

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1674 Session of  
1989

INTRODUCED BY J. L. WRIGHT, ROBINSON, SEMMEL, MORRIS, HALUSKA,  
McVERRY, ARGALL, NAHILL, WOGAN, CESSAR, CIVERA, LINTON,  
J. TAYLOR, KUKOVICH, GIGLIOTTI, VROON, VEON, MELIO, OLASZ,  
CORNELL, SERAFINI, TRICH, THOMAS, BISHOP, D. W. SNYDER, FOX,  
DIETTERICK, E. Z. TAYLOR, TRELLO, HERMAN, CORRIGAN, STAIRS,  
LASHINGER, MERRY, PETRARCA, ITKIN, ANGSTADT, MAIALE, HOWLETT,  
KASUNIC AND JOHNSON, JUNE 12, 1989

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 12, 1989

AN ACT

1 Amending the act of October 27, 1955 (P.L.744, No.222),  
2 entitled, as amended, "An act prohibiting certain practices  
3 of discrimination because of race, color, religious creed,  
4 ancestry, age or national origin by employers, employment  
5 agencies, labor organizations and others as herein defined;  
6 creating the Pennsylvania Human Relations Commission in the  
7 Department of Labor and Industry; defining its functions,  
8 powers and duties; providing for procedure and enforcement;  
9 providing for formulation of an educational program to  
10 prevent prejudice; providing for judicial review and  
11 enforcement and imposing penalties," prohibiting  
12 discrimination on the basis of age in certain matters  
13 relating to housing and real property.

14 The General Assembly of the Commonwealth of Pennsylvania  
15 hereby enacts as follows:

16 Section 1. Section 4(h) of the act of October 27, 1955  
17 (P.L.744, No.222), known as the Pennsylvania Human Relations  
18 Act, amended December 15, 1982 (P.L.1267, No.288), is amended to  
19 read:

20 Section 4. Definitions.--As used in this act unless a  
21 different meaning clearly appears from the context:

1       \* \* \*

2       (h) The term "age" includes any person [between the ages of  
3       forty and seventy inclusive] forty years of age and older and  
4       shall also include any other person so protected by further  
5       amendment to the Federal Age Discrimination in Employment Act.

6       \* \* \*

7       Section 2. Section 5(h) of the act, amended December 16,  
8       1986 (P.L.1626, No.186), is amended to read:

9       Section 5. Unlawful Discriminatory Practices.--It shall be  
10      an unlawful discriminatory practice, unless based upon a bona  
11      fide occupational qualification, or in the case of a fraternal  
12      corporation or association, unless based upon membership in such  
13      association or corporation, or except where based upon  
14      applicable security regulations established by the United States  
15      or the Commonwealth of Pennsylvania:

16      \* \* \*

17      (h) For any person to:

18      (1) Refuse to sell, lease, finance or otherwise to deny or  
19      withhold any housing accommodation or commercial property from  
20      any person because of the race, color, religious creed,  
21      ancestry, sex, age, national origin or handicap or disability of  
22      any prospective owner, occupant or user of such housing  
23      accommodation or commercial property, or to refuse to lease any  
24      housing accommodation or commercial property to any person due  
25      to use of a guide animal because of the blindness or deafness of  
26      the user, or use of a support animal because of a physical  
27      handicap of the user or because the user is a handler or trainer  
28      of support or guide animals.

29      (1.1) Evict or attempt to evict an occupant of any housing  
30      accommodation before the end of the term of a lease because of

1 pregnancy or the birth of a child.

2 (2) Refuse to lend money, whether or not secured by mortgage  
3 or otherwise for the acquisition, construction, rehabilitation,  
4 repair or maintenance of any housing accommodation or commercial  
5 property or otherwise withhold financing of any housing  
6 accommodation or commercial property from any person because of  
7 the race, color, religious creed, ancestry, sex, age, national  
8 origin, handicap or disability or the use of a guide or support  
9 animal because of the blindness, deafness or physical handicap  
10 of the user or because the user is a handler or trainer of  
11 support or guide animals, of any present or prospective owner,  
12 occupant or user of such housing accommodation or commercial  
13 property.

14 (3) Discriminate against any person in the terms or  
15 conditions of selling or leasing any housing accommodation or  
16 commercial property or in furnishing facilities, services or  
17 privileges in connection with the ownership, occupancy or use of  
18 any housing accommodation or commercial property because of the  
19 race, color, religious creed, ancestry, sex, age, national  
20 origin, handicap or disability or the use of a guide or support  
21 animal because of the blindness, deafness or physical handicap  
22 of the user or because the user is a handler or trainer of  
23 support or guide animals, of any present or prospective owner,  
24 occupant or user of such housing accommodation or commercial  
25 property.

26 (4) Discriminate against any person in the terms or  
27 conditions of any loan of money, whether or not secured by  
28 mortgage or otherwise for the acquisition, construction,  
29 rehabilitation, repair or maintenance of housing accommodation  
30 or commercial property because of the race, color, religious

1 creed, ancestry, sex, age, national origin or handicap or  
2 disability of any present or prospective owner, occupant or user  
3 of any housing accommodation or commercial property.

4 (5) Print, publish or circulate any statement or  
5 advertisement: (i) relating to the sale, lease or acquisition of  
6 any housing accommodation or commercial property or the loan of  
7 money, whether or not secured by mortgage, or otherwise for the  
8 acquisition, construction, rehabilitation, repair or maintenance  
9 of any housing accommodation or commercial property which  
10 indicates any preference, limitation, specification, or  
11 discrimination based upon race, color, religious creed,  
12 ancestry, sex, age, national origin or handicap or disability,  
13 or (ii) relating to the lease of any housing accommodation or  
14 commercial property which indicates any preference, limitation,  
15 specification or discrimination based upon use of a guide or  
16 support animal because of the blindness, deafness or physical  
17 handicap of the user or because the user is a handler or trainer  
18 of support or guide animals.

19 (6) Make any inquiry, elicit any information, make or keep  
20 any record or use any form of application, containing questions  
21 or entries concerning race, color, religious creed, ancestry,  
22 sex, age, national origin or handicap or disability in  
23 connection with the sale or lease of any housing accommodation  
24 or commercial property or loan of any money, whether or not  
25 secured by mortgage or otherwise for the acquisition,  
26 construction, rehabilitation, repair or maintenance of any  
27 housing accommodation or commercial property, or to make any  
28 inquiry, elicit any information, make or keep any record or use  
29 any form of application, containing questions or entries  
30 concerning the use of a guide or support animal because of the

1 blindness, deafness or physical handicap of the user or because  
2 the user is a handler or trainer of support or guide animals, in  
3 connection with the lease of any housing accommodation or  
4 commercial property.

5 \* \* \*

6 Section 3. This act shall take effect in 60 days.