

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1212 Session of
1975

INTRODUCED BY REED, BERLIN, MILLIRON AND COWELL, MAY 5, 1975

REFERRED TO COMMITTEE ON JUDICIARY, MAY 6, 1975

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," providing for additional
12 definitions and acts of discrimination.

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

15 Section 1. Sections 4 and 5, act of October 27, 1955
16 (P.L.744, No.222), known as the "Pennsylvania Human Relations
17 Act," are amended by adding subsections to read:

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

20 * * *

21 (q) The term "credit" means the right conferred upon a
22 person by a creditor to incur debt and defer its payment,
23 whether or not any interest or finance charge is made for the

1 exercise of this right.

2 (r) The term "creditor" means any person or financial
3 institution which does business in this Commonwealth and which
4 extends credit or arranges for the extension of credit by
5 others. The term "creditor" includes but is not limited to,
6 banks and trust companies, private bankers, savings banks,
7 licensed lenders, savings and loan associations, credit unions,
8 sales finance companies, insurers, credit card issuers, mortgage
9 companies and wholesale and retail merchants.

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

17 * * *

18 (k) For any creditor or any officer, agent or employe
19 thereof:

20 (1) To discriminate in the granting, withholding, extending
21 or renewing, or in fixing of rates, terms or conditions of, any
22 form of credit because of race, color, religious creed,
23 ancestry, national origin, sex or marital status.

24 (2) To make any inquiry of an applicant concerning her
25 capacity to bear children, or his or her use or advocacy of any
26 form of birth control or family planning.

27 (3) To refuse to consider sources of an applicant's income
28 or to subject an applicant's income to automatic or unwarranted
29 discounting, in whole or in part, because of an applicant's
30 race, color, religious creed, ancestry, national origin, sex,

1 marital status or childbearing potential.

2 * * *

3 Section 2. This act shall take effect immediately.