

1                    HOUSE BILL NO. 17  
2 INTRODUCED BY MARKS

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY SECTIONS  
5 64-305 AND 71-1305.1, R.C.M. 1947."

6  
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
8        Section 1. Section 64-305, R.C.M. 1947, is amended to  
9 read as follows:

10        "64-305. Definitions. As used in this act, unless the  
11 context requires otherwise, the following definitions apply:

12        (1) "Age" means number of years since birth. It does  
13 not mean level of maturity or ability to handle  
14 responsibility. These latter criteria may represent  
15 legitimate considerations as reasonable grounds for  
16 discrimination without reference to age.

17        (2) "Commission" means the commission for human rights  
18 provided for in section 82A-1015.

19        (3) "Educational institution" means a public or  
20 private institution and includes an academy; college; elementary or secondary school; extension course; kindergarten; nursery; school system; university; a  
21 business, nursing, professional, secretarial, technical, or  
22 vocational school; or an agent of an educational  
23 institution.  
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1                    (4) "Employee" means any individual employed by an  
2 employer.

3                    (5) "Employer" means an employer of one (1) or more  
4 persons but does not include a fraternal, charitable, or  
5 religious association or corporation if the association or  
6 corporation is not organized either for private profit or  
7 to provide accommodation or services that are available on a  
8 nonmembership basis.

9                    (6) "Employment agency" means a person undertaking to  
10 procure employees or opportunities to work.

11                    (7) "Financial institution" means a commercial bank,  
12 trust company, mutual savings bank, ~~co-operative~~ cooperative  
13 bank, homestead association, finance company, mutual savings  
14 and loan association, or an insurance company.

15                    (8) "Housing accommodation" means a building or  
16 portion of a building, whether constructed or to be  
17 constructed, which is or will be used as the sleeping  
18 quarters of its occupants.

19                    (9) "Labor organization" means an organization ~~and~~ or  
20 an agent of the organization, organized for the purpose, in  
21 whole or in part, of collective bargaining, of dealing with  
22 employers concerning grievances, or terms or of conditions  
23 of employment, or of other mutual aid protection of  
24 employees.

25                    (10) "Mental handicap" means any mental disability

1 resulting in subaverage intellectual functioning or impaired  
2 social competence.

3 (11) "National origin" means ancestry.

4 (12) "Person" means one ~~tt~~ or more individuals, labor  
5 unions, partnerships, associations, corporations, legal  
6 representatives, mutual companies, joint-stock companies,  
7 trusts, unincorporated employees, employers, employment  
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9 (13) "Physical handicap" means ~~any~~ a physical  
10 disability, infirmity, malformation, or disfigurement which  
11 is caused by bodily injury, birth defect, or illness,  
12 including epilepsy, and shall include without limitation any  
13 degree of paralysis, amputation, lack of physical  
14 ~~co-ordination~~ coordination, blindness or visual impediment,  
15 deafness or hearing impediment, muteness or speech  
16 impediment, or physical reliance on a guide dog for the  
17 blind, a wheelchair, or any other remedial appliance or  
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1 shop, beauty parlor, bathroom, ~~resthouse~~ rest house,  
2 theater, swimming pool, skating rink, golf course, cafe, ice  
3 cream parlor, transportation company, hospital, and all  
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5 only to the conditions and limitations established by law  
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23 Section 2. Section 71-1305.1, R.C.M. 1947, is amended  
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25 "71-1305.1. Access to housing accommodations. (1)

1 Blind persons and visually handicapped persons ~~shall be~~ are  
2 entitled to as full and equal access as other members of  
3 the general public to ~~all~~ any housing ~~accommodations~~  
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-End-

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LC 0010

1977 Legislature  
Code Commissioner Bill - Summary

House Bill No. 17

TO CLARIFY SECTIONS 64-305 and 71-1305.1, R.C.M. 1947

Section 1. 64-305. Subsection (2) defines "commission" as the "commission for human rights". Subsection (15) refers to the staff of the "human rights commission". Subsection (15) is amended to lend uniformity of terminology. Also, subsection (14) is amended to change "spirituous" liquors to "alcoholic beverages".

Section 2. 71-1305.1. Amended to delete "any accommodations included within subsection (1)" from subsection (2). The deleted portion is unnecessary. Further, it is confusing in that if taken literally it would entirely defeat the intent of the section.

Approved by Committee  
on Business and Industry

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REFERENCE BILL

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