MR. SPEAKER:

Your Committee on **Labor and Employment**, to which was referred **House Bill 1034**, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

1. Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

   "SECTION 1. IC 22-9-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 2. (a) It is the public policy of the state to provide all of its citizens equal opportunity for education, employment, access to public conveniences and accommodations, and acquisition through purchase or rental of real property, including but not limited to housing, and to eliminate segregation or separation based solely on race, religion, color, sex, age, disability, national origin or ancestry, since such segregation is an impediment to equal opportunity. Equal education and employment opportunities and equal access to and use of public accommodations and equal opportunity for acquisition of real property are hereby declared to be civil rights."
(b) The practice of denying these rights to properly qualified persons by reason of the race, religion, color, sex, age, disability, national origin, or ancestry of such person is contrary to the principles of freedom and equality of opportunity and is a burden to the objectives of the public policy of this state and shall be considered as discriminatory practices. The promotion of equal opportunity without regard to race, religion, color, sex, age, disability, national origin, or ancestry through reasonable methods is the purpose of this chapter.

(c) It is also the public policy of this state to protect employers, labor organizations, employment agencies, property owners, real estate brokers, builders, and lending institutions from unfounded charges of discrimination.

(d) It is hereby declared to be contrary to the public policy of the state and an unlawful practice for any person, for profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, religion, color, sex, age, disability, national origin, or ancestry.

(e) The general assembly recognizes that on February 16, 1972, there are institutions of learning in Indiana presently and traditionally following the practice of limiting admission of students to males or to females. It is further recognized that it would be unreasonable to impose upon these institutions the expense of remodeling facilities to accommodate students of both sexes, and that educational facilities of similar quality and type are available in coeducational institutions for those students desiring such facilities. It is further recognized that this chapter is susceptible of interpretation to prevent these institutions from continuing their traditional policies, a result not intended by the general assembly. Therefore, the amendment effected by Acts 1972, P.L.176, is desirable to permit the continuation of the policies described.

(f) This chapter shall be construed broadly to effectuate its purpose."

Page 2, line 27, after "sex," insert "age,"

Page 2, line 29, after "sex," insert "age,"

Page 2, line 36, after "sex," insert "age,"

Page 3, line 35, delete "No" and insert "Except as provided in IC 22-9-2.1, no".
"SECTION 4. IC 22-9-1-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 10. Every contract to which the state or any of its political or civil subdivisions is a party, including franchises granted to public utilities, shall contain a provision requiring the contractor and his the contractor's subcontractors not to discriminate against any employee or applicant for employment to be employed in the performance of such contract, with respect to his the employee's hire, tenure, terms, conditions or privileges of employment or any matter directly or indirectly related to employment, because of his the employee's or applicant's race, religion, color, sex, age, disability, national origin, or ancestry. Breach of this covenant may be regarded as a material breach of the contract."

Page 8, between lines 16 and 17, begin a new line double block indented and insert:

"(E) age;".

Page 8, line 17, delete "(E)" and insert "(F)".

Page 8, line 18, delete "(F)" and insert "(G)".

Page 8, line 19, delete "(G)" and insert "(H)".

Page 11, line 16, delete ".:.

Page 11, line 17, delete "(1)".

Page 11, line 17, delete "; or".

Page 11, delete line 18.

Page 11, run in lines 16 through 19.

Page 11, line 25, delete ".:.

Page 11, line 26, delete "(1)".

Page 11, line 26, delete "if the claim is filed with the" and insert ":."


Page 11, delete lines 27 through 42.

Page 12, line 3, delete "(a)".

Page 12, line 5, delete "is transferred to the" and insert "shall be
adjudicated by the commissioner of labor.".

Page 12, delete lines 6 through 11.

Renumber all SECTIONS consecutively.
(Reference is to HB 1034 as introduced.)

and when so amended that said bill do pass.

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Representative Niezgodski