

2019 DRAFTING REQUEST

Bill

For: **LaKeshia Myers (608) 266-5813** Drafter: **mmcgreev**
 By: **Kenya** Secondary Drafters:
 Date: **7/2/2019** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email: **Rep.Myers@legis.wisconsin.gov**
 Carbon copy (CC) to: **MaryAlice.McGreevy@legis.wisconsin.gov**
krista.pleviak@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Prohibit discrimination based on hair

Instructions:

See attached

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|-----------------------|-----------------------|----------------------|----------------------|-----------------|
| /? | mmcgreev 7/10/2019 | wjackson 7/15/2019 | | | |
| /P1 | | | mbarman 7/16/2019 | | |
| /1 | mmcgreev 7/30/2019 | wjackson 7/30/2019 | lparisi 7/24/2019 | lparisi 7/24/2019 | |
| /2 | | wjackson 7/31/2019 | mbarman 7/31/2019 | mbarman 7/31/2019 | |

FE Sent For:

<END>

↳ Not
Needed

Senate Bill No. 188

Passed the Senate April 22, 2019

Secretary of the Senate

Passed the Assembly June 27, 2019

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2019, at _____ o'clock ____M.

Private Secretary of the Governor

Employment
Housing
Education
Public Accommodations

CHAPTER _____

An act to amend Section 212.1 of the Education Code, and to amend Section 12926 of the Government Code, relating to discrimination.

LEGISLATIVE COUNSEL'S DIGEST

SB 188, Mitchell. Discrimination: hairstyles.

Existing law states the policy of the State of California to afford all persons in public schools, regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other specified characteristic, equal rights and opportunities in the educational institutions of the state, and states that the purpose of related existing law is to prohibit acts that are contrary to that policy and to provide remedies therefor. Existing law defines race or ethnicity for these purposes.

Under the California Fair Employment and Housing Act, it is unlawful to engage in specified discriminatory employment practices, including hiring, promotion, and termination based on certain protected characteristics, including race, unless based on a bona fide occupational qualification or applicable security regulations. The act also prohibits housing discrimination based on specified personal characteristics, including race. The act also prohibits discrimination because of a perception that a person has one of those protected characteristics or is associated with a person who has, or is perceived to have, any of those characteristics. Existing law defines terms such as race, religious beliefs, and sex, among others, for purposes of the act.

This bill would provide that the definition of race for these purposes also include traits historically associated with race, including, but not limited to, hair texture and protective hairstyles, and would define protective hairstyles for purposes of these provisions.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) The history of our nation is riddled with laws and societal norms that equated “blackness,” and the associated physical traits, for example, dark skin, kinky and curly hair to a badge of inferiority, sometimes subject to separate and unequal treatment.

(b) This idea also permeated societal understanding of professionalism. Professionalism was, and still is, closely linked to European features and mannerisms, which entails that those who do not naturally fall into Eurocentric norms must alter their appearances, sometimes drastically and permanently, in order to be deemed professional.

(c) Despite the great strides American society and laws have made to reverse the racist ideology that Black traits are inferior, hair remains a rampant source of racial discrimination with serious economic and health consequences, especially for Black individuals.

(d) Workplace dress code and grooming policies that prohibit natural hair, including afros, braids, twists, and locks, have a disparate impact on Black individuals as these policies are more likely to deter Black applicants and burden or punish Black employees than any other group.

(e) Federal courts accept that Title VII of the Civil Rights Act of 1964 prohibits discrimination based on race, and therefore protects against discrimination against afros. However, the courts do not understand that afros are not the only natural presentation of Black hair. Black hair can also be naturally presented in braids, twists, and locks.

(f) In a society in which hair has historically been one of many determining factors of a person’s race, and whether they were a second class citizen, hair today remains a proxy for race. Therefore, hair discrimination targeting hairstyles associated with race is racial discrimination.

(g) Acting in accordance with the constitutional values of fairness, equity, and opportunity for all, the Legislature recognizes that continuing to enforce a Eurocentric image of professionalism through purportedly race-neutral grooming policies that disparately impact Black individuals and exclude them from some workplaces is in direct opposition to equity and opportunity for all.

SEC. 2. Section 212.1 of the Education Code is amended to read:

212.1. (a) “Race or ethnicity” includes ancestry, color, ethnic group identification, and ethnic background.

(b) “Race” is inclusive of traits historically associated with race, including, but not limited to, hair texture and protective hairstyles.

(c) “Protective hairstyles” includes, but is not limited to, such hairstyles as braids, locks, and twists.

SEC. 3. Section 12926 of the Government Code is amended to read:

12926. As used in this part in connection with unlawful practices, unless a different meaning clearly appears from the context:

(a) “Affirmative relief” or “prospective relief” includes the authority to order reinstatement of an employee, awards of backpay, reimbursement of out-of-pocket expenses, hiring, transfers, reassignments, grants of tenure, promotions, cease and desist orders, posting of notices, training of personnel, testing, expunging of records, reporting of records, and any other similar relief that is intended to correct unlawful practices under this part.

(b) “Age” refers to the chronological age of any individual who has reached a 40th birthday.

(c) Except as provided by Section 12926.05, “employee” does not include any individual employed by that person’s parent, spouse, or child or any individual employed under a special license in a nonprofit sheltered workshop or rehabilitation facility.

(d) “Employer” includes any person regularly employing five or more persons, or any person acting as an agent of an employer, directly or indirectly, the state or any political or civil subdivision of the state, and cities, except as follows:

“Employer” does not include a religious association or corporation not organized for private profit.

(e) “Employment agency” includes any person undertaking for compensation to procure employees or opportunities to work.

(f) “Essential functions” means the fundamental job duties of the employment position the individual with a disability holds or desires. “Essential functions” does not include the marginal functions of the position.

(1) A job function may be considered essential for any of several reasons, including, but not limited to, any one or more of the following:

employee

(A) The function may be essential because the reason the position exists is to perform that function.

(B) The function may be essential because of the limited number of employees available among whom the performance of that job function can be distributed.

(C) The function may be highly specialized, so that the incumbent in the position is hired based on expertise or the ability to perform a particular function.

(2) Evidence of whether a particular function is essential includes, but is not limited to, the following:

(A) The employer's judgment as to which functions are essential.

(B) Written job descriptions prepared before advertising or interviewing applicants for the job.

(C) The amount of time spent on the job performing the function.

(D) The consequences of not requiring the incumbent to perform the function.

(E) The terms of a collective bargaining agreement.

(F) The work experiences of past incumbents in the job.

(G) The current work experience of incumbents in similar jobs.

(g) (1) "Genetic information" means, with respect to any individual, information about any of the following:

(A) The individual's genetic tests.

(B) The genetic tests of family members of the individual.

(C) The manifestation of a disease or disorder in family members of the individual.

(2) "Genetic information" includes any request for, or receipt of, genetic services, or participation in clinical research that includes genetic services, by an individual or any family member of the individual.

(3) "Genetic information" does not include information about the sex or age of any individual.

(h) "Labor organization" includes any organization that exists and is constituted for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or of other mutual aid or protection.

(i) "Medical condition" means either of the following:

(1) Any health impairment related to or associated with a diagnosis of cancer or a record or history of cancer.

(2) Genetic characteristics. For purposes of this section, “genetic characteristics” means either of the following:

(A) Any scientifically or medically identifiable gene or chromosome, or combination or alteration thereof, that is known to be a cause of a disease or disorder in a person or that person’s offspring, or that is determined to be associated with a statistically increased risk of development of a disease or disorder, and that is presently not associated with any symptoms of any disease or disorder.

(B) Inherited characteristics that may derive from the individual or family member, that are known to be a cause of a disease or disorder in a person or that person’s offspring, or that are determined to be associated with a statistically increased risk of development of a disease or disorder, and that are presently not associated with any symptoms of any disease or disorder.

(j) “Mental disability” includes, but is not limited to, all of the following:

(1) Having any mental or psychological disorder or condition, such as intellectual disability, organic brain syndrome, emotional or mental illness, or specific learning disabilities, that limits a major life activity. For purposes of this section:

(A) “Limits” shall be determined without regard to mitigating measures, such as medications, assistive devices, or reasonable accommodations, unless the mitigating measure itself limits a major life activity.

(B) A mental or psychological disorder or condition limits a major life activity if it makes the achievement of the major life activity difficult.

(C) “Major life activities” shall be broadly construed and shall include physical, mental, and social activities and working.

(2) Any other mental or psychological disorder or condition not described in paragraph (1) that requires special education or related services.

(3) Having a record or history of a mental or psychological disorder or condition described in paragraph (1) or (2), which is known to the employer or other entity covered by this part.

(4) Being regarded or treated by the employer or other entity covered by this part as having, or having had, any mental condition that makes achievement of a major life activity difficult.

(5) Being regarded or treated by the employer or other entity covered by this part as having, or having had, a mental or psychological disorder or condition that has no present disabling effect, but that may become a mental disability as described in paragraph (1) or (2).

“Mental disability” does not include sexual behavior disorders, compulsive gambling, kleptomania, pyromania, or psychoactive substance use disorders resulting from the current unlawful use of controlled substances or other drugs.

(k) “Military and veteran status” means a member or veteran of the United States Armed Forces, United States Armed Forces Reserve, the United States National Guard, and the California National Guard.

(l) “On the bases enumerated in this part” means or refers to discrimination on the basis of one or more of the following: race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, age, sexual orientation, or military and veteran status.

(m) “Physical disability” includes, but is not limited to, all of the following:

(1) Having any physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss that does both of the following:

(A) Affects one or more of the following body systems: neurological, immunological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine.

(B) Limits a major life activity. For purposes of this section:

(i) “Limits” shall be determined without regard to mitigating measures such as medications, assistive devices, prosthetics, or reasonable accommodations, unless the mitigating measure itself limits a major life activity.

(ii) A physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss limits a major life activity if it makes the achievement of the major life activity difficult.

(iii) “Major life activities” shall be broadly construed and includes physical, mental, and social activities and working.

(2) Any other health impairment not described in paragraph (1) that requires special education or related services.

(3) Having a record or history of a disease, disorder, condition, cosmetic disfigurement, anatomical loss, or health impairment described in paragraph (1) or (2), which is known to the employer or other entity covered by this part.

(4) Being regarded or treated by the employer or other entity covered by this part as having, or having had, any physical condition that makes achievement of a major life activity difficult.

(5) Being regarded or treated by the employer or other entity covered by this part as having, or having had, a disease, disorder, condition, cosmetic disfigurement, anatomical loss, or health impairment that has no present disabling effect but may become a physical disability as described in paragraph (1) or (2).

(6) “Physical disability” does not include sexual behavior disorders, compulsive gambling, kleptomania, pyromania, or psychoactive substance use disorders resulting from the current unlawful use of controlled substances or other drugs.

(n) Notwithstanding subdivisions (j) and (m), if the definition of “disability” used in the federal Americans with Disabilities Act of 1990 (Public Law 101-336) would result in broader protection of the civil rights of individuals with a mental disability or physical disability, as defined in subdivision (j) or (m), or would include any medical condition not included within those definitions, then that broader protection or coverage shall be deemed incorporated by reference into, and shall prevail over conflicting provisions of, the definitions in subdivisions (j) and (m).

(o) “Race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, age, sexual orientation, or military and veteran status” includes a perception that the person has any of those characteristics or that the person is associated with a person who has, or is perceived to have, any of those characteristics.

(p) “Reasonable accommodation” may include either of the following:

(1) Making existing facilities used by employees readily accessible to, and usable by, individuals with disabilities.

(2) Job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or

interpreters, and other similar accommodations for individuals with disabilities.

(q) “Religious creed,” “religion,” “religious observance,” “religious belief,” and “creed” include all aspects of religious belief, observance, and practice, including religious dress and grooming practices. “Religious dress practice” shall be construed broadly to include the wearing or carrying of religious clothing, head or face coverings, jewelry, artifacts, and any other item that is part of an individual observing a religious creed. “Religious grooming practice” shall be construed broadly to include all forms of head, facial, and body hair that are part of an individual observing a religious creed.

(r) (1) “Sex” includes, but is not limited to, the following:

(A) Pregnancy or medical conditions related to pregnancy.

(B) Childbirth or medical conditions related to childbirth.

(C) Breastfeeding or medical conditions related to breastfeeding.

(2) “Sex” also includes, but is not limited to, a person’s gender.

“Gender” means sex, and includes a person’s gender identity and gender expression. “Gender expression” means a person’s gender-related appearance and behavior whether or not stereotypically associated with the person’s assigned sex at birth.

(s) “Sexual orientation” means heterosexuality, homosexuality, and bisexuality.

(t) “Supervisor” means any individual having the authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, or to adjust their grievances, or effectively to recommend that action, if, in connection with the foregoing, the exercise of that authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

(u) “Undue hardship” means an action requiring significant difficulty or expense, when considered in light of the following factors:

(1) The nature and cost of the accommodation needed.

(2) The overall financial resources of the facilities involved in the provision of the reasonable accommodations, the number of persons employed at the facility, and the effect on expenses and resources or the impact otherwise of these accommodations upon the operation of the facility.

(3) The overall financial resources of the covered entity, the overall size of the business of a covered entity with respect to the number of employees, and the number, type, and location of its facilities.

(4) The type of operations, including the composition, structure, and functions of the workforce of the entity.

(5) The geographic separateness or administrative or fiscal relationship of the facility or facilities.

(v) “National origin” discrimination includes, but is not limited to, discrimination on the basis of possessing a driver’s license granted under Section 12801.9 of the Vehicle Code.

(w) “Race” is inclusive of traits historically associated with race, including, but not limited to, hair texture and protective hairstyles.

(x) “Protective hairstyles” includes, but is not limited to, such hairstyles as braids, locks, and twists.



7/31/19

Per Kenya Parker in Rep. Myers
office - please draft a bill that is
the same as CA SB No. 188
regarding natural hairstyles -

7/30/19

Please change "lots" to "loes" -



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

IN 7/10
DUE 7/12 A.M.

SA
Xref
RwS

Gen.

1 **AN ACT ...; relating to:** prohibiting discrimination based on hairstyle.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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

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

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

4 15.04 (1) (g) 1. (intro) *Definitions.* As used in this paragraph:

5 a. "Protective hairstyles" includes, but is not limited to, such hairstyles as
6 braids, locks, and twists. includes

7 b. "Race" is inclusive of traits historically associated with race, including, but
8 not limited to, hair texture, and protective hairstyles.

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

1 ~~X~~16.70 (10p) "Protective hairstyles" includes, but is not limited to, such
2 hairstyles as braids, locks, and twists.

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

4 ~~X~~16.70 (10t) "Race" is inclusive of traits historically associated with race,
5 including, but not limited to, hair texture, and protective hairstyles.

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

7 ~~X~~36.05 (10g) "Protective hairstyles" includes, but is not limited to, such
8 hairstyles as braids, locks, and twists.

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

10 ~~X~~ 36.05 (10r) "Race" is inclusive of traits historically associated with race,
11 including, but not limited to, hair texture, and protective hairstyles.

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

13 ~~X~~38.01 (6g) "Protective hairstyles" includes, but is not limited to, such hairstyles
14 as braids, locks, and twists.

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

16 ~~X~~ 38.01 (6r) "Race" is inclusive of traits historically associated with race,
17 including, but not limited to, hair texture, and protective hairstyles.

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

19 ~~X~~ 47.01 (4) "Protective hairstyles" includes, but is not limited to, such hairstyles
20 as braids, locks, and twists.

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

22 ~~X~~ 47.01 (4m) "Race" is inclusive of traits historically associated with race,
23 including, but not limited to, hair texture, and protective hairstyles.

24 SECTION 11. 48.82 (7) of the statutes is created to read:

25 48.82 (7) As used in this section:

SECTION # 48.82 (1) of the statutes is renumbered 48.82 (1m).

1 (a) "Protective hairstyles" includes, but is not limited to, such hairstyles as
2 braids, locks, and twists.

3 (b) "Race" is inclusive of traits historically associated with race, including, but
4 not limited to, hair texture, and protective hairstyles.

5 SECTION 12. 51.01 (13g) of the statutes is created to read:

6 ~~51.01 (13g)~~ "Protective hairstyles" includes, but is not limited to, such
7 hairstyles as braids, locks, and twists.

8 SECTION 13. 51.01 (13r) of the statutes is created to read:

9 ~~51.01 (13r)~~ "Race" is inclusive of traits historically associated with race,
10 including, but not limited to, hair texture, and protective hairstyles.

11 SECTION 14. 66.1011 (1m) (f) of the statutes is created to read:

12 ~~66.1011 (1m)~~ (f) "Protective hairstyles" includes, but is not limited to, such
13 hairstyles as braids, locks, and twists.

14 SECTION 15. 66.1011 (1m) (g) of the statutes is created to read:

15 ~~66.1011 (1m)~~ (g) "Race" is inclusive of traits historically associated with race,
16 including, but not limited to, hair texture, and protective hairstyles.

17 SECTION 16. 66.1201 (3) (mg) of the statutes is created to read:

18 ~~66.1201 (3)~~ (mg) "Protective hairstyles" includes, but is not limited to, such
19 hairstyles as braids, locks, and twists.

20 SECTION 17. 66.1201 (3) (mr) of the statutes is created to read:

21 66.1201 (3) (mr) "Race" is inclusive of traits historically associated with race,
22 including, but not limited to, hair texture, and protective hairstyles.

23 SECTION 18. 66.1301 (3) (pg) of the statutes is created to read:

24 ~~66.1301 (3)~~ (pg) "Protective hairstyles" includes, but is not limited to, such
25 hairstyles as braids, locks, and twists.

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

2 X 66.1301 (3) (pr) "Race" ^{includes} is inclusive of traits historically associated with race,
3 including, but not limited to, hair texture, and protective hairstyles.

4 **SECTION 20.** 86.195 (1) (cg) of the statutes is created to read:

5 X 86.195 (1) (cg) "Protective hairstyles" includes, but is not limited to, such
6 hairstyles ^{such} as braids, locks, and twists.

7 **SECTION 21.** 86.195 (1) (cr) of the statutes is created to read:

8 X 86.195 (1) (cr) "Race" ^{includes} is inclusive of traits historically associated with race,
9 including, but not limited to, hair texture, and protective hairstyles.

10 **SECTION 22.** 106.44 (intro.) of the statutes is created to read:

11 **106.44 Definitions.** (intro.) (As used) in this subchapter:

12 **SECTION 23.** 106.44 (1) of the statutes is created to read:

13 106.44 (1) "Protective hairstyles" includes, but is not limited to, such hairstyles
14 as braids, locks, and twists.

15 **SECTION 24.** 106.44 (2) of the statutes is created to read:

16 106.44 (2) "Race" is inclusive of traits historically associated with race,
17 including, but not limited to, hair texture, ^{includes} and protective hairstyles.

18 **SECTION 25.** 111.32 (12k) of the statutes is created to read:

19 X 111.32 (12k) "Protective hairstyles" includes, but is not limited to, such
20 hairstyles ^{such} as braids, locks, and twists.

21 **SECTION 26.** 111.32 (12L) of the statutes is created to read:

22 X 111.32 (12L) "Race" ^{includes} is inclusive of traits historically associated with race,
23 including, but not limited to, hair texture, and protective hairstyles.

24 **SECTION 27.** 111.70 (1) (mg) of the statutes is created to read:

1 X 111.70 (1) (mg) "Protective hairstyles" includes, but is not limited to, such
2 hairstyles as braids, locks, and twists.

3 SECTION 28. 111.70 (1) (mr) of the statutes is created to read:

4 X 111.70 (1) (mr) "Race" is inclusive of traits historically associated with race,
5 including, but not limited to, hair texture, and protective hairstyles.

6 SECTION 29. 111.81 (15p) of the statutes is created to read:

7 X 111.81 (15p) "Protective hairstyles" includes, but is not limited to, such
8 hairstyles as braids, locks, and twists.

9 SECTION 30. 111.81 (15u) of the statutes is created to read:

10 X 111.81 (15u) "Race" is inclusive of traits historically associated with race,
11 including, but not limited to, hair texture, and protective hairstyles.

12 SECTION 31. 118.13 (1) of the statutes is amended to read:

13 118.13 (1) (intro.) Except as provided in s. 120.13 (37m), no person may be
14 denied admission to any public school or be denied participation in, be denied the
15 benefits of or be discriminated against in any curricular, extracurricular, pupil
16 services, recreational or other program or activity because of the person's sex, race,
17 religion, national origin, ancestry, creed, pregnancy, marital or parental status,
18 sexual orientation or physical, mental, emotional or learning disability. As used in
19 this subsection:

History: 1985 a. 29; 1987 a. 332; 1991 a. 131; 1995 a. 27 s. 9145 (1); 1997 a. 27; 2005 a. 346; 2007 a. 97.

20 SECTION 32. 118.13 (1) (a) of the statutes is created to read:

21 118.13 (1) (a) "Protective hairstyles" includes, but is not limited to, such
22 hairstyles as braids, locks, and twists.

23 SECTION 33. 118.13 (1) (b) of the statutes is created to read:

1 ~~X~~ 118.13 (1) (b) "Race" ^{includes} is inclusive of traits historically associated with race,
2 including, but not limited to, hair texture, and protective hairstyles.

3 Cross-reference: See also ch. PI 9, Wis. adm. code.

3 SECTION 34. 118.20 (1) of the statutes is ^{renumbered 118.20 (1) (intro.) and} amended to read:

4 118.20 (1) ^{no score} (intro.) No discrimination because of sex, except where sex is a bona
5 fide occupational qualification as defined in s. 111.36 (2), race, nationality or political
6 or religious affiliation may be practiced in the employment of teachers or
7 administrative personnel in public schools or in their assignment or reassignment.
8 No questions of any nature or form relative to sex, except where sex is a bona fide
9 occupational qualification as defined in s. 111.36 (2), race, nationality or political or
10 religious affiliation may be asked applicants for teaching or administrative positions
11 in the public schools either by public school officials or employees or by teachers
12 agencies or placement bureaus. As used in this subsection:

History: 1975 c. 94; 1977 c. 286 s. 4; 1981 c. 334 s. 25 (2); 1993 a. 492; 1995 a. 27 ss. 3954, 3955, 9145 (1); 1997 a. 27.

13 SECTION 35. 118.20 (1) (a) of the statutes is created to read:

14 ~~X~~ 118.20 (1) (a) "Protective hairstyles" ^{such} includes, but is not limited to, such
15 hairstyles as braids, locks, and twists.

16 SECTION 36. 118.20 (1) (b) of the statutes is created to read:

17 118.20 (1) (b) "Race" ^{includes} is inclusive of traits historically associated with race,
18 including, but not limited to, hair texture, and protective hairstyles.

19 SECTION 37. 118.40 (4) ^a (e) of the statutes is created to read:

20 118.40 (4) ^a (e) *Definitions.* As used in this subsection:

21 1. "Race" is inclusive of traits historically associated with race, including, but
22 not limited to, hair texture, and protective hairstyles.

23 2. "Race" ^{includes} is inclusive of traits historically associated with race, including, but
24 not limited to, hair texture, and protective hairstyles.

[^]Protective hairstyles[^] includes hairstyles such as braids, locks, and twists.

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

2 ~~X~~ 194.01 (11m) "Protective hairstyles" includes, but is not limited to, such
3 hairstyles as braids, locks, and twists.

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

5 ~~X~~ 194.01 (12m) "Race" is inclusive of traits historically associated with race,
6 including, but not limited to, hair texture, and protective hairstyles.

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

8 ~~X~~ 224.71 (12g) "Protective hairstyles" includes, but is not limited to, such
9 hairstyles as braids, locks, and twists.

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

11 ~~X~~ 224.71 (12r) "Race" is inclusive of traits historically associated with race,
12 including, but not limited to, hair texture, and protective hairstyles.

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

14 ~~X~~ 227.01 (10g) "Protective hairstyles" includes, but is not limited to, such
15 hairstyles as braids, locks, and twists.

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

17 ~~X~~ 227.01 (10r) "Race" is inclusive of traits historically associated with race,
18 including, but not limited to, hair texture, and protective hairstyles.

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

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

21 230.18 (1) As used in this section:

22 (a) "Protective hairstyles" includes, but is not limited to, such hairstyles as
23 braids, locks, and twists.

24 (b) "Race" is inclusive of traits historically associated with race, including, but
25 not limited to, hair texture, and protective hairstyles.

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

2 X 234.01 (11) "Protective hairstyles" includes, but is not limited to, such
3 hairstyles ^{such} as braids, locks, and twists.

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

5 234.01 (12) "Race" ^{includes} is inclusive of traits historically associated with race,
6 including, but not limited to, hair texture, and protective hairstyles.

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

8 X 321.01 (10g) "Protective hairstyles" includes, but is not limited to, such
9 hairstyles ^{such} as braids, locks, and twists.

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

11 X 321.01 (10r) "Race" ^{includes} is inclusive of traits historically associated with race,
12 including, but not limited to, hair texture, and protective hairstyles.

13 **SECTION 50.** 440.01 (1) (dc) of the statutes is created to read:

14 X 440.01 (1) (dc) "Protective hairstyles" includes, but is not limited to, such
15 hairstyles ^{such} as braids, locks, and twists.

16 **SECTION 51.** 440.01 (1) (de) of the statutes is created to read:

17 X 440.01 (1) (de) "Race" ^{includes} is inclusive of traits historically associated with race,
18 including, but not limited to, hair texture, and protective hairstyles.

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

20 X 600.03 (40g) "Protective hairstyles" includes, but is not limited to, such
21 hairstyles ^{such} as braids, locks, and twists.

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

23 X 600.03 (40r) "Race" ^{including} is inclusive of traits historically associated with race,
24 including, but not limited to, hair texture, and protective hairstyles.

25 **SECTION 54.** 756.001 (6) of the statutes is created to read:

SECTION #. 756.001 (1) of the statutes is renumbered 756.001 (1m) @

1
2
3
4
5
6

756.001 (6) ^{old} As used in this section:

(a) "Protective hairstyles" includes, but is not limited to, such hairstyles as braids, locks, and twists.

(b) "Race" ^{includes} is inclusive of traits historically associated with race, including, but not limited to, hair texture, and protective hairstyles.

(END)



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-3630/P1

MIM:amn

twj

stays

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

IN 7/15
2015 7/16
INSERT
changeover
pp. 2, 4, 5, 6, 7, 8

1 AN ACT *to renumber* 15.04 (1) (g), 48.82 (1), 230.18 and 756.001 (1); *to*
2 *renumber and amend* 118.13 (1) and 118.20 (1); and *to create* 15.04 (1) (g)
3 1., 16.70 (10p), 16.70 (10t), 36.05 (10g), 36.05 (10r), 38.01 (6g), 38.01 (6r), 47.01
4 (4), 47.01 (4m), 48.82 (1d), 51.01 (13g), 51.01 (13r), 66.1011 (1m) (f), 66.1011
5 (1m) (g), 66.1201 (3) (mg), 66.1201 (3) (mr), 66.1301 (3) (pg), 66.1301 (3) (pr),
6 86.195 (1) (cg), 86.195 (1) (cr), 106.44, 111.32 (12k), 111.32 (12L), 111.70 (1) (mg),
7 111.70 (1) (mr), 111.81 (15p), 111.81 (15u), 118.13 (1) (a), 118.13 (1) (b), 118.20
8 (1) (a), 118.20 (1) (b), 118.40 (4) (ae), 194.01 (11m), 194.01 (12m), 224.71 (12g),
9 224.71 (12r), 227.01 (10g), 227.01 (10r), 230.18 (1), 234.01 (11), 234.01 (12),
10 321.01 (10g), 321.01 (10r), 440.01 (1) (dc), 440.01 (1) (de), 600.03 (40g), 600.03

1 (40r) and 756.001 (1d) of the statutes; **relating to:** prohibiting discrimination
2 based on hairstyle.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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

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

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

5 15.04 (1) (g) 1. **Definitions.** In this paragraph:

6 a. "Protective hairstyles" includes hairstyles such as braids, locks, and twists.

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

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

10 16.70 (10p) "Protective hairstyles" includes hairstyles such as braids, locks,
11 and twists.

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

13 16.70 (10t) "Race" includes traits historically associated with race, including
14 hair texture and protective hairstyles.

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

16 36.05 (10g) "Protective hairstyles" includes hairstyles such as braids, locks,
17 and twists.

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

19 36.05 (10r) "Race" includes traits historically associated with race, including
20 hair texture and protective hairstyles.

*

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

2 38.01 **(6g)** "Protective hairstyles" includes hairstyles such as braids, locks, and
3 twists.

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

5 38.01 **(6r)** "Race" includes traits historically associated with race, including
6 hair texture and protective hairstyles.

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

8 47.01 **(4)** "Protective hairstyles" includes hairstyles such as braids, locks, and
9 twists.

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

11 47.01 **(4m)** "Race" includes traits historically associated with race, including
12 hair texture and protective hairstyles.

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

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

15 48.82 **(1d)** In this section:

16 (a) "Protective hairstyles" includes hairstyles such as braids, locks, and twists.

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

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

20 51.01 **(13g)** "Protective hairstyles" includes hairstyles such as braids, locks,
21 and twists.

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

23 51.01 **(13r)** "Race" includes traits historically associated with race, including
24 hair texture and protective hairstyles.

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

1 66.1011 (1m) (f) "Protective hairstyles" includes hairstyles such as braids,
2 locks, and twists.

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

4 66.1011 (1m) (g) "Race" includes traits historically associated with race,
5 including hair texture and protective hairstyles.

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

7 66.1201 (3) (mg) "Protective hairstyles" includes hairstyles such as braids,
8 locks, and twists.

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

10 66.1201 (3) (mr) "Race" includes traits historically associated with race,
11 including hair texture and protective hairstyles.

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

13 66.1301 (3) (pg) "Protective hairstyles" includes hairstyles such as braids,
14 locks, and twists.

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

16 66.1301 (3) (pr) "Race" includes traits historically associated with race,
17 including hair texture and protective hairstyles.

18 **SECTION 21.** 86.195 (1) (cg) of the statutes is created to read:

19 86.195 (1) (cg) "Protective hairstyles" includes hairstyles such as braids, locks,
20 and twists.

21 **SECTION 22.** 86.195 (1) (cr) of the statutes is created to read:

22 86.195 (1) (cr) "Race" includes traits historically associated with race,
23 including hair texture and protective hairstyles.

24 **SECTION 23.** 106.44 of the statutes is created to read:

25 **106.44 Definitions.** In this subchapter:

1 (1) "Protective hairstyles" includes hairstyles such as braids, locks, and twists.
 2 (2) "Race" includes traits historically associated with race, including hair
 3 texture and protective hairstyles.

4 SECTION 24. 111.32 (12k) of the statutes is created to read:
 5 111.32 (12k) "Protective hairstyles" includes hairstyles such as braids, locks,
 6 and twists.

7 SECTION 25. 111.32 (12L) of the statutes is created to read:
 8 111.32 (12L) "Race" includes traits historically associated with race, including
 9 hair texture and protective hairstyles.

10 SECTION 26. 111.70 (1) (mg) of the statutes is created to read:
 11 111.70 (1) (mg) "Protective hairstyles" includes hairstyles such as braids, locks,
 12 and twists.

13 SECTION 27. 111.70 (1) (mr) of the statutes is created to read:
 14 111.70 (1) (mr) "Race" includes traits historically associated with race,
 15 including hair texture and protective hairstyles.

16 SECTION 28. 111.81 (15p) of the statutes is created to read:
 17 111.81 (15p) "Protective hairstyles" includes hairstyles such as braids, locks,
 18 and twists.

19 SECTION 29. 111.81 (15u) of the statutes is created to read:
 20 111.81 (15u) "Race" includes traits historically associated with race, including
 21 hair texture and protective hairstyles.

22 SECTION 30. 118.13 (1) of the statutes is renumbered 118.13 (1) (intro.) and
 23 amended to read: (b)

24 118.13 (1) (intro.) Except as provided in s. 120.13 (37m), no person may be
 25 denied admission to any public school or be denied participation in, be denied the

INSERT
5-3

date in (N/A) (b)

✶

1 benefits of or be discriminated against in any curricular, extracurricular, pupil
 2 services, recreational or other program or activity because of the person's sex, race,
 3 religion, national origin, ancestry, creed, pregnancy, marital or parental status,
 4 sexual orientation or physical, mental, emotional or learning disability. In this
 5 subsection:

6 **SECTION 31.** 118.13 (1) (a) ^(intro) of the statutes is created to read:

7 118.13 (1) (a) ^{(intro) AS USED IN THIS SUBSECTION} "Protective hairstyles" includes hairstyles such as braids, locks,
 8 and twists.

9 **SECTION 32.** 118.13 (1) (b) of the statutes is created to read:

10 118.13 (1) (b) "Race" includes traits historically associated with race, including
 11 hair texture and protective hairstyles.

12 **SECTION 33.** 118.20 (1) of the statutes is renumbered 118.20 (1) ^(b) ~~(intro.)~~ and
 13 amended to read:

14 118.20 (1) (intro.) No discrimination because of sex, except where sex is a bona
 15 fide occupational qualification as defined in s. 111.36 (2), race, nationality or political
 16 or religious affiliation may be practiced in the employment of teachers or
 17 administrative personnel in public schools or in their assignment or reassignment.
 18 No questions of any nature or form relative to sex, except where sex is a bona fide
 19 occupational qualification as defined in s. 111.36 (2), race, nationality or political or
 20 religious affiliation may be asked applicants for teaching or administrative positions
 21 in the public schools either by public school officials or employees or by teachers
 22 agencies or placement bureaus. In this subsection:

23 **SECTION 34.** 118.20 (1) (a) ^(intro) of the statutes is created to read:

24 118.20 (1) (a) ^{(intro) AS USED IN THIS SUBSECTION} "Protective hairstyles" includes hairstyles such as braids, locks,
 25 and twists.

Same
comment

X

1 ~~SECTION 35. 118.20 (1) (b) of the statutes is created to read:~~

2 ~~118.20 (1) (b) "Race" includes traits historically associated with race, including~~
3 hair texture and protective hairstyles.

4 SECTION 36. 118.40 (4) (ae) of the statutes is created to read:

5 118.40 (4) (ae) *Definitions*. In this subsection:

6 1. "Protective hairstyles" includes hairstyles such as braids, locks, and twists.

7 2. "Race" includes traits historically associated with race, including hair
8 texture and protective hairstyles.

9 SECTION 37. 194.01 (11m) of the statutes is created to read:

10 194.01 (11m) "Protective hairstyles" includes hairstyles such as braids, locks,
11 and twists.

12 SECTION 38. 194.01 (12m) of the statutes is created to read:

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

15 SECTION 39. 224.71 (12g) of the statutes is created to read:

16 224.71 (12g) "Protective hairstyles" includes hairstyles such as braids, locks,
17 and twists.

18 SECTION 40. 224.71 (12r) of the statutes is created to read:

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

21 SECTION 41. 227.01 (10g) of the statutes is created to read:

22 227.01 (10g) "Protective hairstyles" includes hairstyles such as braids, locks,
23 and twists.

24 SECTION 42. 227.01 (10r) of the statutes is created to read:

1 227.01 (10r) "Race" includes traits historically associated with race, including
2 hair texture and protective hairstyles.

3 SECTION 43. 230.18 of the statutes is renumbered 230.18 (2).

4 SECTION 44. 230.18 (1) of the statutes is created to read:

5 230.18 (1) In this section:

6 (a) "Protective hairstyles" includes hairstyles such as braids, locks, and twists.

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

9 SECTION 45. 234.01 (11) of the statutes is created to read:

10 234.01 (11) "Protective hairstyles" includes hairstyles such as braids, locks,
11 and twists.

12 SECTION 46. 234.01 (12) of the statutes is created to read:

13 234.01 (12) "Race" includes traits historically associated with race, including
14 hair texture and protective hairstyles.

15 SECTION 47. 321.01 (10g) of the statutes is created to read:

16 321.01 (10g) "Protective hairstyles" includes hairstyles such as braids, locks,
17 and twists.

18 SECTION 48. 321.01 (10r) of the statutes is created to read:

19 321.01 (10r) "Race" includes traits historically associated with race, including
20 hair texture and protective hairstyles.

21 SECTION 49. 440.01 (1) (dc) of the statutes is created to read:

22 440.01 (1) (dc) "Protective hairstyles" includes hairstyles such as braids, locks,
23 and twists. 40(5g)

24 SECTION 50. 440.01 (1) (de) of the statutes is created to read:

Handwritten annotations:
- A box around "440.01 (1) (dc)" with "440(40(5g))" written above it.
- A box around "440.01 (1) (de)" with "440.40(5r)" written above it.
- A large handwritten "X" at the bottom of the page.

440.40(5r)

1

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

2

3

SECTION 51. 600.03 (40g) of the statutes is created to read:

4

600.03 (40g) "Protective hairstyles" includes hairstyles such as braids, locks,

5

and twists.

6

SECTION 52. 600.03 (40r) of the statutes is created to read:

7

600.03 (40r) "Race" includes traits historically associated with race, including

8

hair texture and protective hairstyles.

9

SECTION 53. 756.001 (1) of the statutes is renumbered 756.001 (1m).

10

SECTION 54. 756.001 (1d) of the statutes is created to read:

11

756.001 (1d) In this section:

12

(a) "Protective hairstyles" includes hairstyles such as braids, locks, and twists.

13

(b) "Race" includes traits historically associated with race, including hair

14

texture and protective hairstyles.

15

(END)

1 **INSERT 5-3**

2
3 **SECTION 1.** 106.50 (1m) (pg) ✓ of the statutes is created to read:

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

6 **SECTION 2.** 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 3.** 106.52 (1) (dg) ✓ of the statutes is created to read:

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

12 **SECTION 4.** 106.52 (1) (dr) ^{er} of the statutes is created to read:

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

15 **SECTION 5.** 106.58 of the statutes is renumbered 106.58 (2). ✓

16 **SECTION 6.** 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, locks, and twists.

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

21

Parisi, Lori

From: Parisi, Lori
Sent: Wednesday, July 24, 2019 12:31 PM
To: McGreevy, Mary Alice
Subject: LRB 19-3630

Hi Mary Alice,

I just got a call from Kenya from Rep. Myers office to have LRB 19-3630 to be converted to /1 and jacketed. I have the file on my desk and will print out the e-mail for the file.

Could you please convert electronically to /1 and let me know when that is completed so that I may jacket it?

Thanks much!

Lori Parisi

Senior Program Assistant

State of WI Legislative Reference Bureau

(608)266-3561

*The foolish man seeks happiness in the distance;
the wise grows it under his feet.*

- J. Robert Oppenheimer



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-3630/P1
MIM:amn&wlj

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

NO
changes

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



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-3630/D 2
MIM:amn&wlj

2019 BILL

INSERT

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.

INSERT ANALYSIS

Analysis by the Legislative Reference Bureau

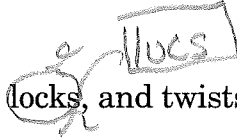
The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

BILL

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, locks, 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, locks, 
9 and twists.

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

11 16.70 (10t) "Race" includes traits historically associated with race, including
12 hair texture and protective hairstyles.


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

14 36.05 (10g) "Protective hairstyles" includes hairstyles such as braids, locks, 
15 and twists.

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

17 36.05 (10r) "Race" includes traits historically associated with race, including
18 hair texture and protective hairstyles.

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

20 38.01 (6g) "Protective hairstyles" includes hairstyles such as braids, locks, and 
21 twists.

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

23 38.01 (6r) "Race" includes traits historically associated with race, including
24 hair texture and protective hairstyles.

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

BILL

locks

1 47.01 (4) "Protective hairstyles" includes hairstyles such as braids, locks, and
2 twists.

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

4 47.01 (4m) "Race" includes traits historically associated with race, including
5 hair texture and protective hairstyles.

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

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

8 48.82 (1d) In this section:

locks

9 (a) "Protective hairstyles" includes hairstyles such as braids, locks, and twists.

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

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

13 51.01 (13g) "Protective hairstyles" includes hairstyles such as braids, locks,
14 and twists.

locks

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

16 51.01 (13r) "Race" includes traits historically associated with race, including
17 hair texture and protective hairstyles.

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

19 66.1011 (1m) (f) "Protective hairstyles" includes hairstyles such as braids,
20 locks, and twists.

locks

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

22 66.1011 (1m) (g) "Race" includes traits historically associated with race,
23 including hair texture and protective hairstyles.

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

BILL

1 66.1201 (3) (mg) "Protective hairstyles" includes hairstyles such as braids,
2 locks, and twists.

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

4 66.1201 (3) (mr) "Race" includes traits historically associated with race,
5 including hair texture and protective hairstyles.

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

7 66.1301 (3) (pg) "Protective hairstyles" includes hairstyles such as braids,
8 locks, and twists.

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

10 66.1301 (3) (pr) "Race" includes traits historically associated with race,
11 including hair texture and protective hairstyles.

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

13 106.50 (1m) (pg) "Protective hairstyles" includes hairstyles such as braids,
14 locks, and twists.

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

16 106.50 (1m) (pr) "Race" includes traits historically associated with race,
17 including hair texture and protective hairstyles.

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

19 106.52 (1) (dg) "Protective hairstyles" includes hairstyles such as braids, locks, and twists.

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

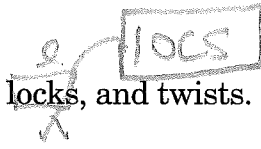
22 106.52 (1) (er) "Race" includes traits historically associated with race,
23 including hair texture and protective hairstyles.

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

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


BILL

1 106.58 (1) In this section:

2 (a) "Protective hairstyles" includes hairstyles such as braids, locks, and twists. 

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


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

6 111.32 (12k) "Protective hairstyles" includes hairstyles such as braids, locks, 
7 and twists.

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

9 111.32 (12L) "Race" includes traits historically associated with race, including
10 hair texture and protective hairstyles.

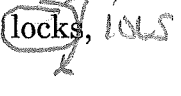
11 **SECTION 29.** 111.70 (1) (mg) of the statutes is created to read:

12 111.70 (1) (mg) "Protective hairstyles" includes hairstyles such as braids, locks, 
13 and twists.

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

15 111.70 (1) (mr) "Race" includes traits historically associated with race,
16 including hair texture and protective hairstyles.

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

18 111.81 (15p) "Protective hairstyles" includes hairstyles such as braids, locks, 
19 and twists.

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

21 111.81 (15u) "Race" includes traits historically associated with race, including
22 hair texture and protective hairstyles.

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

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

25 118.13 (1) (a) In this subsection:

SECTION 34

BILL

locks 10CS

1. "Protective hairstyles" includes hairstyles such as braids, locks, and twists.

2. "Race" includes traits historically associated with race, including hair

texture and protective hairstyles.

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

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

118.20 (1) (a) In this subsection:

locks 10CS

1. "Protective hairstyles" includes hairstyles such as braids, locks, and twists.

2. "Race" includes traits historically associated with race, including hair

texture and protective hairstyles.

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

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

locks 10CS

1. "Protective hairstyles" includes hairstyles such as braids, locks, and twists.

2. "Race" includes traits historically associated with race, including hair

texture and protective hairstyles.

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

194.01 (11m) "Protective hairstyles" includes hairstyles such as braids, locks,

locks 10CS

and twists.

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

194.01 (12m) "Race" includes traits historically associated with race, including

hair texture and protective hairstyles.

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

224.71 (12g) "Protective hairstyles" includes hairstyles such as braids, locks,

locks 10CS

and twists.

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

BILL

1 224.71 (12r) "Race" includes traits historically associated with race, including
2 hair texture and protective hairstyles.

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

4 227.01 (10g) "Protective hairstyles" includes hairstyles such as braids, ²locks, ¹locks
5 and twists.

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

7 227.01 (10r) "Race" includes traits historically associated with race, including
8 hair texture and protective hairstyles.

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

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

11 230.18 (1) In this section:

12 (a) "Protective hairstyles" includes hairstyles such as braids, ²locks, ¹locks
13 and twists.

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

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

17 234.01 (11) "Protective hairstyles" includes hairstyles such as braids, ²locks, ¹locks
18 and twists.

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

20 234.01 (12) "Race" includes traits historically associated with race, including
21 hair texture and protective hairstyles.

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

23 321.01 (10g) "Protective hairstyles" includes hairstyles such as braids, ²locks, ¹locks
24 and twists.

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

all ok

1 INSERT ANALYSIS

based on

This bill makes changes to various areas of the law to prohibit discrimination on the basis of a person's hairstyle, including protective hairstyles, 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.

based on

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 on the basis of 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.

University of Wisconsin

STET

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 on the basis of race 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 based on race. The basis of based on

based on

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 on the basis of 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 based on hairstyle.

STET SP

the basis of

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

Barman, Mike

From: LRB.Legal
To: Rep.Myers
Subject: Draft review: LRB -3630/2
Attachments: 19-3630/2

**State of Wisconsin - Legislative Reference Bureau
One East Main Street - Suite 200 - Madison**

The attached draft was prepared at your request. Please review it carefully to ensure that it satisfies your intent. If you have any questions concerning the draft or would like to have it redrafted, please contact Mary Alice McGreevy, Legislative Attorney, at (608) 504-5866, at MaryAlice.McGreevy@legis.wisconsin.gov, or at One East Main Street, Suite 200.

We will re-jacket this draft for introduction in the Assembly.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will submit a request to DOA when the draft is introduced. You may obtain a fiscal estimate on the draft prior to introduction by contacting our program assistants at LRB.Legal@legis.wisconsin.gov or at (608) 266-3561. If you requested a fiscal estimate on an earlier version of this draft and would like to obtain a fiscal estimate on the current version before it is introduced, you will need to request a revised fiscal estimate from our program assistants.

Please call our program assistants at (608) 266-3561 if you have any questions regarding this email.



State of Wisconsin
2019 - 2020 LEGISLATURE

CORRECTED
COPY

LRB-3630/2

MIM:amn&wlj

After
changes
10-15-19

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.

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



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-3630/2
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2019 ASSEMBLY BILL 440

10-15-19

Before
corrected copy

September 13, 2019 - Introduced by Representatives L. MYERS, 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, WIRCH, LARSON and JOHNSON. 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.

10-15-19
chief clerk's
corrected copy

REVISION REPORT

INTRODUCTION, FIRST READING AND REFERENCE OF PROPOSALS

Under Assembly Rule 17d,
Tuesday, October 15, 2019 at 2:09 PM
is considered the official date and time of introduction for the proposals listed in this document.

ASSEMBLY BILL 440 (LRB -3630)

Relating to: prohibiting discrimination based on hairstyle.

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**.