301 (3) (pg), 66.1301 (3) (pr), 106.50 (1m) (pg), 106.50 (1m) (pr),
6 106.52 (1) (dg), 106.52 (1) (er), 106.58 (1), 111.32 (12k), 111.32 (12L), 111.70 (1)
7 (mg), 111.70 (1) (mr), 111.81 (15p), 111.81 (15u), 118.13 (1) (a), 118.20 (1) (a),
8 118.40 (4) (ae), 194.01 (11m), 194.01 (12m), 224.71 (12g), 224.71 (12r), 227.01
9 (10g), 227.01 (10r), 230.18 (1), 234.01 (11), 234.01 (12), 321.01 (10g), 321.01
10 (10r), 440.40 (5g), 440.40 (5r), 600.03 (40g), 600.03 (40r) and 756.001 (1d) of the
11 statutes; **relating to:** prohibiting discrimination based on hairstyle.

Analysis by the Legislative Reference Bureau

This bill makes changes to various areas of the law to prohibit discrimination based on a person's hairstyle, including a "protective hairstyle," which is defined in the bill to include braids, locs, and twists. The bill also defines "race" to include traits historically associated with race, including hair texture and protective hairstyles.

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Under current law, discrimination because of race is prohibited in employment, housing, education, service as a juror, adoption, and the equal enjoyment of a public place of accommodation or amusement. This bill prohibits discrimination based on a person's hairstyle in employment, housing, education, service as a juror, adoption, and the equal enjoyment of a public place of accommodation or amusement.

Current law also prohibits motor carriers, automobile insurers, mortgage bankers, mortgage loan originators, mortgage brokers, and real estate brokers and salespersons from discriminating against a person on the basis of race; prohibits discrimination based on race in the provision of vocational rehabilitation or mental health services; and prohibits the University of Wisconsin System Board of Regents from investing gifts, grants, and bequests in companies that practice discrimination on the basis of race.

This bill prohibits motor carriers, automobile insurers, mortgage bankers, mortgage loan originators, mortgage brokers, and real estate brokers and salespersons from discriminating against a person on the basis of hairstyle; prohibits discrimination based on hairstyle in the provision of vocational rehabilitation or mental health services; and prohibits the UW System Board of Regents from investing gifts, grants, and bequests in companies that practice discrimination on the basis of hairstyle.

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:

1 **SECTION 1.** 15.04 (1) (g) of the statutes is renumbered 15.04 (1) (g) 2.

2 **SECTION 2.** 15.04 (1) (g) 1. of the statutes is created to read:

3 15.04 (1) (g) 1. In this paragraph:

4 a. "Protective hairstyles" includes hairstyles such as braids, locs, and twists.

5 b. "Race" includes traits historically associated with race, including hair
6 texture and protective hairstyles.

7 **SECTION 3.** 16.70 (10p) of the statutes is created to read:

8 16.70 (10p) "Protective hairstyles" includes hairstyles such as braids, locs, and
9 twists.

10 **SECTION 4.** 16.70 (10t) of the statutes is created to read:

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1 16.70 (10t) “Race” includes traits historically associated with race, including
2 hair texture and protective hairstyles.

3 **SECTION 5.** 36.05 (10g) of the statutes is created to read:

4 36.05 (10g) “Protective hairstyles” includes hairstyles such as braids, locs, and
5 twists.

6 **SECTION 6.** 36.05 (10r) of the statutes is created to read:

7 36.05 (10r) “Race” includes traits historically associated with race, including
8 hair texture and protective hairstyles.

9 **SECTION 7.** 38.01 (6g) of the statutes is created to read:

10 38.01 (6g) “Protective hairstyles” includes hairstyles such as braids, locs, and
11 twists.

12 **SECTION 8.** 38.01 (6r) of the statutes is created to read:

13 38.01 (6r) “Race” includes traits historically associated with race, including
14 hair texture and protective hairstyles.

15 **SECTION 9.** 47.01 (4) of the statutes is created to read:

16 47.01 (4) “Protective hairstyles” includes hairstyles such as braids, locs, and
17 twists.

18 **SECTION 10.** 47.01 (4m) of the statutes is created to read:

19 47.01 (4m) “Race” includes traits historically associated with race, including
20 hair texture and protective hairstyles.

21 **SECTION 11.** 48.82 (1) of the statutes is renumbered 48.82 (1m).

22 **SECTION 12.** 48.82 (1d) of the statutes is created to read:

23 48.82 (1d) In this section:

24 (a) “Protective hairstyles” includes hairstyles such as braids, locs, and twists.

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1 (b) "Race" includes traits historically associated with race, including hair
2 texture and protective hairstyles.

3 **SECTION 13.** 51.01 (13g) of the statutes is created to read:

4 51.01 (13g) "Protective hairstyles" includes hairstyles such as braids, locs, and
5 twists.

6 **SECTION 14.** 51.01 (13r) of the statutes is created to read:

7 51.01 (13r) "Race" includes traits historically associated with race, including
8 hair texture and protective hairstyles.

9 **SECTION 15.** 66.1011 (1m) (f) of the statutes is created to read:

10 66.1011 (1m) (f) "Protective hairstyles" includes hairstyles such as braids, locs,
11 and twists.

12 **SECTION 16.** 66.1011 (1m) (g) of the statutes is created to read:

13 66.1011 (1m) (g) "Race" includes traits historically associated with race,
14 including hair texture and protective hairstyles.

15 **SECTION 17.** 66.1201 (3) (mg) of the statutes is created to read:

16 66.1201 (3) (mg) "Protective hairstyles" includes hairstyles such as braids, locs,
17 and twists.

18 **SECTION 18.** 66.1201 (3) (mr) of the statutes is created to read:

19 66.1201 (3) (mr) "Race" includes traits historically associated with race,
20 including hair texture and protective hairstyles.

21 **SECTION 19.** 66.1301 (3) (pg) of the statutes is created to read:

22 66.1301 (3) (pg) "Protective hairstyles" includes hairstyles such as braids, locs,
23 and twists.

24 **SECTION 20.** 66.1301 (3) (pr) of the statutes is created to read:

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1 66.1301 (3) (pr) “Race” includes traits historically associated with race,
2 including hair texture and protective hairstyles.

3 **SECTION 21.** 106.50 (1m) (pg) of the statutes is created to read:

4 106.50 (1m) (pg) “Protective hairstyles” includes hairstyles such as braids,
5 locs, and twists.

6 **SECTION 22.** 106.50 (1m) (pr) of the statutes is created to read:

7 106.50 (1m) (pr) “Race” includes traits historically associated with race,
8 including hair texture and protective hairstyles.

9 **SECTION 23.** 106.52 (1) (dg) of the statutes is created to read:

10 106.52 (1) (dg) “Protective hairstyles” includes hairstyles such as braids, locs,
11 and twists.

12 **SECTION 24.** 106.52 (1) (er) of the statutes is created to read:

13 106.52 (1) (er) “Race” includes traits historically associated with race,
14 including hair texture and protective hairstyles.

15 **SECTION 25.** 106.58 of the statutes is renumbered 106.58 (2).

16 **SECTION 26.** 106.58 (1) of the statutes is created to read:

17 106.58 (1) In this section:

18 (a) “Protective hairstyles” includes hairstyles such as braids, locs, and twists.

19 (b) “Race” includes traits historically associated with race, including hair
20 texture and protective hairstyles.

21 **SECTION 27.** 111.32 (12k) of the statutes is created to read:

22 111.32 (12k) “Protective hairstyles” includes hairstyles such as braids, locs,
23 and twists.

24 **SECTION 28.** 111.32 (12L) of the statutes is created to read:

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1 111.32 (12L) “Race” includes traits historically associated with race, including
2 hair texture and protective hairstyles.

3 **SECTION 29.** 111.70 (1) (mg) of the statutes is created to read:

4 111.70 (1) (mg) “Protective hairstyles” includes hairstyles such as braids, locs,
5 and twists.

6 **SECTION 30.** 111.70 (1) (mr) of the statutes is created to read:

7 111.70 (1) (mr) “Race” includes traits historically associated with race,
8 including hair texture and protective hairstyles.

9 **SECTION 31.** 111.81 (15p) of the statutes is created to read:

10 111.81 (15p) “Protective hairstyles” includes hairstyles such as braids, locs,
11 and twists.

12 **SECTION 32.** 111.81 (15u) of the statutes is created to read:

13 111.81 (15u) “Race” includes traits historically associated with race, including
14 hair texture and protective hairstyles.

15 **SECTION 33.** 118.13 (1) of the statutes is renumbered 118.13 (1) (b).

16 **SECTION 34.** 118.13 (1) (a) of the statutes is created to read:

17 118.13 (1) (a) In this subsection:

18 1. “Protective hairstyles” includes hairstyles such as braids, locs, and twists.

19 2. “Race” includes traits historically associated with race, including hair
20 texture and protective hairstyles.

21 **SECTION 35.** 118.20 (1) of the statutes is renumbered 118.20 (1) (b).

22 **SECTION 36.** 118.20 (1) (a) of the statutes is created to read:

23 118.20 (1) (a) In this subsection:

24 1. “Protective hairstyles” includes hairstyles such as braids, locs, and twists.

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1 2. “Race” includes traits historically associated with race, including hair
2 texture and protective hairstyles.

3 **SECTION 37.** 118.40 (4) (ae) of the statutes is created to read:

4 118.40 (4) (ae) *Definitions.* In this subsection:

5 1. “Protective hairstyles” includes hairstyles such as braids, locs, and twists.

6 2. “Race” includes traits historically associated with race, including hair
7 texture and protective hairstyles.

8 **SECTION 38.** 194.01 (11m) of the statutes is created to read:

9 194.01 (11m) “Protective hairstyles” includes hairstyles such as braids, locs,
10 and twists.

11 **SECTION 39.** 194.01 (12m) of the statutes is created to read:

12 194.01 (12m) “Race” includes traits historically associated with race, including
13 hair texture and protective hairstyles.

14 **SECTION 40.** 224.71 (12g) of the statutes is created to read:

15 224.71 (12g) “Protective hairstyles” includes hairstyles such as braids, locs,
16 and twists.

17 **SECTION 41.** 224.71 (12r) of the statutes is created to read:

18 224.71 (12r) “Race” includes traits historically associated with race, including
19 hair texture and protective hairstyles.

20 **SECTION 42.** 227.01 (10g) of the statutes is created to read:

21 227.01 (10g) “Protective hairstyles” includes hairstyles such as braids, locs,
22 and twists.

23 **SECTION 43.** 227.01 (10r) of the statutes is created to read:

24 227.01 (10r) “Race” includes traits historically associated with race, including
25 hair texture and protective hairstyles.

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1 **SECTION 44.** 230.18 of the statutes is renumbered 230.18 (2).

2 **SECTION 45.** 230.18 (1) of the statutes is created to read:

3 230.18 (1) In this section:

4 (a) “Protective hairstyles” includes hairstyles such as braids, locs, and twists.

5 (b) “Race” includes traits historically associated with race, including hair
6 texture and protective hairstyles.

7 **SECTION 46.** 234.01 (11) of the statutes is created to read:

8 234.01 (11) “Protective hairstyles” includes hairstyles such as braids, locs, and
9 twists.

10 **SECTION 47.** 234.01 (12) of the statutes is created to read:

11 234.01 (12) “Race” includes traits historically associated with race, including
12 hair texture and protective hairstyles.

13 **SECTION 48.** 321.01 (10g) of the statutes is created to read:

14 321.01 (10g) “Protective hairstyles” includes hairstyles such as braids, locs,
15 and twists.

16 **SECTION 49.** 321.01 (10r) of the statutes is created to read:

17 321.01 (10r) “Race” includes traits historically associated with race, including
18 hair texture and protective hairstyles.

19 **SECTION 50.** 440.40 (5g) of the statutes is created to read:

20 440.40 (5g) “Protective hairstyles” includes hairstyles such as braids, locs, and
21 twists.

22 **SECTION 51.** 440.40 (5r) of the statutes is created to read:

23 440.40 (5r) “Race” includes traits historically associated with race, including
24 hair texture and protective hairstyles.

25 **SECTION 52.** 600.03 (40g) of the statutes is created to read:

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1 600.03 (40g) “Protective hairstyles” includes hairstyles such as braids, locs,
2 and twists.

3 **SECTION 53.** 600.03 (40r) of the statutes is created to read:

4 600.03 (40r) “Race” includes traits historically associated with race, including
5 hair texture and protective hairstyles.

6 **SECTION 54.** 756.001 (1) of the statutes is renumbered 756.001 (1m).

7 **SECTION 55.** 756.001 (1d) of the statutes is created to read:

8 756.001 (1d) In this section:

9 (a) “Protective hairstyles” includes hairstyles such as braids, locs, and twists.

10 (b) “Race” includes traits historically associated with race, including hair
11 texture and protective hairstyles.

12

(END)