



## 2003 ASSEMBLY BILL 408

June 12, 2003 - Introduced by Representatives MUSSER, BIES, BOYLE, PETTIS, SCHNEIDER, KREIBICH, GRONEMUS, SUDER, TRAVIS, MCCORMICK, FREESE, GUNDERSON, MORRIS, TURNER, KESTELL, HINES, VRAKAS, KRAWCZYK, NASS, J. FITZGERALD, ALBERS, AINSWORTH, JENSEN, OWENS, J. LEHMAN, BLACK, LADWIG and OTT, cosponsored by Senators S. FITZGERALD, SCHULTZ, HANSEN, WIRCH, ROESSLER and CARPENTER. Referred to Committee on Government Operations and Spending Limitations.

1     **AN ACT** *to renumber and amend* 66.0125 (1); *to amend* 16.765 (1), 16.765 (2),  
2           36.09 (1) (e), 36.11 (3) (a), 36.12 (1), 38.04 (13) (b), 38.23 (1), 66.0125 (3) (a),  
3           66.0125 (3) (c) 1. b., 66.0125 (9), 66.1011 (1), 66.1201 (2m), 66.1301 (2m),  
4           66.1331 (2m), 86.195 (5) (c), 106.50 (1), 106.50 (1m) (h), 106.50 (1m) (nm),  
5           106.50 (5m) (f) 1., 106.52 (3) (a) 1., 106.52 (3) (a) 2., 106.52 (3) (a) 3., 106.52 (3)  
6           (a) 4., 106.52 (3) (a) 5., 111.075 (2) (b), 111.31 (1), 111.31 (2), 111.31 (3), 111.321,  
7           111.70 (2), 111.81 (12) (b), 111.85 (2) (b), 118.20 (1), 138.20 (1), 194.025, 224.77  
8           (1) (o), 230.01 (2), 230.18, 234.29, 452.14 (3) (n) and 632.35; **to repeal and**  
9           **recreate** 36.09 (1) (e); and **to create** 66.0125 (1) (b), 106.50 (1m) (o)), 106.52 (1)  
10          (dm) and 111.32 (12g) of the statutes; **relating to:** prohibiting discrimination  
11          in housing, public education, the equal enjoyment of public places of  
12          accommodation, and the granting of credit based on military status.

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### ***Analysis by the Legislative Reference Bureau***

Current law prohibits discrimination in employment based on membership in the national guard, state defense force, or any reserve component of the military

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forces of the United States or of this state (military status). This bill prohibits discrimination in housing, in public education, in the equal enjoyment of a public place of accommodation, and in the granting of credit based on military status.

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

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

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

2           16.765 (1) Contracting agencies, the University of Wisconsin Hospitals and  
3 Clinics Authority, the Fox River Navigational System Authority, and the Bradley  
4 Center Sports and Entertainment Corporation shall include in all contracts executed  
5 by them a provision obligating the contractor not to discriminate against any  
6 employee or applicant for employment because of age, race, religion, color, handicap,  
7 sex, physical condition, developmental disability, as defined in s. 51.01 (5), sexual  
8 orientation, as defined in s. 111.32 (13m), military status, as defined in s. 111.32  
9 (12g), or national origin and, except with respect to sexual orientation, obligating the  
10 contractor to take affirmative action to ensure equal employment opportunities.

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

12           16.765 (2) Contracting agencies, the University of Wisconsin Hospitals and  
13 Clinics Authority, the Fox River Navigational System Authority, and the Bradley  
14 Center Sports and Entertainment Corporation shall include the following provision  
15 in every contract executed by them: "In connection with the performance of work  
16 under this contract, the contractor agrees not to discriminate against any employee  
17 or applicant for employment because of age, race, religion, color, handicap, sex,  
18 physical condition, developmental disability, as defined in s. 51.01 (5), sexual  
19 orientation, military status, or national origin. This provision shall include, ~~but not~~

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1 ~~be limited to, the following:~~ employment, upgrading, demotion, or transfer;  
2 recruitment or recruitment advertising; layoff or termination; rates of pay or other  
3 forms of compensation; and selection for training, including apprenticeship. Except  
4 with respect to sexual orientation, the contractor further agrees to take affirmative  
5 action to ensure equal employment opportunities. The contractor agrees to post in  
6 conspicuous places, available for employees and applicants for employment, notices  
7 to be provided by the contracting officer setting forth the provisions of the  
8 nondiscrimination clause”.

9 **SECTION 3.** 36.09 (1) (e) of the statutes is amended to read:

10 36.09 (1) (e) The board shall appoint a president of the system; a chancellor for  
11 each institution; a dean for each college campus; the state geologist; the director of  
12 the laboratory of hygiene; the director of the psychiatric institute; the state  
13 cartographer; with the advice of the land information board; and the requisite  
14 number of officers, other than the vice presidents, associate vice presidents, and  
15 assistant vice presidents of the system; faculty; academic staff and other employees  
16 and fix the salaries, subject to the limitations under par. (j) and ss. 20.923 (4g) and  
17 230.12 (3) (e), the duties, and the term of office for each. The board shall fix the  
18 salaries, subject to the limitations under par. (j) and ss. 20.923 (4g) and 230.12 (3)  
19 (e), and the duties for each chancellor, vice president, associate vice president, and  
20 assistant vice president of the system. No sectarian or partisan tests or any tests  
21 based upon race, religion, national origin, military status, as defined in s. 111.32  
22 (12g), or sex shall ever be allowed or exercised in the appointment of the employees  
23 of the system.

24 **SECTION 4.** 36.09 (1) (e) of the statutes, as affected by 2003 Wisconsin Act ....  
25 (this act), is repealed and recreated to read:

**ASSEMBLY BILL 408****SECTION 4**

1           36.09 (1) (e) The board shall appoint a president of the system; a chancellor for  
2 each institution; a dean for each college campus; the state geologist; the director of  
3 the laboratory of hygiene; the director of the psychiatric institute; the state  
4 cartographer, and the requisite number of officers, other than the vice presidents,  
5 associate vice presidents, and assistant vice presidents of the system; faculty;  
6 academic staff and other employees and fix the salaries, subject to the limitations  
7 under par. (j) and ss. 20.923 (4g) and 230.12 (3) (e), the duties, and the term of office  
8 for each. The board shall fix the salaries, subject to the limitations under par. (j) and  
9 ss. 20.923 (4g) and 230.12 (3) (e), and the duties for each chancellor, vice president,  
10 associate vice president, and assistant vice president of the system. No sectarian or  
11 partisan tests or any tests based upon race, religion, national origin, military status,  
12 as defined in s. 111.32 (12g), or sex shall ever be allowed or exercised in the  
13 appointment of the employees of the system.

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

15           36.11 (3) (a) The board shall establish the policies for admission within the  
16 system and within these policies each institution shall establish specific  
17 requirements for admission to its courses of instruction. No sectarian or partisan  
18 tests or any tests based upon race, religion, national origin of U.S. citizens, military  
19 status, as defined in s. 111.32 (12g), or sex shall ever be allowed in the admission of  
20 students ~~thereto~~ to an institution of the system.

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

22           36.12 (1) No student may be denied admission to, participation in, or the  
23 benefits of, or be discriminated against in, any service, program, course, or facility  
24 of the system or its institutions because of the student's race, color, creed, religion,

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1 sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital  
2 status, military status, as defined in s. 111.32 (12g), or parental status.

3 **SECTION 7.** 38.04 (13) (b) of the statutes is amended to read:

4 38.04 (13) (b) No person may, on the ground of sex, age, race, color, religion,  
5 military status, as defined in s. 111.32 (12g), or national origin, be excluded from  
6 participating in, be denied the benefits of, or be subjected to discrimination under  
7 any program or activity funded in whole or in part with funds made available under  
8 this subsection.

9 **SECTION 8.** 38.23 (1) of the statutes is amended to read:

10 38.23 (1) No student may be denied admission to, participation in, or the  
11 benefits of, or be discriminated against in, any service, program, course, or facility  
12 of the board or any district because of the student's race, color, creed, religion, sex,  
13 national origin, disability, ancestry, age, sexual orientation, pregnancy, marital  
14 status, military status, as defined in s. 111.32 (12g), or parental status.

15 **SECTION 9.** 66.0125 (1) of the statutes is renumbered 66.0125 (1) (intro.) and  
16 amended to read:

17 66.0125 (1) ~~DEFINITION~~ DEFINITIONS. (intro.) In this section, ~~“local~~  
18 ~~governmental unit”~~:

19 (a) “Local governmental unit” means a city, village, town, school district, or  
20 county.

21 **SECTION 10.** 66.0125 (1) (b) of the statutes is created to read:

22 66.0125 (1) (b) “Military status” has the meaning given in s. 111.32 (12g).

23 **SECTION 11.** 66.0125 (3) (a) of the statutes is amended to read:

24 66.0125 (3) (a) The purpose of the commission is to study, analyze, and  
25 recommend solutions for the major social, economic, and cultural problems ~~which~~

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1 that affect people residing or working within the local governmental unit including,  
2 ~~without restriction because of enumeration,~~ problems of the family, youth,  
3 education, the aging, juvenile delinquency, health, and zoning standards, and  
4 discrimination in housing, employment, and public accommodations and facilities on  
5 the basis of sex, class, race, religion, sexual orientation, military status, or ethnic or  
6 minority status.

7 **SECTION 12.** 66.0125 (3) (c) 1. b. of the statutes is amended to read:

8 66.0125 (3) (c) 1. b. To ensure to all residents of a local governmental unit,  
9 regardless of sex, race, sexual orientation, military status, or color, the rights to  
10 possess equal housing accommodations and to enjoy equal employment  
11 opportunities.

12 **SECTION 13.** 66.0125 (9) of the statutes is amended to read:

13 66.0125 (9) INTENT. It is the intent of this section to promote fair and friendly  
14 relations among all the people in this state, and to that end race, creed, sexual  
15 orientation, military status, or color ought not to be made tests in the matter of the  
16 right of any person to sell, lease, occupy, or use real estate or to earn a livelihood or  
17 to enjoy the equal use of public accommodations and facilities.

18 **SECTION 14.** 66.1011 (1) of the statutes is amended to read:

19 66.1011 (1) DECLARATION OF POLICY. The right of all persons to have equal  
20 opportunities for housing regardless of their sex, race, color, physical condition,  
21 disability, as defined in s. 106.50 (1m) (g), sexual orientation, as defined in s. 111.32  
22 (13m), religion, national origin, marital status, family status, as defined in s. 106.50  
23 (1m) (k), military status, as defined in s. 111.32 (12g), lawful source of income, age,  
24 or ancestry is a matter both of statewide concern under ss. 101.132 and 106.50 and  
25 also of local interest under this section and s. 66.0125. The enactment of ss. 101.132

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1 and 106.50 ~~by the legislature~~ does not preempt the subject matter of equal  
2 opportunities in housing from consideration by political subdivisions, and does not  
3 exempt political subdivisions from their duty, nor deprive them of their right, to enact  
4 ordinances ~~which~~ that prohibit discrimination in any type of housing solely on the  
5 basis of an individual being a member of a protected class.

6 **SECTION 15.** 66.1201 (2m) of the statutes is amended to read:

7 66.1201 **(2m)** DISCRIMINATION. Persons otherwise entitled to any right, benefit,  
8 facility, or privilege under ss. 66.1201 to 66.1211 shall not be denied them in any  
9 manner for any purpose nor be discriminated against because of sex, race, color,  
10 creed, sexual orientation, military status, as defined in s. 111.32 (12g), or national  
11 origin.

12 **SECTION 16.** 66.1301 (2m) of the statutes is amended to read:

13 66.1301 **(2m)** DISCRIMINATION. Persons entitled to any right, benefit, facility,  
14 or privilege under ss. 66.1301 to 66.1329 shall not be denied them in any manner for  
15 any purpose nor be discriminated against because of sex, race, color, creed, sexual  
16 orientation, military status, as defined in s. 111.32 (12g), or national origin.

17 **SECTION 17.** 66.1331 (2m) of the statutes is amended to read:

18 66.1331 **(2m)** DISCRIMINATION. Persons otherwise entitled to any right, benefit,  
19 facility, or privilege under this section shall not be denied them in any manner for  
20 any purpose nor be discriminated against because of sex, race, color, creed, sexual  
21 orientation, military status, as defined in s. 111.32 (12g), or national origin.

22 **SECTION 18.** 86.195 (5) (c) of the statutes is amended to read:

23 86.195 **(5)** (c) *Conformity with discrimination laws.* Each business identified  
24 as a motorist service on a specific information sign shall, as a condition of eligibility  
25 for erection, installation, and maintenance of a sign under this section, give written

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1 assurance to the department that the business conforms with all applicable laws  
2 concerning the provisions of public accommodations without regard to race, religion,  
3 color, sex, military status, as defined in s. 111.32 (12g), or national origin.

4 **SECTION 19.** 106.50 (1) of the statutes is amended to read:

5 106.50 (1) INTENT. It is the intent of this section to render unlawful  
6 discrimination in housing. It is the declared policy of this state that all persons shall  
7 have an equal opportunity for housing regardless of sex, race, color, sexual  
8 orientation, disability, religion, national origin, marital status, family status,  
9 military status, lawful source of income, age, or ancestry and it is the duty of the  
10 political subdivisions to assist in the orderly prevention or removal of all  
11 discrimination in housing through the powers granted under ss. 66.0125 and  
12 66.1011. The legislature hereby extends the state law governing equal housing  
13 opportunities to cover single-family residences ~~which~~ that are owner-occupied. The  
14 legislature finds that the sale and rental of single-family residences constitute a  
15 significant portion of the housing business in this state and should be regulated.  
16 This section shall be ~~deemed~~ considered an exercise of the police powers of the state  
17 for the protection of the welfare, health, peace, dignity, and human rights of the  
18 people of this state.

19 **SECTION 20.** 106.50 (1m) (h) of the statutes is amended to read:

20 106.50 (1m) (h) "Discriminate" means to segregate, separate, exclude, or treat  
21 a person or class of persons unequally in a manner described in sub. (2), (2m), or (2r)  
22 because of sex, race, color, sexual orientation, disability, religion, national origin,  
23 marital status, family status, military status, lawful source of income, age, or  
24 ancestry.

25 **SECTION 21.** 106.50 (1m) (nm) of the statutes is amended to read:



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1           106.50 **(1m)** (nm) “Member of a protected class” means a group of natural  
2 persons, or a natural person, who may be categorized based on one or more of the  
3 following characteristics: sex, race, color, disability, sexual orientation ~~as defined in~~  
4 ~~s. 111.32 (13m)~~, religion, national origin, marital status, family status, military  
5 status, lawful source of income, age, or ancestry.

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

7           106.50 **(1m)** (o) “Military status” has the meaning given in s. 111.32 (12g).

8           **SECTION 23.** 106.50 (5m) (f) 1. of the statutes is amended to read:

9           106.50 **(5m)** (f) 1. Nothing in this section prohibits an owner or agent from  
10 requiring that a person who seeks to buy or rent housing supply information  
11 concerning family status, military status, and marital, financial, and business status  
12 but not concerning race, color, physical condition, disability, sexual orientation,  
13 ancestry, national origin, religion, creed, or, subject to subd. 2., age.

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

15           106.52 **(1)** (dm) “Military status” has the meaning given in s. 111.32 (12g).

16           **SECTION 25.** 106.52 (3) (a) 1. of the statutes is amended to read:

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

21           **SECTION 26.** 106.52 (3) (a) 2. of the statutes is amended to read:

22           106.52 **(3)** (a) 2. Give preferential treatment to some classes of persons in  
23 providing services or facilities in any public place of accommodation or amusement  
24 because of sex, race, color, creed, sexual orientation, national origin, military status,  
25 or ancestry.

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1           **SECTION 27.** 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 sex, race, color, creed, disability, sexual orientation,  
6 national origin, military status, or ancestry or that the patronage of a person is  
7 unwelcome, objectionable, or unacceptable for any of those reasons.

8           **SECTION 28.** 106.52 (3) (a) 4. of the statutes is amended to read:

9           106.52 (3) (a) 4. Refuse to furnish or charge another a higher rate for any  
10 automobile insurance because of race, color, creed, disability, national origin,  
11 military status, or ancestry.

12           **SECTION 29.** 106.52 (3) (a) 5. of the statutes is amended to read:

13           106.52 (3) (a) 5. Refuse to rent, charge a higher price than the regular rate or  
14 give preferential treatment, because of sex, race, color, creed, sexual orientation,  
15 national origin, military status, or ancestry, regarding the use of any private  
16 facilities commonly rented to the public.

17           **SECTION 30.** 111.075 (2) (b) of the statutes is amended to read:

18           111.075 (2) (b) The commission shall declare any fair-share or maintenance of  
19 membership agreement suspended upon such conditions and for such time as the  
20 commission decides whenever ~~it~~ the commission finds that the labor organization  
21 involved has refused on the basis of race, color, sexual orientation, military status,  
22 as defined in s. 111.32 (12g), or creed to receive as a member any employee in the  
23 collective bargaining unit involved, and the agreement shall be made subject to the  
24 findings and orders of the commission. Any of the parties to the agreement, or any

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1 employee covered ~~thereby~~ by the agreement, may come before the commission, as  
2 provided in s. 111.07, and petition the commission to make such a finding.

3 **SECTION 31.** 111.31 (1) of the statutes is amended to read:

4 111.31 (1) The legislature finds that the practice of unfair discrimination in  
5 employment against properly qualified individuals by reason of their age, race,  
6 creed, color, disability, marital status, sex, national origin, ancestry, sexual  
7 orientation, arrest record, conviction record, ~~membership in the national guard,~~  
8 ~~state defense force or any other reserve component of the military forces of the United~~  
9 ~~States or this state~~ military status, or use or nonuse of lawful products off the  
10 employer's premises during nonworking hours substantially and adversely affects  
11 the general welfare of the state. Employers, labor organizations, employment  
12 agencies, and licensing agencies that deny employment opportunities and  
13 discriminate in employment against properly qualified individuals solely because of  
14 their age, race, creed, color, disability, marital status, sex, national origin, ancestry,  
15 sexual orientation, arrest record, conviction record, ~~membership in the national~~  
16 ~~guard, state defense force or any other reserve component of the military forces of the~~  
17 ~~United States or this state~~ military status, or use or nonuse of lawful products off the  
18 employer's premises during nonworking hours deprive those individuals of the  
19 earnings that are necessary to maintain a just and decent standard of living.

20 **SECTION 32.** 111.31 (2) of the statutes is amended to read:

21 111.31 (2) It is the intent of the legislature to protect by law the rights of all  
22 individuals to obtain gainful employment and to enjoy privileges free from  
23 employment discrimination because of age, race, creed, color, disability, marital  
24 status, sex, national origin, ancestry, sexual orientation, arrest record, conviction  
25 record, ~~membership in the national guard, state defense force or any other reserve~~

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1 ~~component of the military forces of the United States or this state~~ military status,  
2 or use or nonuse of lawful products off the employer's premises during nonworking  
3 hours, and to encourage the full, nondiscriminatory utilization of the productive  
4 resources of the state to the benefit of the state, the family, and all the people of the  
5 state. It is the intent of the legislature in promulgating this subchapter to encourage  
6 employers to evaluate an employee or applicant for employment based upon the  
7 ~~employee's or applicant's~~ individual qualifications of the employee or applicant  
8 rather than upon a particular class to which the individual may belong.

9 **SECTION 33.** 111.31 (3) of the statutes is amended to read:

10 111.31 (3) In the interpretation and application of this subchapter, and  
11 otherwise, it is declared to be the public policy of the state to encourage and foster  
12 to the fullest extent practicable the employment of all properly qualified individuals  
13 regardless of age, race, creed, color, disability, marital status, sex, national origin,  
14 ancestry, sexual orientation, arrest record, conviction record, ~~membership in the~~  
15 ~~national guard, state defense force or any other reserve component of the military~~  
16 ~~forces of the United States or this state~~ military status, or use or nonuse of lawful  
17 products off the employer's premises during nonworking hours. Nothing in this  
18 subsection requires an affirmative action program to correct an imbalance in the  
19 work force. This subchapter shall be liberally construed for the accomplishment of  
20 this purpose.

21 **SECTION 34.** 111.32 (12g) of the statutes is created to read:

22 111.32 (12g) "Military status" means membership in the national guard, state  
23 defense force, or any other reserve component of the military forces of the United  
24 States or of this state.

25 **SECTION 35.** 111.321 of the statutes is amended to read:

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1           **111.321 Prohibited bases of discrimination.** Subject to ss. 111.33 to 111.36,  
2 no employer, labor organization, employment agency, licensing agency, or other  
3 person may engage in any act of employment discrimination as specified in s. 111.322  
4 against any individual on the basis of age, race, creed, color, disability, marital  
5 status, sex, national origin, ancestry, arrest record, conviction record, ~~membership~~  
6 ~~in the national guard, state defense force or any reserve component of the military~~  
7 ~~forces of the United States or this state~~ military status, or use or nonuse of lawful  
8 products off the employer's premises during nonworking hours.

9           **SECTION 36.** 111.70 (2) of the statutes is amended to read:

10           **111.70 (2) RIGHTS OF MUNICIPAL EMPLOYEES.** Municipal employees shall have the  
11 right of self-organization, and the right to form, join, or assist labor organizations,  
12 to bargain collectively through representatives of their own choosing, and to engage  
13 in lawful, concerted activities for the purpose of collective bargaining or other mutual  
14 aid or protection, and such employees shall have the right to refrain from any and  
15 all such activities except that employees may be required to pay dues in the manner  
16 provided in a fair-share agreement. Such fair-share agreement shall be subject to  
17 the right of the municipal employer or a labor organization to petition the  
18 commission to conduct a referendum. Such petition must shall be supported by proof  
19 that at least 30% of the employees in the collective bargaining unit desire that the  
20 fair-share agreement be terminated. Upon so finding, the commission shall conduct  
21 a referendum. If the continuation of the agreement is not supported by at least the  
22 majority of the eligible employees, it the agreement shall be deemed considered  
23 terminated. The commission shall declare any fair-share agreement suspended  
24 upon such conditions and for such time as the commission decides whenever it the  
25 commission finds that the labor organization involved has refused on the basis of

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1 race, color, sexual orientation, creed, military status, as defined in s. 111.32 (12g), or  
2 sex to receive as a member any employee of the municipal employer in the bargaining  
3 unit involved, and such agreement shall be made subject to this duty of the  
4 commission. Any of the parties to such agreement or any municipal employee  
5 covered ~~thereby~~ by the agreement may come before the commission, as provided in  
6 s. 111.07, and ask the performance of this duty.

7 **SECTION 37.** 111.81 (12) (b) of the statutes is amended to read:

8 111.81 (12) (b) Which discriminates with regard to the terms or conditions of  
9 membership because of race, color, creed, sex, age, sexual orientation, military  
10 status, as defined in s. 111.32 (12g), or national origin.

11 **SECTION 38.** 111.85 (2) (b) of the statutes is amended to read:

12 111.85 (2) (b) The commission shall declare any fair-share or maintenance of  
13 membership agreement suspended upon such conditions and for such time as the  
14 commission decides whenever it the commission finds that the labor organization  
15 involved has refused on the basis of race, color, sexual orientation, military status,  
16 as defined in s. 111.32 (12g), or creed to receive as a member any employee or  
17 supervisor in the collective bargaining unit involved, and the agreement shall be  
18 made subject to the findings and orders of the commission. Any of the parties to the  
19 agreement, or any employee or supervisor covered ~~thereby~~ by the agreement, may  
20 come before the commission, as provided in s. 111.07, and petition the commission  
21 to make such a finding.

22 **SECTION 39.** 118.20 (1) of the statutes is amended to read:

23 118.20 (1) No discrimination because of sex, except where sex is a bona fide  
24 occupational qualification, as defined in s. 111.36 (2), race, nationality, military  
25 status, as defined in s. 111.32 (12g), or political or religious affiliation may be

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1 practiced in the employment of teachers or administrative personnel in public  
2 schools or in their assignment or reassignment. No questions of any nature or form  
3 relative to sex, except where sex is a bona fide occupational qualification, as defined  
4 in s. 111.36 (2), race, nationality, military status, as defined in s. 111.32 (12g), or  
5 political or religious affiliation may be asked applicants for teaching or  
6 administrative positions in the public schools either by public school officials or  
7 employees or by teachers agencies or placement bureaus.

8 **SECTION 40.** 138.20 (1) of the statutes is amended to read:

9 138.20 (1) RULE. No financial organization, as defined under ss. 71.04 (8) (a)  
10 and 71.25 (10) (a), or any other credit granting commercial institution may  
11 discriminate in the granting or extension of any form of loan or credit, or of the  
12 privilege or capacity to obtain any form of loan or credit, on the basis of the applicant's  
13 physical condition, developmental disability, as defined in s. 51.01 (5), sex, military  
14 status, as defined in s. 111.32 (12g), or marital status; provided, however, that no  
15 such organization or institution shall be required to grant or extend any form of loan  
16 or credit to any person who such organization or institution has evidence  
17 demonstrating the applicant's lack of legal capacity to contract ~~therefor~~ for a loan or  
18 credit or to contract with respect to any mortgage or security interest in collateral  
19 related thereto to a loan or credit.

20 **SECTION 41.** 194.025 of the statutes is amended to read:

21 **194.025 Discrimination prohibited.** No motor carrier may engage in any  
22 practice, act, or omission ~~which~~ that results in discrimination on the basis of race,  
23 creed, sex, military status, as defined in s. 111.32 (12g), or national origin.

24 **SECTION 42.** 224.77 (1) (o) of the statutes is amended to read:

**ASSEMBLY BILL 408**

1           224.77 (1) (o) In the course of practice as a mortgage banker, loan originator,  
2 or mortgage broker, except in relation to housing designed to meet the needs of  
3 elderly individuals, treated a person unequally solely because of sex, race, color,  
4 handicap, sexual orientation, as defined in s. 111.32 (13m), religion, national origin,  
5 age ~~or~~, ancestry, ~~the person's~~ lawful source of income, military status, as defined in  
6 s. 111.32 (12g), or ~~the sex or marital status of the person maintaining a household.~~

7           **SECTION 43.** 230.01 (2) of the statutes is amended to read:

8           230.01 (2) It is the policy of the state and the responsibility of the secretary and  
9 the administrator to maintain a system of personnel management ~~which~~ that fills  
10 positions in the classified service through methods ~~which~~ that apply the merit  
11 principle, with adequate civil service safeguards. It is the policy of this state to  
12 provide for equal employment opportunity by ensuring that all personnel actions  
13 including hire, tenure or term, and condition or privilege of employment be based on  
14 the ability to perform the duties and responsibilities assigned to the particular  
15 position without regard to age, race, creed or religion, color, disability, sex, national  
16 origin, ancestry, sexual orientation, military status, as defined in s. 111.32 (12g), or  
17 political affiliation. It is the policy of this state to take affirmative action ~~which~~ that  
18 is not in conflict with other provisions of this chapter. It is the policy of the state to  
19 ensure its employees opportunities for satisfying careers and fair treatment based  
20 on the value of each employee's services. It is the policy of this state to encourage  
21 disclosure of information under subch. III and to ensure that any employee employed  
22 by a governmental unit is protected from retaliatory action for disclosing information  
23 under subch. III. It is the policy of this state to correct pay inequities based on gender  
24 or race in the state civil service system.

25           **SECTION 44.** 230.18 of the statutes is amended to read:



**ASSEMBLY BILL 408**

1           **230.18 Discrimination prohibited.** No question in any form of application  
2 or in any examination may be so framed as to elicit information concerning the  
3 partisan political or religious opinions or affiliations of any applicant nor may any  
4 inquiry be made concerning ~~such~~ those opinions or affiliations and all disclosures  
5 thereof of those opinions or affiliations shall be discountenanced except that the  
6 administrator may evaluate the competence and impartiality of applicants for  
7 positions such as clinical chaplain in a state institutional program. No  
8 discriminations may be exercised in the recruitment, application, examination, or  
9 hiring process against or in favor of any person because of the person's political or  
10 religious opinions or affiliations or because of age, sex, disability, race, color, sexual  
11 orientation, national origin, military status, as defined in s. 111.32 (12g), or ancestry  
12 except as otherwise provided.

13           **SECTION 45.** 234.29 of the statutes is amended to read:

14           **234.29 Equality of occupancy and employment.** The authority shall  
15 require that occupancy of housing projects assisted under this chapter be open to all  
16 regardless of sex, race, religion, sexual orientation, military status, as defined in s.  
17 111.32 (12g), or creed, and that contractors and subcontractors engaged in the  
18 construction of economic development or housing projects, shall provide an equal  
19 opportunity for employment, without discrimination as to sex, race, religion, sexual  
20 orientation, military status, as defined in s. 111.32 (12g), or creed.

21           **SECTION 46.** 452.14 (3) (n) of the statutes is amended to read:

22           452.14 **(3)** (n) Treated any person unequally solely because of sex, race, color,  
23 handicap, national origin, ancestry, marital status, military status, as defined in s.  
24 111.32 (12g), or lawful source of income.

25           **SECTION 47.** 632.35 of the statutes is amended to read:

