

House Bill 752

In The House

February 13, 1981	Introduced and referred to Committee on State Administration.
February 16, 1981	Fiscal note requested.
February 20, 1981	Fiscal note returned.
February 21, 1981	Committee recommend bill do not pass.

HOUSE BILL NO. 752

INTRODUCED BY *Seiser* *Adams* *Thadde Conroy*
Boyer *ROTA*

A BILL FOR AN ACT ENTITLED: "AN ACT TO REPEAL THE HUMAN RIGHTS ACT AND TO ABOLISH THE HUMAN RIGHTS COMMISSION; AMENDING SECTIONS 49-4-211 AND 49-4-214, MCA; REPEALING SECTIONS 2-15-1706, 49-2-101 THROUGH 49-2-601, AND 49-3-208, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 49-4-211, MCA, is amended to read:

"49-4-211. Right to use public places and accommodations. (1) The blind and the visually handicapped have the same right as the able-bodied to the full and free use of the streets, highways, sidewalks, walkways, public buildings, public facilities, and other public places.

(2) The blind and the visually handicapped are entitled to full and equal accommodations, advantages, facilities, and privileges of all common carriers, as defined in 69-11-101, and all public accommodations, ~~as defined in 49-2-101,~~ subject only to the conditions and limitations established by law and applicable alike to all persons.

(3) For purposes of this section, "public accommodation" means a place that caters or offers its

~~services, goods, or facilities to the general public. It includes without limitation a public inn, restaurant, eating house, hotel, roadhouse, place where food or alcoholic beverages or malt liquors are sold for consumption, motel, soda fountain, soft drink parlor, tavern, nightclub, trailer park, resort, campground, barbershop, beauty parlor, bathroom, resthouse, theater, swimming pool, skating rink, golf course, cafe, ice cream parlor, transportation company, or hospital and all other public amusement and business establishments."~~

Section 2. Section 49-4-214, MCA, is amended to read:

"49-4-214. Right to be accompanied by a guide dog. (1) Every totally or partially blind person has the right to be accompanied by a guide dog, especially trained for the purpose, in any of the places mentioned in 49-4-211(2) without being charged extra for the guide dog. He is liable for any damage done to the premises or facilities by such dog.

(2) Every totally or partially blind person who has a guide dog or who obtains a guide dog is entitled to full and equal access to all housing accommodations as provided in ~~49-2-305 and~~ 49-4-212. He may not be required to pay extra compensation for the guide dog but is liable for any damage done to the premises by the guide dog."

Section 3. Repealer. Sections 2-15-1706, 49-2-101

LC 0619/01

- 1 through 49-2-601, and 49-3-208, MCA, are repealed.
- 2 Section 4. Effective date. This act is effective July
- 3 1, 1981, subject to the provisions of 2-8-121.

-End-

STATE OF MONTANA

REQUEST NO. 389-81

FISCAL NOTE

Form BD-15

In compliance with a written request received 2-16-, 1981, there is hereby submitted a Fiscal Note for HB 752 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

Description of proposed legislation:

A proposal to repeal the Human Rights Act and to abolish the Human Rights Commission.

Assumptions:

1. Cases previously resolved by administrative hearings by the Human Rights Commission would decrease, but discrimination cases would be investigated by the Regional Federal Equal Employment Opportunity Commission and cases not qualifying under federal law would be filed in state courts. This has the possibility of higher costs to the state since previous court judgments have been higher than those awarded during the administrative procedure. The cost of this cannot be calculated at this time.

2. The current budget request for the Human Rights Commission would revert all budget funds to the original source.

REVENUE AND EXPENDITURE IMPACT

<u>Revenue</u>	<u>FY 82</u>	<u>FY 83</u>	<u>Total</u>
EEOC Funding	\$75,657	\$72,875	\$148,532
<u>Expenditure:</u>			
Federal & Private Revenue	75,657	72,875	148,532
General Fund	<u>150,237</u>	<u>158,501</u>	<u>308,738</u>
Total	\$225,894	\$231,376	\$457,270
Net Effect	(\$150,237)	(\$158,501)	(\$308,738)

The Net Effect is a savings to the General Fund of \$308,738 in the biennium because the Commission will not be funded.

David M. Lewis

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-20-81