



State of Wisconsin
2025 - 2026 LEGISLATURE

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2025 SENATE BILL 223

April 25, 2025 - Introduced by Senators SPREITZER, RATCLIFF, CARPENTER, DASSLER-ALFHEIM, ROYS, DRAKE, HESSELBEIN, KEYESKI, LARSON and SMITH, cosponsored by Representatives PHELPS, NEUBAUER, ARNEY, CLANCY, CRUZ, RIVERA-WAGNER, SNODGRASS, STROUD, UDELL, ANDERSON, BARE, BILLINGS, BROWN, DESMIDT, EMERSON, FITZGERALD, HONG, JOERS, JOHNSON, KIRSCH, MADISON, MAYADEV, MIRESSE, MOORE OMOKUNDE, ORTIZ-VELEZ, PALMERI, SINICKI, SUBECK, TENORIO and HAYWOOD. Referred to Committee on Government Operations, Labor and Economic Development.

1 **AN ACT** *to amend* 15.04 (1) (g), 16.765 (1), 16.765 (2), 36.09 (1) (e), 36.11 (3) (a),
2 36.12 (1), 36.29 (1), 38.04 (13) (b), 38.23 (1), 38.23 (4), 47.02 (3m) (f), 48.82 (1)
3 (a), 48.82 (6), 51.90, 66.0125 (3) (a), 66.0125 (3) (c) 1. b., 66.0125 (9), 66.1011
4 (1), 66.1201 (2m), 66.1213 (3), 66.1301 (2m), 66.1331 (2m), 66.1333 (3) (e) 2.,
5 86.195 (5) (c), 106.50 (1), 106.50 (1m) (h), 106.50 (1m) (nm), 106.50 (5m) (f) 1.,
6 106.52 (3) (a) 1., 106.52 (3) (a) 2., 106.52 (3) (a) 3., 106.52 (3) (a) 4., 106.52 (3)
7 (a) 5., 106.52 (3) (b), 106.52 (3) (c), 106.52 (3) (d), 106.52 (3) (e), 106.58, 111.31
8 (1), 111.31 (2), 111.31 (3), 111.321, 111.36 (title), 111.36 (1) (br), 111.36 (1) (c),
9 111.36 (1) (d) 1., 111.36 (1) (d) 2., 111.36 (2), 111.70 (2), 111.81 (12) (b), 111.85
10 (2) (b), 118.019 (2d), 118.13 (1), 118.20 (1), 118.40 (4) (b) 2., 194.025, 224.77 (1)
11 (o), 227.10 (3) (a), 230.01 (2) (b), 230.18, 234.29, 321.37, 440.45 (1), 440.45 (2),
12 452.14 (3) (n), 625.12 (2), 632.35 and 756.001 (3); **to create** 106.50 (1m) (kf),
13 106.50 (1m) (kg), 106.52 (1) (cp), 106.52 (1) (cr), 111.32 (7h), 111.32 (7j), 118.13

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1 (1m) and 628.34 (3) (c) of the statutes; **relating to:** discrimination in
2 employment, housing, public accommodations, education, insurance coverage,
3 national guard, jury duty, and adoption and in the receipt of mental health or
4 vocational rehabilitation services.

Analysis by the Legislative Reference Bureau

This bill prohibits discrimination on the basis of an individual's gender identity or gender expression. The bill defines "gender identity" as an individual's internal, deeply held knowledge or sense of their own gender, regardless of the individual's sex assigned at birth or gender identifiers on official governmental documents, and "gender expression" as an individual's gender-related appearance or behavior, or the perception of that appearance or behavior, regardless of whether it is stereotypically associated with the individual's sex assigned at birth. The bill also make changes to various discrimination laws, including all of the following:

1. Current law prohibits discrimination in employment, housing, and the equal enjoyment of a public place of accommodation or amusement on the basis of a person's sex or sexual orientation. Current law also requires certain state agencies, authorities, and corporations to include provisions in contracts they execute obliging the contractor to similarly not discriminate against any employee or applicant for employment. The bill adds gender identity and gender expression as prohibited bases for discrimination in these areas.

2. Current law prohibits the University of Wisconsin System, the Technical College System, public elementary and secondary schools, and charter schools from discriminating against a student on the basis of the student's sex or sexual orientation. The bill prohibits the same educational institutions from discriminating against a student on the basis of the student's gender identity or gender expression and from discriminating against a student based on the protected status of the student's parent. The bill also prohibits the UW System Board of Regents from investing gifts, grants, and bequests in companies that practice discrimination based on sexual orientation, gender identity, or gender expression.

3. Current law prohibits the exclusion of an individual from jury duty on the basis of the individual's sex or sexual orientation. The bill adds gender identity and gender expression as a prohibited bases for exclusion of an individual from jury duty.

4. Current law allows only either a single adult or a husband and wife jointly to adopt a child. The bill allows only either a single individual or two individuals married to each other jointly to adopt a child and also provides that no otherwise qualified person may be denied the benefits of the adoption and guardianship

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statute subchapter because of the person's sex, sexual orientation, gender identity, or gender expression.

5. Current law requires heads of executive departments and agencies to determine whether there is arbitrary discrimination on the basis of sex or sexual orientation and to take remedial action if such discrimination is found. The bill requires these heads to also determine if there is discrimination on the basis of gender identity or gender expression and to take remedial action regarding such discrimination.

6. Current law prohibits discriminating against an employee, prospective employee, patient, or resident of an approved treatment facility providing treatment of alcoholic, drug dependent, mentally ill, or developmentally disabled persons on the basis of sex. The bill adds sexual orientation, gender identity, and gender expression as prohibited bases of discrimination.

7. Current law prohibits agency rules from discriminating against a person by reason of sex or sexual orientation. The bill adds gender identity and gender expression as prohibited bases of discrimination.

8. Current law prohibits discrimination on the basis of sex in the provision of vocational rehabilitation or mental health services. The bill adds sexual orientation, gender identity, and gender expression as prohibited bases of discrimination.

9. Current law prohibits the national guard or state defense force from denying membership based on sex or sexual orientation. The bill adds gender identity and gender expression as prohibited bases of discrimination. The bill also provides that no member of the national guard or state defense force may be denied equal access to facilities most consistent with the person's gender identity.

10. Current law provides that sex is a bona fide occupational qualification if all of the members of one sex are physically incapable of performing the essential duties required by a job or if the essence of the employer's business operation would be undermined if employees were not hired exclusively from one sex. The bill adds to the sex as a bona fide occupational qualification law that an individual may not be treated or regarded inconsistent with the individual's gender identity or discriminated against based on the individual's gender identity or gender expression.

11. Current law allows public places of accommodation or amusement to provide separate facilities to persons of different sexes. The bill provides that public places of accommodation or amusement may provide separate facilities to persons of different sexes but prohibits those places from denying individuals equal access to the facilities most consistent with the individual's gender identity.

12. The bill prohibits an insurer from discriminating against an individual on the basis of age, residence, race, color, creed, religion, national origin, ancestry, marital status, occupation, gender identity, gender expression, sex, or sexual orientation, and also prohibits motor carriers, automobile insurers, transportation network companies, and real estate brokers and salespersons from discriminating

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against an individual on the basis of sexual orientation, gender identity, or gender expression.

13. The bill expressly prohibits a school board from discriminating against a student-led organization because the organization's mission is related to sexual orientation, gender identity, or gender expression.

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 amended to read:

2 15.04 (1) (g) *Discrimination review.* In order to determine whether there is
3 any arbitrary discrimination on the basis of race, religion, national origin, sex,
4 marital status ~~or~~, gender identity, as defined in s. 111.32 (7j), gender expression, as
5 defined in s. 111.32 (7h), or sexual orientation, as defined in s. 111.32 (13m),
6 examine and assess the statutes under which the head has powers or regulatory
7 responsibilities, the procedures by which those statutes are administered, and the
8 rules promulgated under those statutes. If the department or agency head finds
9 any such discrimination, ~~he or she~~ the agency head shall take remedial action,
10 including making recommendations to the appropriate executive, legislative, or
11 administrative authority.

12 **SECTION 2.** 16.765 (1) of the statutes is amended to read:

13 16.765 (1) Contracting agencies, the University of Wisconsin Hospitals and
14 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
15 Aerospace Authority, the Lower Fox River Remediation Authority, the Wisconsin
16 Economic Development Corporation, and the Bradley Center Sports and
17 Entertainment Corporation shall include in all contracts executed by them a

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1 provision obligating the contractor not to discriminate against any employee or
2 applicant for employment because of age, race, religion, color, ~~handicap~~ disability,
3 sex, physical condition, developmental disability, as defined in s. 51.01 (5), sexual
4 orientation, as defined in s. 111.32 (13m), gender identity, as defined in s. 111.32
5 (7j), gender expression, as defined in s. 111.32 (7h), or national origin and, except
6 with respect to sexual orientation, gender identity, or gender expression, obligating
7 the contractor to take affirmative action to ensure equal employment opportunities.

8 **SECTION 3.** 16.765 (2) of the statutes is amended to read:

9 16.765 (2) Contracting agencies, the University of Wisconsin Hospitals and
10 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
11 Aerospace Authority, the Lower Fox River Remediation Authority, the Wisconsin
12 Economic Development Corporation, and the Bradley Center Sports and
13 Entertainment Corporation shall include the following provision in every contract
14 executed by them: "In connection with the performance of work under this
15 contract, the contractor agrees not to discriminate against any employee or
16 applicant for employment because of age, race, religion, color, ~~handicap~~ disability,
17 sex, physical condition, developmental disability, as defined in s. 51.01 (5), sexual
18 orientation, as defined in s. 111.32 (13m), gender identity, as defined in s. 111.32
19 (7j), gender expression, as defined in s. 111.32 (7h), or national origin. This
20 provision shall include, ~~but not be limited to, the following:~~ employment, upgrading,
21 demotion or transfer; recruitment or recruitment advertising; layoff or termination;
22 rates of pay or other forms of compensation; and selection for training, including
23 apprenticeship. Except with respect to sexual orientation, gender identity, or

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1 gender expression, the contractor further agrees to take affirmative action to
2 ensure equal employment opportunities. The contractor agrees to post in
3 conspicuous places, available for employees and applicants for employment, notices
4 to be provided by the contracting officer setting forth the provisions of the
5 nondiscrimination ~~clause~~” clause.”

6 **SECTION 4.** 36.09 (1) (e) of the statutes is amended to read:

7 36.09 (1) (e) Subject to par. (em), the board shall appoint a president of the
8 system; a chancellor for each institution; a dean for each college campus; the state
9 geologist; the director of the laboratory of hygiene; the director of the psychiatric
10 institute; the state cartographer; and the requisite number of officers, other than
11 the vice presidents, associate vice presidents, and assistant vice presidents of the
12 system; faculty; academic staff; and other employees and fix the salaries, subject to
13 the limitations under par. (j) and s. 230.12 (3) (e), the duties and the term of office
14 for each. The board shall fix the salaries, subject to the limitations under par. (j)
15 and s. 230.12 (3) (e), and the duties for each chancellor, vice president, associate
16 vice president, and assistant vice president of the system. No sectarian or partisan
17 tests or any tests based upon race, religion, national origin, ~~or sex~~, gender identity,
18 as defined in s. 111.32 (7j), gender expression, as defined in s. 111.32 (7h), or sexual
19 orientation, as defined in s. 111.32 (13m), shall ever be allowed or exercised in the
20 appointment of the employees of the system.

21 **SECTION 5.** 36.11 (3) (a) of the statutes is amended to read:

22 36.11 (3) (a) Subject to sub. (3m), the board shall establish the policies for
23 admission within the system and within these policies each institution shall

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1 establish specific requirements for admission to its courses of instruction. No
2 sectarian or partisan ~~tests~~ test or any ~~tests~~ test based upon race, color, creed,
3 religion, sex, national origin of U.S. citizens or sex, disability, ancestry, age, sexual
4 orientation, as defined in s. 111.32 (13m), gender identity, as defined in s. 111.32
5 (7j), gender expression, as defined in s. 111.32 (7h), pregnancy, marital status, or
6 parental status shall ever be allowed in the admission of ~~students thereto~~ a student
7 to any service, course, program, or facility of the system or any of its institutions.

8 **SECTION 6.** 36.12 (1) of the statutes is amended to read:

9 36.12 (1) No student may be denied admission to, participation in, or the
10 benefits of, or be discriminated against in, any service, program, course, or facility
11 of the system or its institutions because of the ~~student's~~ race, color, creed, religion,
12 sex, national origin, disability, ancestry, age, sexual orientation, as defined in s.
13 111.32 (13m), gender identity, as defined in s. 111.32 (7j), gender expression, as
14 defined in s. 111.32 (7h), pregnancy, marital status, or parental status of the
15 student or of the student's parent.

16 **SECTION 7.** 36.29 (1) of the statutes is amended to read:

17 36.29 (1) All gifts, grants, and bequests for the benefit or advantage of the
18 system or any of its institutions, departments, or facilities or to provide any means
19 of instruction, illustration, or knowledge in connection therewith, whether made to
20 trustees or otherwise, shall be valid notwithstanding any other provision of this
21 chapter except as otherwise provided in this subsection and shall be executed and
22 enforced according to the provisions of the instrument making the same, including
23 all provisions and directions in any such instrument for accumulation of the income

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1 of any fund or rents and profits of any real estate without being subject to the
2 limitations and restrictions provided by law in other cases; but no such income
3 accumulation shall be allowed to produce a fund more than 20 times as great as
4 that originally given. No investment of the funds of such gifts, grants, or bequests
5 shall knowingly be made in any company, corporation, subsidiary, or affiliate that
6 practices or condones through its actions discrimination on the basis of race,
7 religion, color, creed, ~~or sex,~~ gender identity, as defined in s. 111.32 (7j), gender
8 expression, as defined in s. 111.32 (7h), or sexual orientation, as defined in s. 111.32
9 (13m). Except as otherwise provided in this section, the board may invest not to
10 exceed 85 percent of trust funds held and administered by the board in common
11 stocks. This subsection does not apply to a gift, grant, or bequest that the board
12 declines to accept or that the board is not authorized to accept under this section.

13 **SECTION 8.** 38.04 (13) (b) of the statutes is amended to read:

14 38.04 **(13)** (b) No person may, on the ground of sex, gender identity, as defined
15 in s. 111.32 (7j), gender expression, as defined in s. 111.32 (7h), sexual orientation,
16 as defined in s. 111.32 (13m), age, race, color, religion, or national origin, be
17 excluded from participating in, be denied the benefits of, or be subjected to
18 discrimination under any program or activity funded in whole or in part with funds
19 made available under this subsection.

20 **SECTION 9.** 38.23 (1) of the statutes is amended to read:

21 38.23 **(1)** No student may be denied admission to, participation in, or the
22 benefits of, or be discriminated against in, any service, program, course, or facility
23 of the board or any district because of the ~~student's~~ race, color, creed, religion, sex,

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1 national origin, disability, ancestry, age, sexual orientation, as defined in s. 111.32
2 (13m), gender identity, as defined in s. 111.32 (7j), gender expression, as defined in
3 s. 111.32 (7h), pregnancy, marital status, or parental status of the student or of the
4 student's parent.

5 **SECTION 10.** 38.23 (4) of the statutes is amended to read:

6 38.23 (4) Nothing in this section or s. 36.12 prevents institutions from
7 segregating students in dormitories based on sex, except that no student may be
8 denied equal access to the dormitory most consistent with the student's gender
9 identity, as defined in s. 111.32 (7j).

10 **SECTION 11.** 47.02 (3m) (f) of the statutes is amended to read:

11 47.02 (3m) (f) Assure that eligibility for vocational rehabilitation services
12 under this chapter is determined without regard to the sex, gender identity, as
13 defined in s. 111.32 (7j), gender expression, as defined in s. 111.32 (7h), sexual
14 orientation, as defined in s. 111.32 (13m), race, age, creed, color, or national origin
15 of the individual applying for services, that no class of individuals is found ineligible
16 solely on the basis of type of disability, and that no age limitations for eligibility
17 exist which that, by themselves, would result in ineligibility for vocational
18 rehabilitation services.

19 **SECTION 12.** 48.82 (1) (a) of the statutes is amended to read:

20 48.82 (1) (a) ~~A husband and wife~~ Two adults married to each other jointly, or
21 either the husband or wife spouse if the other spouse is a parent of the minor.

22 **SECTION 13.** 48.82 (6) of the statutes is amended to read:

23 48.82 (6) No otherwise qualified person may be denied the benefits of this

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1 subchapter because of ~~his or her~~ the person's race, color, ancestry ~~or~~, national
2 origin, sex, gender identity, as defined in s. 111.32 (7j), gender expression, as
3 defined in s. 111.32 (7h), or sexual orientation, as defined in s. 111.32 (13m).

4 **SECTION 14.** 51.90 of the statutes is amended to read:

5 **51.90 Antidiscrimination.** No employee, prospective employee, patient, or
6 resident of an approved treatment facility, or consumer of services provided under
7 this chapter, may be discriminated against because of age, race, creed, color, sex ~~or~~
8 handicap, disability, gender identity, as defined in s. 111.32 (7j), gender expression,
9 as defined in s. 111.32 (7h), or sexual orientation, as defined in s. 111.32 (13m).

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

11 66.0125 (3) (a) The purpose of the commission is to study, analyze, and
12 recommend solutions for the major social, economic, and cultural problems that
13 affect people residing or working within the local governmental unit, including
14 problems of the family, youth, education, the aging, juvenile delinquency, health
15 and zoning standards, discrimination in employment and public accommodations
16 and facilities on the basis of sex, class, race, religion, gender identity, as defined in
17 s. 111.32 (7j), gender expression, as defined in s. 111.32 (7h), sexual orientation, as
18 defined in s. 111.32 (13m), or ethnic or minority status and discrimination in
19 housing on the basis of sex, class, race, religion, sexual orientation, as defined in s.
20 111.32 (13m), gender identity, as defined in s. 111.32 (7j), gender expression, as
21 defined in s. 111.32 (7h), ethnic or minority status, or status as a victim of domestic
22 abuse, sexual assault, or stalking.

23 **SECTION 16.** 66.0125 (3) (c) 1. b. of the statutes is amended to read:

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1 66.0125 (3) (c) 1. b. To ensure to all residents of a local governmental unit,
2 regardless of sex, race, sexual orientation, as defined in s. 111.32 (13m), gender
3 identity, as defined in s. 111.32 (7j), gender expression, as defined in s. 111.32 (7h),
4 or color, the right to enjoy equal employment opportunities and to ensure to those
5 residents, regardless of sex, race, sexual orientation, as defined in s. 111.32 (13m),
6 gender identity, as defined in s. 111.32 (7j), gender expression, as defined in s.
7 111.32 (7h), color, or status as a victim of domestic abuse, sexual assault, or
8 stalking, the right to possess equal housing opportunities.

9 **SECTION 17.** 66.0125 (9) of the statutes is amended to read:

10 66.0125 (9) INTENT. It is the intent of this section to promote fair and friendly
11 relations among all the people in this state, and to that end race, creed, sexual
12 orientation, as defined in s. 111.32 (13m), gender identity, as defined in s. 111.32
13 (7j), gender expression, as defined in s. 111.32 (7h), or color ought not to be made
14 tests in the matter of the right of any person to earn a livelihood or to enjoy the
15 equal use of public accommodations and facilities and race, creed, sexual
16 orientation, as defined in s. 111.32 (13m), gender identity, as defined in s. 111.32
17 (7j), gender expression, as defined in s. 111.32 (7h), color, or status as a victim of
18 domestic abuse, sexual assault, or stalking ought not to be made tests in the matter
19 of the right of any person to sell, lease, occupy, or use real estate.

20 **SECTION 18.** 66.1011 (1) of the statutes is amended to read:

21 66.1011 (1) DECLARATION OF POLICY. The right of all persons to have equal
22 opportunities for housing regardless of their sex, race, color, disability, as defined in
23 s. 106.50 (1m) (g), sexual orientation, as defined in s. 111.32 (13m), gender identity,

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

12 **SECTION 19.** 66.1201 (2m) of the statutes is amended to read:

13 66.1201 **(2m)** DISCRIMINATION. Persons otherwise entitled to any right,
14 benefit, facility, or privilege under ss. 66.1201 to 66.1211 may not be denied the
15 right, benefit, facility, or privilege in any manner for any purpose nor be
16 discriminated against because of sex, race, color, creed, national origin, gender
17 identity, as defined in s. 111.32 (7j), gender expression, as defined in s. 111.32 (7h),
18 sexual orientation, as defined in s. 111.32 (13m), or status as a victim of domestic
19 abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), ~~or national~~
20 ~~origin.~~

21 **SECTION 20.** 66.1213 (3) of the statutes is amended to read:

22 66.1213 **(3)** DISCRIMINATION. Persons otherwise entitled to any right, benefit,
23 facility, or privilege under this section may not be denied the right, benefit, facility,

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1 or privilege in any manner for any purpose nor be discriminated against because of
2 sex, race, color, creed, national origin, gender identity, as defined in s. 111.32 (7j),
3 gender expression, as defined in s. 111.32 (7h), sexual orientation, as defined in s.
4 111.32 (13m), or status as a victim of domestic abuse, sexual assault, or stalking, as
5 defined in s. 106.50 (1m) (u), ~~or national origin.~~

6 **SECTION 21.** 66.1301 (2m) of the statutes is amended to read:

7 66.1301 **(2m)** DISCRIMINATION. Persons entitled to any right, benefit, facility,
8 or privilege under ss. 66.1301 to 66.1329 may not be denied the right, benefit,
9 facility, or privilege in any manner for any purpose nor be discriminated against
10 because of sex, race, color, creed, national origin, gender identity, as defined in s.
11 111.32 (7j), gender expression, as defined in s. 111.32 (7h), sexual orientation, as
12 defined in s. 111.32 (13m), or status as a victim of domestic abuse, sexual assault, or
13 stalking, as defined in s. 106.50 (1m) (u), ~~or national origin.~~

14 **SECTION 22.** 66.1331 (2m) of the statutes is amended to read:

15 66.1331 **(2m)** DISCRIMINATION. Persons otherwise entitled to any right,
16 benefit, facility, or privilege under this section may not be denied the right, benefit,
17 facility, or privilege in any manner for any purpose nor be discriminated against
18 because of sex, race, color, creed, national origin, gender identity, as defined in s.
19 111.32 (7j), gender expression, as defined in s. 111.32 (7h), sexual orientation, as
20 defined in s. 111.32 (13m), or status as a victim of domestic abuse, sexual assault, or
21 stalking, as defined in s. 106.50 (1m) (u), ~~or national origin.~~

22 **SECTION 23.** 66.1333 (3) (e) 2. of the statutes is amended to read:

23 66.1333 **(3)** (e) 2. Persons otherwise entitled to any right, benefit, facility, or

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1 privilege under this section may not be denied the right, benefit, facility, or
2 privilege in any manner for any purpose nor be discriminated against because of
3 sex, race, color, creed, national origin, gender identity, as defined in s. 111.32 (7j),
4 gender expression, as defined in s. 111.32 (7h), sexual orientation, as defined in s.
5 111.32 (13m), or status as a victim of domestic abuse, sexual assault, or stalking, as
6 defined in s. 106.50 (1m) (u), ~~or national origin.~~

7 **SECTION 24.** 86.195 (5) (c) of the statutes is amended to read:

8 86.195 (5) (c) *Conformity with discrimination laws.* Each business identified
9 as a motorist service on a specific information sign shall, as a condition of eligibility
10 for erection, installation, and maintenance of a sign under this section, give written
11 assurance to the department that the business conforms with all applicable laws
12 concerning the provisions of public accommodations without regard to race,
13 religion, color, sex, sexual orientation, as defined in s. 111.32 (13m), gender identity,
14 as defined in s. 111.32 (7j), gender expression, as defined in s. 111.32 (7h), or
15 national origin.

16 **SECTION 25.** 106.50 (1) of the statutes is amended to read:

17 106.50 (1) INTENT. It is the intent of this section to render unlawful
18 discrimination in housing. It is the declared policy of this state that all persons
19 shall have an equal opportunity for housing regardless of sex, race, color, sexual
20 orientation, gender identity, gender expression, disability, religion, national origin,
21 marital status, family status, status as a victim of domestic abuse, sexual assault,
22 or stalking, lawful source of income, age, or ancestry, and it is the duty of the
23 political subdivisions to assist in the orderly prevention or removal of all

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1 discrimination in housing through the powers granted under ss. 66.0125 and
2 66.1011. The legislature hereby extends the state law governing equal housing
3 opportunities to cover single-family residences that are owner-occupied. The
4 legislature finds that the sale and rental of single-family residences constitute a
5 significant portion of the housing business in this state and should be regulated.
6 This section shall be considered an exercise of the police powers of the state for the
7 protection of the welfare, health, peace, dignity, and human rights of the people of
8 this state.

9 **SECTION 26.** 106.50 (1m) (h) of the statutes is amended to read:

10 106.50 **(1m)** (h) “Discriminate” means to segregate, separate, exclude, or
11 treat a person or class of persons unequally in a manner described in sub. (2), (2m),
12 or (2r) because of sex, race, color, sexual orientation, gender identity, gender
13 expression, disability, religion, national origin, marital status, family status, status
14 as a victim of domestic abuse, sexual assault, or stalking, lawful source of income,
15 age, or ancestry.

16 **SECTION 27.** 106.50 (1m) (kf) of the statutes is created to read:

17 106.50 **(1m)** (kf) “Gender expression” has the meaning given in s. 111.32 (7h).

18 **SECTION 28.** 106.50 (1m) (kg) of the statutes is created to read:

19 106.50 **(1m)** (kg) “Gender identity” has the meaning given in s. 111.32 (7j).

20 **SECTION 29.** 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, gender identity, gender expression, religion, national

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1 origin, marital status, family status, status as a victim of domestic abuse, sexual
2 abuse, or stalking, lawful source of income, age, or ancestry.

3 **SECTION 30.** 106.50 (5m) (f) 1. of the statutes is amended to read:

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

10 **SECTION 31.** 106.52 (1) (cp) of the statutes is created to read:

11 106.52 (1) (cp) “Gender expression” has the meaning given in s. 111.32 (7h).

12 **SECTION 32.** 106.52 (1) (cr) of the statutes is created to read:

13 106.52 (1) (cr) “Gender identity” has the meaning given in s. 111.32 (7j).

14 **SECTION 33.** 106.52 (3) (a) 1. of the statutes is amended to read:

15 106.52 (3) (a) 1. Deny to another or charge another a higher price than the
16 regular rate for the full and equal enjoyment of any public place of accommodation
17 or amusement because of sex, race, color, creed, disability, sexual orientation,
18 gender identity, gender expression, national origin, or ancestry.

19 **SECTION 34.** 106.52 (3) (a) 2. of the statutes is amended to read:

20 106.52 (3) (a) 2. Give preferential treatment to some classes of persons in
21 providing services or facilities in any public place of accommodation or amusement
22 because of sex, race, color, creed, sexual orientation, gender identity, gender
23 expression, national origin, or ancestry.

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1 **SECTION 35.** 106.52 (3) (a) 3. of the statutes is amended to read:

2 106.52 (3) (a) 3. Directly or indirectly publish, circulate, display, or mail any
3 written communication ~~which~~ that the communicator knows is to the effect that any
4 of the facilities of any public place of accommodation or amusement will be denied
5 to any person ~~by reason of, or that the patronage of any person is unwelcome,~~
6 objectionable, or unacceptable, because of sex, race, color, creed, disability, sexual
7 orientation, gender identity, gender expression, national origin, or ancestry ~~or that~~
8 ~~the patronage of a person is unwelcome, objectionable or unacceptable for any of~~
9 ~~those reasons.~~

10 **SECTION 36.** 106.52 (3) (a) 4. of the statutes is amended to read:

11 106.52 (3) (a) 4. Refuse to furnish or charge another a higher rate for any
12 automobile insurance because of race, color, creed, disability, national origin ~~or,~~
13 ancestry, gender identity, gender expression, or sexual orientation.

14 **SECTION 37.** 106.52 (3) (a) 5. of the statutes is amended to read:

15 106.52 (3) (a) 5. Refuse to rent, charge a higher price than the regular rate, or
16 give preferential treatment, regarding the use of any private facilities commonly
17 rented to the public because of sex, race, color, creed, sexual orientation, gender
18 identity, gender expression, national origin, or ancestry, ~~regarding the use of any~~
19 ~~private facilities commonly rented to the public.~~

20 **SECTION 38.** 106.52 (3) (b) of the statutes is amended to read:

21 106.52 (3) (b) Nothing in this subsection prohibits separate dormitories at
22 higher educational institutions or separate public toilets, showers, saunas and

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1 dressing rooms for persons of different sexes, except that no person may be denied
2 equal access to the facilities most consistent with the person's gender identity.

3 **SECTION 39.** 106.52 (3) (c) of the statutes is amended to read:

4 106.52 (3) (c) Nothing in this subsection prohibits separate treatment of
5 persons based on sex with regard to public toilets, showers, saunas and dressing
6 rooms for persons of different sexes, except that no person may be denied equal
7 access to the facilities most consistent with the person's gender identity.

8 **SECTION 40.** 106.52 (3) (d) of the statutes is amended to read:

9 106.52 (3) (d) Nothing in this subsection prohibits a domestic abuse services
10 organization, as defined in s. 995.67 (1) (b), from providing separate shelter
11 facilities, private home shelter care, advocacy, counseling or other care, treatment
12 or services for persons of different sexes or from providing for separate treatment of
13 persons based on sex with regard to the provision of shelter facilities, private home
14 shelter care, advocacy, counseling or other care, treatment or services for persons of
15 different sexes, except that no person may be denied equal access to the facilities
16 most consistent with the person's gender identity.

17 **SECTION 41.** 106.52 (3) (e) of the statutes is amended to read:

18 106.52 (3) (e) Nothing in this section prohibits a fitness center whose services
19 or facilities are intended for the exclusive use of persons of the same sex from
20 providing the use of those services or facilities exclusively to persons of that sex,
21 from denying the use of those services or facilities to persons of the opposite sex, or
22 from directly or indirectly publishing, circulating, displaying, or mailing any
23 written communication to the effect that the use of those services or facilities will

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1 be provided exclusively to persons of the same sex and will be denied to persons of
2 the opposite sex, except that no person may be denied equal access to the facilities
3 most consistent with the person's gender identity.

4 **SECTION 42.** 106.58 of the statutes is amended to read:

5 **106.58 Discrimination in education prohibited.** No child may be
6 excluded from or discriminated against in admission to any public school or in
7 obtaining the advantages, privileges, and courses of study of ~~such a~~ a public school on
8 account of the sex, race, religion ~~or~~, national origin, ancestry, creed, pregnancy,
9 marital or parental status, sexual orientation, as defined in s. 111.32 (13m), gender
10 identity, as defined in s. 111.32 (7j), gender expression, as defined in s. 111.32 (7h),
11 or physical, mental, emotional, or learning disability of the child or of the child's
12 parent.

13 **SECTION 43.** 111.31 (1) of the statutes is amended to read:

14 111.31 (1) The legislature finds that the practice of unfair discrimination in
15 employment against properly qualified individuals by reason of their age, race,
16 creed, color, disability, marital status, sex, national origin, ancestry, sexual
17 orientation, gender identity, gender expression, arrest record, conviction record,
18 military service, use or nonuse of lawful products off the employer's premises
19 during nonworking hours, or declining to attend a meeting or to participate in any
20 communication about religious matters or political matters, substantially and
21 adversely affects the general welfare of the state. Employers, labor organizations,
22 employment agencies, and licensing agencies that deny employment opportunities
23 and discriminate in employment against properly qualified individuals solely

SENATE BILL 223**SECTION 43**

1 because of their age, race, creed, color, disability, marital status, sex, national
2 origin, ancestry, sexual orientation, gender identity, gender expression, arrest
3 record, conviction record, military service, use or nonuse of lawful products off the
4 employer's premises during nonworking hours, or declining to attend a meeting or
5 to participate in any communication about religious matters or political matters,
6 deprive those individuals of the earnings that are necessary to maintain a just and
7 decent standard of living.

8 **SECTION 44.** 111.31 (2) of the statutes is amended to read:

9 111.31 (2) It is the intent of the legislature to protect by law the rights of all
10 individuals to obtain gainful employment and to enjoy privileges free from
11 employment discrimination because of age, race, creed, color, disability, marital
12 status, sex, national origin, ancestry, sexual orientation, gender identity, gender
13 expression, arrest record, conviction record, military service, use or nonuse of
14 lawful products off the employer's premises during nonworking hours, or declining
15 to attend a meeting or to participate in any communication about religious matters
16 or political matters, and to encourage the full, nondiscriminatory utilization of the
17 productive resources of the state to the benefit of the state, the family, and all the
18 people of the state. It is the intent of the legislature in promulgating this
19 subchapter to encourage employers to evaluate an employee or applicant for
20 employment based upon the individual qualifications of the employee or applicant
21 rather than upon a particular class to which the individual may belong.

22 **SECTION 45.** 111.31 (3) of the statutes is amended to read:

23 111.31 (3) In the interpretation and application of this subchapter, and

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1 otherwise, it is declared to be the public policy of the state to encourage and foster to
2 the fullest extent practicable the employment of all properly qualified individuals
3 regardless of age, race, creed, color, disability, marital status, sex, national origin,
4 ancestry, sexual orientation, gender identity, gender expression, arrest record,
5 conviction record, military service, use or nonuse of lawful products off the
6 employer's premises during nonworking hours, or declining to attend a meeting or
7 to participate in any communication about religious matters or political matters.
8 Nothing in this subsection requires an affirmative action program to correct an
9 imbalance in the work force. This subchapter shall be liberally construed for the
10 accomplishment of this purpose.

11 **SECTION 46.** 111.32 (7h) of the statutes is created to read:

12 111.32 (7h) "Gender expression" means an individual's gender-related
13 appearance or behavior, or the perception of the individual's gender-related
14 appearance or behavior, whether or not the appearance or behavior is
15 stereotypically associated with the individual's sex assigned at birth.

16 **SECTION 47.** 111.32 (7j) of the statutes is created to read:

17 111.32 (7j) "Gender identity" means an individual's internal, deeply held
18 knowledge or sense of the individual's own gender, regardless of the individual's sex
19 assigned at birth or gender identifiers on official documents issued by a federal,
20 state, or local government agency.

21 **SECTION 48.** 111.321 of the statutes is amended to read:

22 **111.321 Prohibited bases of discrimination.** Subject to ss. 111.33 to
23 111.365, no employer, labor organization, employment agency, licensing agency, or
24 other person may engage in any act of employment discrimination as specified in s.

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1 111.322 against any individual on the basis of age, race, creed, color, disability,
2 marital status, sex, national origin, ancestry, sexual orientation, gender identity,
3 gender expression, arrest record, conviction record, military service, use or nonuse
4 of lawful products off the employer's premises during nonworking hours, or
5 declining to attend a meeting or to participate in any communication about
6 religious matters or political matters.

7 **SECTION 49.** 111.36 (title) of the statutes is amended to read:

8 **111.36 (title) Sex, sexual orientation, gender identity, and gender**
9 **expression; exceptions and special cases.**

10 **SECTION 50.** 111.36 (1) (br) of the statutes is amended to read:

11 111.36 (1) (br) Engaging in harassment that consists of unwelcome verbal or
12 physical conduct directed at another individual because of that individual's gender,
13 gender identity, or gender expression, other than the conduct described in par. (b),
14 and that has the purpose or effect of creating an intimidating, hostile or offensive
15 work environment or has the purpose or effect of substantially interfering with that
16 individual's work performance. Under this paragraph, substantial interference
17 with an employee's work performance or creation of an intimidating, hostile or
18 offensive work environment is established when the conduct is such that a
19 reasonable person under the same circumstances as the employee would consider
20 the conduct sufficiently severe or pervasive to interfere substantially with the
21 person's work performance or to create an intimidating, hostile or offensive work
22 environment.

23 **SECTION 51.** 111.36 (1) (c) of the statutes is amended to read:

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1 111.36 (1) (c) Discriminating against any ~~woman~~ individual on the basis of
2 pregnancy, childbirth, ~~maternity~~ parental leave, or related medical conditions by
3 engaging in any of the actions prohibited under s. 111.322, including, but not
4 limited to, actions concerning fringe benefit programs covering illnesses and
5 disability.

6 **SECTION 52.** 111.36 (1) (d) 1. of the statutes is amended to read:

7 111.36 (1) (d) 1. ~~For any employer, labor organization, licensing agency or~~
8 ~~employment agency or other person to refuse~~ Refusing to hire, employ, admit, or
9 license, ~~or to bar or terminate~~ any individual; barring or terminating from
10 employment, membership, or licensure any individual; ~~or to discriminate~~
11 discriminating against ~~an~~ any individual in promotion, in compensation, or in the
12 terms, conditions, or privileges of employment because of the individual's sexual
13 orientation; ~~or, gender identity, or gender expression.~~

14 **SECTION 53.** 111.36 (1) (d) 2. of the statutes is amended to read:

15 111.36 (1) (d) 2. ~~For any employer, labor organization, licensing agency or~~
16 ~~employment agency or other person to discharge~~ Discharging or otherwise
17 ~~discriminate~~ discriminating against any person because ~~he or she~~ the person has
18 opposed any discriminatory practices under this paragraph or because ~~he or she~~ the
19 person has made a complaint, testified, or assisted in any proceeding under this
20 paragraph.

21 **SECTION 54.** 111.36 (2) of the statutes is amended to read:

22 111.36 (2) For the purposes of this subchapter, sex is a bona fide occupational
23 qualification if all of the members of one sex are physically incapable of performing

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1 the essential duties required by a job, or if the essence of the employer's business
2 operation would be undermined if employees were not hired exclusively from one
3 sex, provided that an individual may not, for the purposes of this subsection, be
4 treated or regarded inconsistent with the individual's gender identity or
5 discriminated against based on the individual's gender identity or gender
6 expression.

7 **SECTION 55.** 111.70 (2) of the statutes is amended to read:

8 111.70 (2) RIGHTS OF MUNICIPAL EMPLOYEES. Municipal employees have the
9 right of self-organization, and the right to form, join, or assist labor organizations,
10 to bargain collectively through representatives of their own choosing, and to engage
11 in lawful, concerted activities for the purpose of collective bargaining or other
12 mutual aid or protection. Municipal employees have the right to refrain from any
13 and all such activities. A general municipal employee has the right to refrain from
14 paying dues while remaining a member of a collective bargaining unit. A public
15 safety employee or a transit employee, however, may be required to pay dues in the
16 manner provided in a fair-share agreement; a fair-share agreement covering a
17 public safety employee or a transit employee must contain a provision requiring the
18 municipal employer to deduct the amount of dues as certified by the labor
19 organization from the earnings of the employee affected by the fair-share agreement
20 and to pay the amount deducted to the labor organization. A fair-share agreement
21 covering a public safety employee or transit employee is subject to the right of the
22 municipal employer or a labor organization to petition the commission to conduct a
23 referendum. Such petition must be supported by proof that at least 30 percent of

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1 the employees in the collective bargaining unit desire that the fair-share agreement
2 be terminated. Upon so finding, the commission shall conduct a referendum. If the
3 continuation of the agreement is not supported by at least the majority of the
4 eligible employees, it shall terminate. The commission shall declare any fair-share
5 agreement suspended upon such conditions and for such time as the commission
6 decides whenever it finds that the labor organization involved has refused on the
7 basis of race, color, sexual orientation, as defined in s. 111.32 (13m), gender
8 identity, as defined in s. 111.32 (7j), gender expression, as defined in s. 111.32 (7h),
9 creed, or sex to receive as a member any public safety employee or transit employee
10 of the municipal employer in the bargaining unit involved, and such agreement is
11 subject to this duty of the commission. Any of the parties to such agreement or any
12 public safety employee or transit employee covered by the agreement may come
13 before the commission, as provided in s. 111.07, and ask the performance of this
14 duty.

15 **SECTION 56.** 111.81 (12) (b) of the statutes is amended to read:

16 111.81 (12) (b) Which discriminates with regard to the terms or conditions of
17 membership because of race, color, creed, sex, age, sexual orientation, as defined in
18 s. 111.32 (13m), gender identity, as defined in s. 111.32 (7j), gender expression, as
19 defined in s. 111.32 (7h), or national origin.

20 **SECTION 57.** 111.85 (2) (b) of the statutes is amended to read:

21 111.85 (2) (b) The commission shall declare any fair-share or maintenance of
22 membership agreement suspended upon such conditions and for such time as the
23 commission decides whenever it finds that the labor organization involved has

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1 refused on the basis of race, color, sex, sexual orientation, as defined in s. 111.32
2 (13m), gender identity, as defined in s. 111.32 (7j), gender expression, as defined in
3 s. 111.32 (7h), or creed to receive as a member any public safety employee in the
4 collective bargaining unit involved, and the agreement shall be made subject to the
5 findings and orders of the commission. Any of the parties to the agreement, or any
6 public safety employee covered thereby, may come before the commission, as
7 provided in s. 111.07, and petition the commission to make such a finding.

8 **SECTION 58.** 118.019 (2d) of the statutes is amended to read:

9 118.019 **(2d)** NONDISCRIMINATION. An instructional program under this
10 section shall use instructional methods and materials that, consistent with s.
11 118.13 (1), do not discriminate against a pupil based upon the pupil's race, gender,
12 gender identity, as defined in s. 111.32 (7j), gender expression, as defined in s.
13 111.32 (7h), religion, sexual orientation, as defined in s. 111.32 (13m), or ethnic or
14 cultural background or against sexually active pupils or children with disabilities.
15 Nothing in this subsection shall be construed to prohibit a school board from
16 approving an instructional program under this section that includes instruction on
17 abstinence from sexual activity or that is abstinence-centered.

18 **SECTION 59.** 118.13 (1) of the statutes is amended to read:

19 118.13 **(1)** Except as provided in s. 120.13 (37m), no person may be denied
20 admission to any public school or be denied participation in, be denied the benefits
21 of, or be discriminated against in any curricular, extracurricular, pupil services,
22 recreational, or other program or activity because of the ~~person's~~ sex, race, religion,
23 national origin, ancestry, creed, pregnancy, marital or parental status, sexual

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1 ~~orientation or~~, as defined in s. 111.32 (13m), gender identity, as defined in s. 111.32
2 (7j), gender expression, as defined in s. 111.32 (7h), or physical, mental, emotional,
3 or learning disability of the person or of the person's parent.

4 **SECTION 60.** 118.13 (1m) of the statutes is created to read:

5 118.13 (1m) A school board may not discriminate against a pupil-led
6 organization because the organization's mission is related to sexual orientation, as
7 defined in s. 111.32 (13m), gender identity, as defined in s. 111.32 (7j), or gender
8 expression, as defined in s. 111.32 (7h).

9 **SECTION 61.** 118.20 (1) of the statutes is amended to read:

10 118.20 (1) No discrimination because of sex, except where sex is a bona fide
11 occupational qualification, ~~as defined~~ described in s. 111.36 (2), race, ~~nationality~~
12 national origin, sexual orientation, as defined in s. 111.32 (13m), gender identity, as
13 defined in s. 111.32 (7j), gender expression, as defined in s. 111.32 (7h), or political
14 or religious affiliation may be practiced in the employment of teachers or
15 administrative personnel in public schools or in their assignment or reassignment.
16 No questions of any nature or form relative to sex, except where sex is a bona fide
17 occupational qualification, ~~as defined~~ described in s. 111.36 (2), race, ~~nationality~~
18 national origin, sexual orientation, as defined in s. 111.32 (13m), gender identity, as
19 defined in s. 111.32 (7j), gender expression, as defined in s. 111.32 (7h), or political
20 or religious affiliation may be asked applicants for teaching or administrative
21 positions in the public schools either by public school officials or employees or by
22 teachers agencies or placement bureaus.

23 **SECTION 62.** 118.40 (4) (b) 2. of the statutes is amended to read:

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1 118.40 (4) (b) 2. Except as provided in sub. (3) (h), discriminate in admission
2 or deny participation in any program or activity on the basis of ~~a person's~~ the sex,
3 race, religion, national origin, ancestry, pregnancy, marital or parental status,
4 sexual orientation, as defined in s. 111.32 (13m), gender identity, as defined in s.
5 111.32 (7j), gender expression, as defined in s. 111.32 (7h), or physical, mental,
6 emotional, or learning disability of the person or of the person's parent.

7 **SECTION 63.** 194.025 of the statutes is amended to read:

8 **194.025 Discrimination prohibited.** No motor carrier may engage in any
9 practice, act, or omission ~~which~~ that results in discrimination on the basis of race,
10 creed, sex, sexual orientation, as defined in s. 111.32 (13m), gender identity, as
11 defined in s. 111.32 (7j), gender expression, as defined in s. 111.32 (7h), or national
12 origin.

13 **SECTION 64.** 224.77 (1) (o) of the statutes is amended to read:

14 224.77 (1) (o) In the course of practice as a mortgage banker, mortgage loan
15 originator, or mortgage broker, except in relation to housing designed to meet the
16 needs of elderly individuals, treat a person unequally solely because of sex, race,
17 color, ~~handicap~~ disability, sexual orientation, as defined in s. 111.32 (13m), gender
18 identity, as defined in s. 111.32 (7j), gender expression, as defined in s. 111.32 (7h),
19 religion, national origin, age, ~~or~~ ancestry, the person's lawful source of income, or
20 the sex, marital status, or status as a victim of domestic abuse, sexual assault, or
21 stalking, as defined in s. 106.50 (1m) (u), of the person maintaining a household.

22 **SECTION 65.** 227.10 (3) (a) of the statutes is amended to read:

23 227.10 (3) (a) No rule, either by its terms or in its application, may

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1 discriminate for or against any person by reason of sex, sexual orientation, as
2 defined in s. 111.32 (13m), gender identity, as defined in s. 111.32 (7j), gender
3 expression, as defined in s. 111.32 (7h), race, creed, color, ~~sexual orientation,~~
4 national origin, or ancestry.

5 **SECTION 66.** 230.01 (2) (b) of the statutes is amended to read:

6 230.01 (2) (b) It is the policy of this state to provide for equal employment
7 opportunity by ensuring that all personnel actions including hire, tenure or term,
8 and condition or privilege of employment be based on the ability to perform the
9 duties and responsibilities assigned to the particular position without regard to
10 age, race, creed or religion, color, disability, sex, national origin, ancestry, sexual
11 orientation, as defined in s. 111.32 (13m), gender identity, as defined in s. 111.32
12 (7j), gender expression, as defined in s. 111.32 (7h), or political affiliation.

13 **SECTION 67.** 230.18 of the statutes is amended to read:

14 **230.18 Discrimination prohibited.** No question in any form of application
15 or in any evaluation used in the hiring process may be so framed as to elicit
16 information concerning the partisan political or religious opinions or affiliations of
17 any applicant nor may any inquiry be made concerning ~~such~~ those opinions or
18 affiliations and all disclosures ~~thereof~~ of those opinions or affiliations shall be
19 discountenanced except that the director may evaluate the competence and
20 impartiality of applicants for positions such as clinical chaplain in a state
21 institutional program. No discriminations may be exercised in the recruitment,
22 application, or hiring process against or in favor of any person because of the
23 person's political or religious opinions or affiliations or because of age, sex,

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1 disability, race, color, sexual orientation, as defined in s. 111.32 (13m), gender
2 identity, as defined in s. 111.32 (7j), gender expression, as defined in s. 111.32 (7h),
3 national origin, or ancestry, except as otherwise provided.

4 **SECTION 68.** 234.29 of the statutes is amended to read:

5 **234.29 Equality of occupancy and employment.** The authority shall
6 require that occupancy of housing projects assisted under this chapter be open to all
7 regardless of sex, race, religion, creed, sexual orientation, as defined in s. 111.32
8 (13m), gender identity, as defined in s. 111.32 (7j), gender expression, as defined in
9 s. 111.32 (7h), or status as a victim of domestic abuse, sexual assault, or stalking, as
10 defined in s. 106.50 (1m) (u), ~~or creed~~, and that contractors and subcontractors
11 engaged in the construction of economic development or housing projects, shall
12 provide an equal opportunity for employment, without discrimination as to sex,
13 race, religion, creed, sexual orientation, ~~or creed~~ as defined in s. 111.32 (13m),
14 gender identity, as defined in s. 111.32 (7j), or gender expression, as defined in s.
15 111.32 (7h).

16 **SECTION 69.** 321.37 of the statutes is amended to read:

17 **321.37 No discrimination.** No person, otherwise qualified, may be denied
18 membership in the national guard or state defense force because of sex, color, race,
19 ~~creed~~, ~~or~~ sexual orientation, as defined in s. 111.32 (13m), gender identity, as
20 defined in s. 111.32 (7j), or gender expression, as defined in s. 111.32 (7h), and no
21 member of the national guard or state defense force may be segregated within the
22 national guard or state defense force on the basis of sex, color, race, ~~creed~~, ~~or~~ sexual
23 orientation, as defined in s. 111.32 (13m), gender identity, as defined in s. 111.32

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1 (7j), or gender expression, as defined in s. 111.32 (7h). Nothing in this section
2 prohibits separate facilities for persons of different sexes with regard to dormitory
3 accommodations, toilets, showers, saunas, and dressing rooms, except that no
4 person may be denied equal access to facilities most consistent with the person's
5 gender identity, as defined in s. 111.32 (7j).

6 **SECTION 70.** 440.45 (1) of the statutes is amended to read:

7 440.45 (1) Each licensed company shall adopt a policy of nondiscrimination on
8 the basis of trip origin or destination, race, color, national origin, religious belief or
9 affiliation, sex, disability, age, sexual orientation, ~~or~~ as defined in s. 111.32 (13m),
10 gender identity, as defined in s. 111.32 (7j), or gender expression, as defined in s.
11 111.32 (7h), with respect to passengers and prospective passengers and notify all of
12 its participating drivers of the nondiscrimination policy.

13 **SECTION 71.** 440.45 (2) of the statutes is amended to read:

14 440.45 (2) A participating driver may not discriminate against any passenger
15 or prospective passenger on the basis of destination, race, color, national origin,
16 religious belief or affiliation, sex, disability, age, sexual orientation, ~~or~~ as defined in
17 s. 111.32 (13m), gender identity, as defined in s. 111.32 (7j), or gender expression, as
18 defined in s. 111.32 (7h).

19 **SECTION 72.** 452.14 (3) (n) of the statutes is amended to read:

20 452.14 (3) (n) Treated any person unequally solely because of sex, race, color,
21 ~~handicap,~~ disability, national origin, ancestry, marital status, lawful source of
22 income, sexual orientation, as defined in s. 111.32 (13m), gender identity, as
23 defined in s. 111.32 (7j), gender expression, as defined in s. 111.32 (7h), or status as

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1 a victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m)
2 (u).

3 **SECTION 73.** 625.12 (2) of the statutes is amended to read:

4 625.12 (2) CLASSIFICATION. Except as provided in s. 632.729, risks may be
5 classified in any reasonable way for the establishment of rates and minimum
6 premiums, except that no classifications may be based on race, color, creed ~~or~~,
7 national origin, sexual orientation, as defined in s. 111.32 (13m), gender identity, as
8 defined in s. 111.32 (7j), or gender expression, as defined in s. 111.32 (7h), and
9 classifications in automobile insurance may not be based on physical condition or
10 developmental disability as defined in s. 51.01 (5). Subject to ss. 632.365 and
11 632.729, rates thus produced may be modified for individual risks in accordance
12 with rating plans or schedules that establish reasonable standards for measuring
13 probable variations in hazards, expenses, or both. Rates may also be modified for
14 individual risks under s. 625.13 (2).

15 **SECTION 74.** 628.34 (3) (c) of the statutes is created to read:

16 628.34 (3) (c) No insurer may refuse to insure or refuse to continue to insure,
17 or limit the amount, extent, or kind of coverage available to an individual, or charge
18 an individual a different rate for the same coverage because of a person's age, sex,
19 residence, race, color, creed, religion, national origin, ancestry, marital status,
20 occupation, gender identity, as defined in s. 111.32 (7j), gender expression, as
21 defined in s. 111.32 (7h), or sexual orientation, as defined in s. 111.32 (13m).

22 **SECTION 75.** 632.35 of the statutes is amended to read:

23 **632.35 Prohibited rejection, cancellation, and nonrenewal.** No insurer

SENATE BILL 223**SECTION 75**

1 may cancel or refuse to issue or renew an automobile insurance policy wholly or
2 partially because of ~~one or more of the following characteristics of any person: a~~
3 person's age, sex, residence, race, color, creed, religion, national origin, ancestry,
4 marital status ~~or~~ occupation, gender identity, as defined in s. 111.32 (7j), gender
5 expression, as defined in s. 111.32 (7h), or sexual orientation, as defined in s. 111.32
6 (13m).

7 **SECTION 76.** 756.001 (3) of the statutes is amended to read:

8 756.001 (3) No person who is qualified and able to serve as a juror may be
9 excluded from that service in any court of this state on the basis of sex, race, color,
10 sexual orientation, as defined in s. 111.32 (13m), gender identity, as defined in s.
11 111.32 (7j), gender expression, as defined in s. 111.32 (7h), disability, religion,
12 national origin, marital status, family status, lawful source of income, age, or
13 ancestry or because of a physical condition.

14 (END)