

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1290 Session of 2009

INTRODUCED BY MCGEEHAN, BRENNAN, BRIGGS, D. COSTA, CRUZ,
 DONATUCCI, FLECK, GEORGE, GIBBONS, GOODMAN, JOSEPHS, KORTZ,
 MAHONEY, MANN, M. O'BRIEN, PARKER, PASHINSKI, SIPTROTH,
 K. SMITH AND WALKO, APRIL 20, 2009

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 20, 2009

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 Governor's Office; defining its functions, powers and duties;
 8 providing for procedure and enforcement; providing for
 9 formulation of an educational program to prevent prejudice;
 10 providing for judicial review and enforcement and imposing
 11 penalties," further providing for unlawful discriminatory
 12 practices.

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

15 Section 1. Section 5 introductory paragraph of the act of
 16 October 27, 1955 (P.L.744, No.222), known as the Pennsylvania
 17 Human Relations Act, amended December 20, 1991 (P.L.414, No.51),
 18 is amended to read:

19 Section 5. Unlawful Discriminatory Practices.--It shall be
 20 an unlawful discriminatory practice for any employer because of
 21 the credit history of any individual or independent contractor,
 22 to refuse to hire or employ or contract with, or to bar or to

1 discharge from employment such individual or independent
2 contractor, or to otherwise discriminate against such individual
3 or independent contractor with respect to compensation, hire,
4 tenure, terms, conditions or privileges of employment or
5 contract, if the individual or independent contractor is the
6 best able and most competent to perform the services required.

7 It shall be an unlawful discriminatory practice, unless based
8 upon a bona fide occupational qualification, or in the case of a
9 fraternal corporation or association, unless based upon
10 membership in such association or corporation, or except where
11 based upon applicable security regulations established by the
12 United States or the Commonwealth of Pennsylvania:

13 * * *

14 Section 2. This act shall take effect in 60 days.