

1 Senate BILL NO. 222
 2 INTRODUCED BY Fachandler Horden
 3 BY REQUEST OF THE DEPARTMENT OF LABOR

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO CONFORM MONTANA'S
 6 HUMAN RIGHTS LAWS TO THE FAIR HOUSING ACT OF 1968."
 7

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Discriminatory housing practices
 10 prohibited. (1) It is an unlawful discriminatory practice
 11 for any person to:

12 (a) refuse to negotiate for the sale or rental of or
 13 otherwise make unavailable or deny any housing accommodation
 14 or improved or unimproved real property to any person
 15 because of race, color, or national origin or because of
 16 sex, age, creed, religion, or physical or mental handicap
 17 unless based on reasonable grounds;

18 (b) make, print, or publish or cause to be made,
 19 printed, or published any notice, statement, or
 20 advertisement with respect to the sale or rental of a
 21 housing accommodation or improved or unimproved real
 22 property that indicates any preference, limitation, or
 23 discrimination based on race, color, or national origin or
 24 because of sex, age, creed, religion, or physical or mental
 25 handicap, unless based on reasonable grounds, or which

1 indicates an intention to make any such preference,
 2 limitation, or discrimination;

3 (c) represent to any person because of race, color, or
 4 national origin or sex, age, creed, religion or physical or
 5 mental handicap that any housing accommodation or improved
 6 or unimproved real property is not available for inspection
 7 when such housing accommodation or improved or unimproved
 8 real property is in fact so available;

9 (d) induce or attempt to induce for profit any person
 10 to sell or rent any housing accommodation or improved or
 11 unimproved real property by representations regarding the
 12 entry or prospective entry into the neighborhood of a person
 13 or persons of a particular race, color, national origin,
 14 sex, age, religion, or physical or mental handicap; or

15 (e) deny to any person access to or membership or
 16 participation in any multiple listing service, organization,
 17 or facility relating to the business of selling or renting
 18 housing accommodations or improved or unimproved property or
 19 to discriminate against such person in the terms or
 20 conditions of such access, membership, or participation on
 21 account of race, color, national origin, sex, age, creed,
 22 religion, or physical or mental handicap. However, this
 23 subsection does not prohibit the requirement that a person
 24 meet relevant and recognized standards of knowledge and
 25 competence concerning the business of selling or renting

1 housing and real estate.

2 (2) Distinctions permitted by this section based on
3 reasonable grounds shall be strictly construed in conformity
4 with the remedial purposes of this act. The burden shall be
5 on the person alleging an exception based on reasonable
6 grounds to demonstrate that such an exception is required by
7 the circumstances of the particular situation.

8 (3) The provisions of 64-305 through 64-330, relating
9 to complaints of discrimination generally apply to
10 complaints of discrimination arising under this section.

-End-