



Substitute Senate Bill No. 5

Public Act No. 22-82

AN ACT CONCERNING ONLINE DATING OPERATORS, THE CREATION OF A GRANT PROGRAM TO REDUCE OCCURRENCES OF ONLINE ABUSE AND THE PROVISION OF DOMESTIC VIOLENCE TRAINING AND PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective October 1, 2022*) As used in this section and sections 2 to 5, inclusive, of this act:

(1) "Connecticut user" means a user who provides a Connecticut home address or zip code when registering with an online dating operator or a user who is known or determined by an online dating operator or its online dating platform to be in Connecticut at the time of registration;

(2) "Criminal background screening" means a name search for an individual's history of criminal convictions that is conducted by searching an (A) available and regularly updated government public record database that in the aggregate provides national coverage for searching an individual's history of criminal convictions; or (B) a regularly updated database maintained by a private vendor that provides national coverage for searching an individual's history of criminal convictions and sexual offender registries;

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(3) "Criminal conviction" means a conviction for a crime in this state, another state, or under federal law;

(4) "Online dating" means the act of using a digital service to initiate relationships with other individuals for the purpose of romance, sex or marriage;

(5) "Online dating operator" means a person who operates a software application designed to facilitate online dating;

(6) "Online dating platform" means a digital service designed to allow users to interact through the Internet to participate in online dating; and

(7) "User" means an individual who uses the online dating services of an online dating operator.

Sec. 2. (NEW) (*Effective October 1, 2022*) (a) An online dating operator that does not conduct a criminal background screening on each user shall, before permitting a Connecticut user to communicate through the online dating platform with another user, provide the Connecticut user with a clear and conspicuous notification that the online dating operator does not conduct a criminal background screening on each user.

(b) An online dating operator that offers services to residents of this state and conducts a criminal background screening on each user shall, before permitting a Connecticut user to communicate through the platform with another user: (1) Provide to the Connecticut user with a clear and conspicuous notification indicating that the online dating operator conducts a criminal background screening on each user, which notification shall include a statement of whether the platform excludes an individual who is identified as having a criminal conviction and a statement that a criminal background screening may: (A) Be inaccurate or incomplete; (B) give a user a false sense of security; and (C) be circumvented by an individual who has a criminal history; and (2) include on the online dating platform a notification containing the

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information described in subdivision (1) of this subsection.

Sec. 3. (NEW) (*Effective October 1, 2022*) (a) An online dating operator that offers services to residents of this state shall clearly and conspicuously provide a safety awareness notification on the online dating platform to all Connecticut users that includes a list of safety measures reasonably designed to increase awareness of safer online dating practices.

(b) A safety awareness notification described in subsection (a) of this section shall include the following statements in substantially similar form:

(1) "Use caution when communicating with a stranger who wants to meet you.";

(2) "You should not include your last name, electronic mail address, home address, phone number or any other identifying information in your online dating profile or electronic mail messages or communications until you feel comfortable with the other user. Stop communicating with anyone who pressures you for personal or financial information or attempts in any way to coerce you into revealing such information.";

(3) "If you choose to have a face-to-face meeting with another user who you met on the online dating platform, tell a family member or friend where you will be meeting and when you will return. You should not agree to be picked up at your home. Always provide your own transportation to and from your date and meet in a public place with many people around."; and

(4) "Anyone who is able to commit identity theft can also falsify a dating profile."

Sec. 4. (NEW) (*Effective October 1, 2022*) An online dating operator

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providing the notifications required under sections 2 and 3 of this act shall provide such notification at the time a Connecticut user registers with the online dating operator by way of a communication, which may be in the form of electronic mail, text message, push notification, inbox message or in-product message. Such notifications may be provided in the same communication. The communication shall not address matters other than the criminal background screening notification and the safety awareness notification. In the event that the means of communication is character limited, the online dating operator may include the full content of the information by means of a link to a separate Internet web site, provided such Internet web site does not address matters other than the notifications required under sections 2 and 3 of this act.

Sec. 5. (NEW) (*Effective October 1, 2022*) (a) The Department of Consumer Protection may issue fines of not more than twenty-five thousand dollars per violation, accept an offer in compromise, or take other actions permitted by the general statutes or the regulations of Connecticut state agencies if an online dating operator fails to comply with the provisions of sections 1 to 4, inclusive, of this act.

(b) The Commissioner of Consumer Protection, or the commissioner's designee, may conduct investigations and hold hearings on any matter under the provisions of this section and sections 1 to 4, inclusive, of this act. The commissioner, or the commissioner's designee, may issue subpoenas, administer oaths, compel testimony and order the production of books, records and documents. If any person refuses to appear, to testify or to produce any book, record or document when so ordered, upon application of the commissioner or the commissioner's designee, a judge of the Superior Court may make such order as may be appropriate to aid in the enforcement of this section.

(c) The Attorney General, at the request of the commissioner or the commissioner's designee, may apply in the name of the state to the Superior Court for an order temporarily or permanently restraining and

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enjoining any person from violating any provision of this section and sections 1 to 4, inclusive, of this act.

Sec. 6. (NEW) (*Effective July 1, 2022*) (a) As used in this section:

(1) "Eligible entity" means any of the following located in this state: (A) A local or regional school district, (B) a historical society, (C) a tax-exempt entity registered with the office of the Secretary of the State, (D) a government agency, (E) a constituent unit of the state system of higher education, (F) a public library, or (G) any other entity operating under another entity described in this subdivision; and

(2) "Online abuse" means the following acts, when conducted using any interactive computer service: (A) Speech or conduct motivated by hatred, prejudice or bigotry towards a person or group based on the person's actual or perceived religion, national origin, alienage, color, race, sex, gender identity or expression, sexual orientation or disability, (B) harassment, (C) stalking, (D) swatting, (E) doxing, or (F) an assault.

(b) There is established a grant program to provide educational and training opportunities with the goal of preventing online abuse and informing individuals about identifying, reporting, responding to and avoiding online abuse. The grant program shall be administered by the Department of Emergency Services and Public Protection, in consultation with the State-Wide Hate Crimes Advisory Council, established under section 51-279f of the general statutes.

(c) Not later than three months after receiving funds from the state for any fiscal year, the administrator of the grant program shall issue a request for proposals from any eligible entity. Each response to the request for proposals shall: Specify the types of online abuse that the entity proposes to address in accordance with the purposes of the program under subsection (b) of this section; the methods used to achieve the goals of the program; other specific goals of the eligible

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entity; the target audience of the training and information that the entity would provide; whether the eligible entity is replicating a program found to have a high likelihood of success as determined by a cost-benefit analysis appearing in a peer reviewed academic journal; and the amount, if any, of matching funds the eligible entity will contribute.

(d) The department may award grants for any programming or service that prevents online abuse or furthers the other goals of the program under subsection (b) of this section, including training teachers or professionals within schools, archiving, public murals, curriculum development and marketing. Eligible entities may use the funds awarded under this subsection collectively, including regionally, through coordinated efforts and conferences that achieve the goals of the program.

(e) The department may only award a grant to an eligible entity in an amount not to exceed thirty thousand dollars during any fiscal year.

Sec. 7. Section 46a-51 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

As used in section 4a-60a and this chapter:

(1) "Blind" refers to an individual whose central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or whose visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than twenty degrees;

(2) "Commission" means the Commission on Human Rights and Opportunities created by section 46a-52;

(3) "Commission legal counsel" means a member of the legal staff employed by the commission pursuant to section 46a-54, as amended

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by this act;

(4) "Commissioner" means a member of the commission;

(5) "Court" means the Superior Court or any judge of said court;

(6) "Discrimination" includes segregation and separation;

(7) "Discriminatory employment practice" means any discriminatory practice specified in section 46a-60, as amended by this act, or 46a-81c;

(8) "Discriminatory practice" means a violation of section 4a-60, 4a-60a, 4a-60g, 31-40y, subparagraph (C) of subdivision (15) of section 46a-54, as amended by this act, subdivisions (16) and (17) of section 46a-54, as amended by this act, section 46a-58, as amended by this act, 46a-59, as amended by this act, 46a-60, as amended by this act, 46a-64, as amended by this act, 46a-64c, 46a-66, as amended by this act, 46a-68, 46a-68c to 46a-68f, inclusive, or 46a-70 to 46a-78, inclusive, as amended by this act, subsection (a) of section 46a-80 or sections 46a-81b to 46a-81o, inclusive;

(9) "Employee" means any person employed by an employer but shall not include any individual employed by such individual's parents, spouse or child. "Employee" includes any elected or appointed official of a municipality, board, commission, counsel or other governmental body;

(10) "Employer" includes the state and all political subdivisions thereof and means any person or employer with [three] one or more persons in such person's or employer's employ;

(11) "Employment agency" means any person undertaking with or without compensation to procure employees or opportunities to work;

(12) "Labor organization" means any organization which exists for the purpose, in whole or in part, of collective bargaining or of dealing with

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employers concerning grievances, terms or conditions of employment, or of other mutual aid or protection in connection with employment;

(13) "Intellectual disability" means intellectual disability as defined in section 1-1g;

(14) "Person" means one or more individuals, partnerships, associations, corporations, limited liability companies, legal representatives, trustees, trustees in bankruptcy, receivers and the state and all political subdivisions and agencies thereof;

(15) "Physically disabled" refers to any individual who has any chronic physical handicap, infirmity or impairment, whether congenital or resulting from bodily injury, organic processes or changes or from illness, including, but not limited to, epilepsy, deafness or being hard of hearing or reliance on a wheelchair or other remedial appliance or device;

(16) "Respondent" means any person alleged in a complaint filed pursuant to section 46a-82 to have committed a discriminatory practice;

(17) "Discrimination on the basis of sex" includes but is not limited to discrimination related to pregnancy, child-bearing capacity, sterilization, fertility or related medical conditions;

(18) "Discrimination on the basis of religious creed" includes but is not limited to discrimination related to all aspects of religious observances and practice as well as belief, unless an employer demonstrates that the employer is unable to reasonably accommodate to an employee's or prospective employee's religious observance or practice without undue hardship on the conduct of the employer's business;

(19) "Learning disability" refers to an individual who exhibits a severe discrepancy between educational performance and measured

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intellectual ability and who exhibits a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in a diminished ability to listen, speak, read, write, spell or to do mathematical calculations;

(20) "Mental disability" refers to an individual who has a record of, or is regarded as having one or more mental disorders, as defined in the most recent edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders"; and

(21) "Gender identity or expression" means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose; [.]

(22) "Veteran" means veteran as defined in subsection (a) of section 27-103;

(23) "Race" is inclusive of ethnic traits historically associated with race, including, but not limited to, hair texture and protective hairstyles; [and]

(24) "Protective hairstyles" includes, but is not limited to, wigs, headwraps and hairstyles such as individual braids, cornrows, locs, twists, Bantu knots, afros and afro puffs; and

(25) "Domestic Violence" has the same meaning as provided in subsection (b) of section 46b-1.

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Sec. 8. Section 46a-54 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The commission shall have the following powers and duties:

(1) To establish and maintain such offices as the commission may deem necessary;

(2) To organize the commission into a division of affirmative action monitoring and contract compliance, a division of discriminatory practice complaints and such other divisions, bureaus or units as may be necessary for the efficient conduct of business of the commission;

(3) To employ legal staff and commission legal counsel as necessary to perform the duties and responsibilities under section 46a-55, as amended by this act. [One commission legal counsel shall serve as supervising attorney.] Each commission legal counsel shall be admitted to practice law in this state;

(4) To appoint such investigators and other employees and agents as it deems necessary, fix their compensation within the limitations provided by law and prescribe their duties;

(5) To adopt, publish, amend and rescind regulations consistent with and to effectuate the provisions of this chapter;

(6) To establish rules of practice to govern, expedite and effectuate the procedures set forth in this chapter;

(7) To recommend policies and make recommendations to agencies and officers of the state and local subdivisions of government to effectuate the policies of this chapter;

(8) To receive, initiate as provided in section 46a-82, investigate and mediate discriminatory practice complaints;

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(9) By itself or with or by hearing officers or human rights referees, to hold hearings, subpoena witnesses and compel their attendance, administer oaths, take the testimony of any person under oath and require the production for examination of any books and papers relating to any matter under investigation or in question;

(10) To make rules as to the procedure for the issuance of subpoenas by individual commissioners, hearing officers and human rights referees;

(11) To require written answers to interrogatories under oath relating to any complaint under investigation pursuant to this chapter alleging any discriminatory practice as defined in subdivision (8) of section 46a-51, as amended by this act, and to adopt regulations, in accordance with the provisions of chapter 54, for the procedure for the issuance of interrogatories and compliance with interrogatory requests;

(12) To utilize such voluntary and uncompensated services of private individuals, agencies and organizations as may from time to time be offered and needed and with the cooperation of such agencies, (A) to study the problems of discrimination in all or specific fields of human relationships, and (B) to foster through education and community effort or otherwise good will among the groups and elements of the population of the state;

(13) To require the posting by an employer, employment agency or labor organization of such notices regarding statutory provisions as the commission shall provide;

(14) To require the posting, by any respondent or other person subject to the requirements of section 46a-64, as amended by this act, 46a-64c, as amended by this act, 46a-81d or 46a-81e, of such notices of statutory provisions as it deems desirable;

(15) To require an employer having three or more employees to (A)

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post in a prominent and accessible location information concerning the illegality of sexual harassment and remedies available to victims of sexual harassment; [] (B) provide, not later than three months after the employee's start date with the employer, a copy of the information concerning the illegality of sexual harassment and remedies available to victims of sexual harassment to each employee by electronic mail with a subject line that includes the words "Sexual Harassment Policy" or words of similar import, if (i) the employer has provided an electronic mail account to the employee, or (ii) the employee has provided the employer with an electronic mail address, provided if an employer has not provided an electronic mail account to the employee, the employer shall post the information concerning the illegality of sexual harassment and remedies available to victims of sexual harassment on the employer's Internet web site, if the employer maintains such an Internet web site. An employer may comply with the requirements of this subparagraph, by providing an employee with the link to the commission's Internet web site concerning the illegality of sexual harassment and the remedies available to victims of sexual harassment by electronic mail, text message or in writing; and (C) provide two hours of training and education to employees within one year of October 1, 2019, provided any employer who has provided such training and education to any such employees after October 1, 2018, shall not be required to provide such training and education a second time. An employer having (i) three or more employees, shall provide such training and education to an employee hired on or after October 1, 2019, not later than six months after the date of his or her hire, provided the commission has developed and made available such training and education materials in accordance with the provisions of subdivision (8) of subsection (a) of section 46a-56, as amended by this act; or (ii) less than three employees shall provide such training and education to all supervisory employees within one year of October 1, 2019, and to all new supervisory employees within six months of their assumption of a supervisory position, provided any employer who has provided such

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training and education to any such supervisory employees after October 1, 2018, shall not be required to provide such training and education a second time. Any supervisory employee hired on or after October 1, 2019, by an employer having less than three employees, shall receive such training and education not later than six months after the date of his or her hire, provided the commission has developed and made available such training and education materials in accordance with the provisions of subdivision (8) of subsection (a) of section 46a-56, as amended by this act. Such training and education shall include information concerning the federal and state statutory provisions concerning sexual harassment and remedies available to victims of sexual harassment. If an employee has received in-person training provided by the commission or has taken the no cost online training provided by the commission on its Internet web site in accordance with the provisions of subdivision (8) of subsection (a) of section 46a-56, as amended by this act, while employed by a different employer within the two years preceding the date of hire, an employer may consider such prior training to satisfy the training requirements of this section. An employer who is required to provide training under this subdivision shall provide periodic supplemental training that updates all supervisory and nonsupervisory employees on the content of such training and education not less than every ten years. As used in this subdivision, "sexual harassment" has the same meaning as provided in subdivision (8) of subsection (b) of section 46a-60, as amended by this act, and "employer" includes the General Assembly and "employee" means any individual employed by an employer, including an individual employed by such individual's parent, spouse or child;

(16) To require each state agency that employs one or more employees to (A) provide a minimum of three hours of diversity training and education (i) to all supervisory and nonsupervisory employees, not later than July 1, 2002, with priority for such training to supervisory employees, and (ii) to all newly hired supervisory and

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nonsupervisory employees, not later than six months after their assumption of a position with a state agency, with priority for such training to supervisory employees. Such training and education shall include information concerning the federal and state statutory provisions concerning discrimination and hate crimes directed at protected classes and remedies available to victims of discrimination and hate crimes, standards for working with and serving persons from diverse populations and strategies for addressing differences that may arise from diverse work environments; and (B) submit an annual report to the Commission on Human Rights and Opportunities concerning the status of the diversity training and education required under subparagraph (A) of this subdivision. The information in such annual reports shall be reviewed by the commission for the purpose of submitting an annual summary report to the General Assembly. Notwithstanding the provisions of this section, if a state agency has provided such diversity training and education to any of its employees prior to October 1, 1999, such state agency shall not be required to provide such training and education a second time to such employees. The requirements of this subdivision shall be accomplished within available appropriations. As used in this subdivision, "employee" includes any part-time employee who works more than twenty hours per week;

(17) To require each agency to submit information demonstrating its compliance with subdivision (16) of this section as part of its affirmative action plan and to receive and investigate complaints concerning the failure of a state agency to comply with the requirements of subdivision (16) of this section; [and]

(18) To enter into contracts for and accept grants of private or federal funds and to accept gifts, donations or bequests, including donations of service by attorneys; [.]

(19) To require each state agency to provide a minimum of one hour

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of training and education related to domestic violence and the resources available to victims of domestic violence (A) to all employees hired prior to January 1, 2023, not later than July 1, 2023, and (B) to all employees hired on or after January 1, 2023, not later than six months after their assumption of a position with a state agency. Such training and education shall include information concerning (i) domestic violence, abuser and victim behaviors; (ii) how domestic violence may impact the workplace; and (iii) the resources available to victims of domestic violence. The requirements of this subdivision shall be accomplished within available appropriations using the training and education materials made available by the commission in accordance with the provisions of subdivision (10) of subsection (a) of section 46a-56, as amended by this act; and

(20) To require an employer having three or more employees to post in a prominent and accessible location information concerning domestic violence and the resources available to victims of domestic violence in Connecticut.

Sec. 9. Subsection (a) of section 46a-56 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) The commission shall:

(1) Investigate the possibilities of affording equal opportunity of profitable employment to all persons, with particular reference to job training and placement;

(2) Compile facts concerning discrimination in employment, violations of civil liberties and other related matters;

(3) Investigate and proceed in all cases of discriminatory practices as provided in this chapter and noncompliance with the provisions of section 4a-60 or 4a-60a or sections 46a-68c to 46a-68f, inclusive;

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(4) From time to time, but not less than once a year, report to the Governor as provided in section 4-60, making recommendations for the removal of such injustices as it may find to exist and such other recommendations as it deems advisable and describing the investigations, proceedings and hearings it has conducted and their outcome, the decisions it has rendered and the other work it has performed;

(5) Monitor state contracts to determine whether they are in compliance with sections 4a-60 and 4a-60a, and those provisions of the general statutes which prohibit discrimination;

(6) Compile data concerning state contracts with female and minority business enterprises and submit a report annually to the General Assembly concerning the employment of such business enterprises as contractors and subcontractors;

(7) Develop and include on the commission's Internet web site a link concerning the illegality of sexual harassment, as defined in section 46a-60, as amended by this act, and the remedies available to victims of sexual harassment; [and]

(8) Develop and make available at no cost to employers an online training and education video or other interactive method of training and education that fulfills the requirements prescribed in subdivision (15) of section 46a-54, [.] as amended by this act;

(9) Develop, in conjunction with organizations that advocate on behalf of victims of domestic violence, and include on the commission's Internet web site a link concerning domestic violence and the resources available to victims of domestic violence; and

(10) Develop, in conjunction with organizations that advocate on behalf of victims of domestic violence, and make available at no cost to each state agency an online training and education video or other

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interactive method of training and education that fulfills the requirements prescribed in subdivision (19) of section 46a-54, as amended by this act.

Sec. 10. Section 46a-60 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) As used in this section:

(1) "Pregnancy" means pregnancy, childbirth or a related condition, including, but not limited to, lactation;

(2) "Reasonable accommodation" means, but is not limited to, being permitted to sit while working, more frequent or longer breaks, periodic rest, assistance with manual labor, job restructuring, light duty assignments, modified work schedules, temporary transfers to less strenuous or hazardous work, time off to recover from childbirth or break time and appropriate facilities for expressing breast milk; and

(3) "Undue hardship" means an action requiring significant difficulty or expense when considered in light of factors such as (A) the nature and cost of the accommodation; (B) the overall financial resources of the employer; (C) the overall size of the business of the employer with respect to the number of employees, and the number, type and location of its facilities; and (D) the effect on expenses and resources or the impact otherwise of such accommodation upon the operation of the employer.

(b) It shall be a discriminatory practice in violation of this section:

(1) For an employer, by the employer or the employer's agent, except in the case of a bona fide occupational qualification or need, to refuse to hire or employ or to bar or to discharge from employment any individual or to discriminate against any individual in compensation or

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in terms, conditions or privileges of employment because of the individual's race, color, religious creed, age, sex, gender identity or expression, marital status, national origin, ancestry, present or past history of mental disability, intellectual disability, learning disability, physical disability, including, but not limited to, blindness, [or] status as a veteran or status as a victim of domestic violence;

(2) For any employment agency, except in the case of a bona fide occupational qualification or need, to fail or refuse to classify properly or refer for employment or otherwise to discriminate against any individual because of such individual's race, color, religious creed, age, sex, gender identity or expression, marital status, national origin, ancestry, present or past history of mental disability, intellectual disability, learning disability, physical disability, including, but not limited to, blindness, [or] status as a veteran or status as a victim of domestic violence;

(3) For a labor organization, because of the race, color, religious creed, age, sex, gender identity or expression, marital status, national origin, ancestry, present or past history of mental disability, intellectual disability, learning disability, physical disability, including, but not limited to, blindness, [or] status as a veteran or status as a victim of domestic violence of any individual to exclude from full membership rights or to expel from its membership such individual or to discriminate in any way against any of its members or against any employer or any individual employed by an employer, unless such action is based on a bona fide occupational qualification;

(4) For any person, employer, labor organization or employment agency to discharge, expel or otherwise discriminate against any person because such person has opposed any discriminatory employment practice or because such person has filed a complaint or testified or assisted in any proceeding under section 46a-82, 46a-83 or 46a-84;

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(5) For any person, whether an employer or an employee or not, to aid, abet, incite, compel or coerce the doing of any act declared to be a discriminatory employment practice or to attempt to do so;

(6) For any person, employer, employment agency or labor organization, except in the case of a bona fide occupational qualification or need, to advertise employment opportunities in such a manner as to restrict such employment so as to discriminate against individuals because of their race, color, religious creed, age, sex, gender identity or expression, marital status, national origin, ancestry, present or past history of mental disability, intellectual disability, learning disability, physical disability, including, but not limited to, blindness, [or] status as a veteran or status as a victim of domestic violence;

(7) For an employer, by the employer or the employer's agent: (A) To terminate a woman's employment because of her pregnancy; (B) to refuse to grant to that employee a reasonable leave of absence for disability resulting from her pregnancy; (C) to deny to that employee, who is disabled as a result of pregnancy, any compensation to which she is entitled as a result of the accumulation of disability or leave benefits accrued pursuant to plans maintained by the employer; (D) to fail or refuse to reinstate the employee to her original job or to an equivalent position with equivalent pay and accumulated seniority, retirement, fringe benefits and other service credits upon her signifying her intent to return unless, in the case of a private employer, the employer's circumstances have so changed as to make it impossible or unreasonable to do so; (E) to limit, segregate or classify the employee in a way that would deprive her of employment opportunities due to her pregnancy; (F) to discriminate against an employee or person seeking employment on the basis of her pregnancy in the terms or conditions of her employment; (G) to fail or refuse to make a reasonable accommodation for an employee or person seeking employment due to her pregnancy, unless the employer can demonstrate that such

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accommodation would impose an undue hardship on such employer; (H) to deny employment opportunities to an employee or person seeking employment if such denial is due to the employee's request for a reasonable accommodation due to her pregnancy; (I) to force an employee or person seeking employment affected by pregnancy to accept a reasonable accommodation if such employee or person seeking employment (i) does not have a known limitation related to her pregnancy, or (ii) does not require a reasonable accommodation to perform the essential duties related to her employment; (J) to require an employee to take a leave of absence if a reasonable accommodation can be provided in lieu of such leave; and (K) to retaliate against an employee in the terms, conditions or privileges of her employment based upon such employee's request for a reasonable accommodation;

(8) For an employer, by the employer or the employer's agent, for an employment agency, by itself or its agent, or for any labor organization, by itself or its agent, to harass any employee, person seeking employment or member on the basis of sex or gender identity or expression. If an employer takes immediate corrective action in response to an employee's claim of sexual harassment, such corrective action shall not modify the conditions of employment of the employee making the claim of sexual harassment unless such employee agrees, in writing, to any modification in the conditions of employment. "Corrective action" taken by an employer, includes, but is not limited to, employee relocation, assigning an employee to a different work schedule or other substantive changes to an employee's terms and conditions of employment. Notwithstanding an employer's failure to obtain a written agreement from an employee concerning a modification in the conditions of employment, the commission may find that corrective action taken by an employer was reasonable and not of detriment to the complainant based on the evidence presented to the commission by the complainant and respondent. As used in this subdivision, "sexual harassment" means any unwelcome sexual

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advances or requests for sexual favors or any conduct of a sexual nature when (A) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (B) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (C) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment;

(9) For an employer, by the employer or the employer's agent, for an employment agency, by itself or its agent, or for any labor organization, by itself or its agent, to request or require information from an employee, person seeking employment or member relating to the individual's child-bearing age or plans, pregnancy, function of the individual's reproductive system, use of birth control methods, or the individual's familial responsibilities, unless such information is directly related to a bona fide occupational qualification or need, provided an employer, through a physician may request from an employee any such information which is directly related to workplace exposure to substances which may cause birth defects or constitute a hazard to an individual's reproductive system or to a fetus if the employer first informs the employee of the hazards involved in exposure to such substances;

(10) For an employer, by the employer or the employer's agent, after informing an employee, pursuant to subdivision (9) of this subsection, of a workplace exposure to substances which may cause birth defects or constitute a hazard to an employee's reproductive system or to a fetus, to fail or refuse, upon the employee's request, to take reasonable measures to protect the employee from the exposure or hazard identified, or to fail or refuse to inform the employee that the measures taken may be the subject of a complaint filed under the provisions of this chapter. Nothing in this subdivision is intended to prohibit an

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employer from taking reasonable measures to protect an employee from exposure to such substances. For the purpose of this subdivision, "reasonable measures" shall be those measures which are consistent with business necessity and are least disruptive of the terms and conditions of the employee's employment;

(11) For an employer, by the employer or the employer's agent, for an employment agency, by itself or its agent, or for any labor organization, by itself or its agent: (A) To request or require genetic information from an employee, person seeking employment or member, or (B) to discharge, expel or otherwise discriminate against any person on the basis of genetic information. For the purpose of this subdivision, "genetic information" means the information about genes, gene products or inherited characteristics that may derive from an individual or a family member;

(12) For an employer, by the employer or the employer's agent, to request or require a prospective employee's age, date of birth, dates of attendance at or date of graduation from an educational institution on an initial employment application, provided the provisions of this subdivision shall not apply to any employer requesting or requiring such information (A) based on a bona fide occupational qualification or need, or (B) when such information is required to comply with any provision of state or federal law; [.] and

(13) (A) For an employer or the employer's agent to deny an employee a reasonable leave of absence in order to: (i) Seek attention for injuries caused by domestic violence including for a child who is a victim of domestic violence, provided the employee is not the perpetrator of the domestic violence against the child; (ii) obtain services including safety planning from a domestic violence agency or rape crisis center, as those terms are defined in section 52-146k, as a result of domestic violence; (iii) obtain psychological counseling related to an incident or incidents of domestic violence, including for a child who is a victim of domestic

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violence, provided the employee is not the perpetrator of the domestic violence against the child; (iv) take other actions to increase safety from future incidents of domestic violence, including temporary or permanent relocation; or (v) obtain legal services, assisting in the prosecution of the offense, or otherwise participate in legal proceedings in relation to the incident or incidents of domestic violence.

(B) An employee who is absent from work in accordance with the provisions of subparagraph (A) of this subdivision shall, within a reasonable time after the absence, provide a certification to the employer when requested by the employer. Such certification shall be in the form of: (i) A police report indicating that the employee or the employee's child was a victim of domestic violence; (ii) a court order protecting or separating the employee or employee's child from the perpetrator of an act of domestic violence; (iii) other evidence from the court or prosecuting attorney that the employee appeared in court; or (iv) documentation from a medical professional, domestic violence counselor, as defined in section 52-146k, or other health care provider, that the employee or the employee's child was receiving services, counseling or treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence.

(C) Where an employee has a physical or mental disability resulting from an incident or series of incidents of domestic violence, such employee shall be treated in the same manner as an employee with any other disability.

(D) To the extent permitted by law, employers shall maintain the confidentiality of any information regarding an employee's status as a victim of domestic violence.

(c) (1) The provisions of this section concerning age shall not apply to: (A) The termination of employment of any person with a contract of unlimited tenure at an independent institution of higher education who

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is mandatorily retired, on or before July 1, 1993, after having attained the age of seventy; (B) the termination of employment of any person who has attained the age of sixty-five and who, for the two years immediately preceding such termination, is employed in a bona fide executive or a high policy-making position, if such person is entitled to an immediate nonforfeitable annual retirement benefit under a pension, profit-sharing, savings or deferred compensation plan, or any combination of such plans, from such person's employer, which equals, in aggregate, at least forty-four thousand dollars; (C) the termination of employment of persons in occupations, including police work and fire-fighting, in which age is a bona fide occupational qualification; (D) the operation of any bona fide apprenticeship system or plan; or (E) the observance of the terms of a bona fide seniority system or any bona fide employee benefit plan for retirement, pensions or insurance which is not adopted for the purpose of evading said provisions, except that no such plan may excuse the failure to hire any individual and no such system or plan may require or permit the termination of employment on the basis of age. No such plan which covers less than twenty employees may reduce the group hospital, surgical or medical insurance coverage provided under the plan to any employee who has reached the age of sixty-five and is eligible for Medicare benefits or any employee's spouse who has reached age sixty-five and is eligible for Medicare benefits except to the extent such coverage is provided by Medicare. The terms of any such plan which covers twenty or more employees shall entitle any employee who has attained the age of sixty-five and any employee's spouse who has attained the age of sixty-five to group hospital, surgical or medical insurance coverage under the same conditions as any covered employee or spouse who is under the age of sixty-five.

(2) No employee retirement or pension plan may exclude any employee from membership in such plan or cease or reduce the employee's benefit accruals or allocations under such plan on the basis of age. The provisions of this subdivision shall be applicable to plan

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years beginning on or after January 1, 1988, except that for any collectively bargained plan this subdivision shall be applicable on the earlier of (A) January 1, 1990, or (B) the later of (i) the expiration date of the collective bargaining agreement, or (ii) January 1, 1988.

(3) The provisions of this section concerning age shall not prohibit an employer from requiring medical examinations for employees for the purpose of determining such employees' physical qualification for continued employment.

(4) Any employee who continues employment beyond the normal retirement age in the applicable retirement or pension plan shall give notice of intent to retire, in writing, to such employee's employer not less than thirty days prior to the date of such retirement.

(d) (1) An employer shall provide written notice of the right to be free from discrimination in relation to pregnancy, childbirth and related conditions, including the right to a reasonable accommodation to the known limitations related to pregnancy pursuant to subdivision (7) of subsection (b) of this section to: (A) New employees at the commencement of employment; (B) existing employees within one hundred twenty days after the effective date of this section; and (C) any employee who notifies the employer of her pregnancy within ten days of such notification. An employer may comply with the provisions of this section by displaying a poster in a conspicuous place, accessible to employees, at the employer's place of business that contains the information required by this section in both English and Spanish. The Labor Commissioner may adopt regulations, in accordance with chapter 54, to establish additional requirements concerning the means by which employers shall provide such notice.

(2) The Commission on Human Rights and Opportunities shall develop courses of instruction and conduct ongoing public education efforts as necessary to inform employers, employees, employment

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agencies and persons seeking employment about their rights and responsibilities under this section.

Sec. 11. Section 46a-58 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) It shall be a discriminatory practice in violation of this section for any person to subject, or cause to be subjected, any other person to the deprivation of any rights, privileges or immunities, secured or protected by the Constitution or laws of this state or of the United States, on account of religion, national origin, alienage, color, race, sex, gender identity or expression, sexual orientation, blindness, mental disability, physical disability, [or] status as a veteran or status as a victim of domestic violence.

(b) Any person who intentionally desecrates any public property, monument or structure, or any religious object, symbol or house of religious worship, or any cemetery, or any private structure not owned by such person, shall be in violation of subsection (a) of this section. For the purposes of this subsection, "desecrate" means to mar, deface or damage as a demonstration of irreverence or contempt.

(c) Any person who places a burning cross or a simulation thereof on any public property, or on any private property without the written consent of the owner, and with intent to intimidate or harass any other person or group of persons, shall be in violation of subsection (a) of this section.

(d) Any person who places a noose or a simulation thereof on any public property, or on any private property without the written consent of the owner, and with intent to intimidate or harass any other person on account of religion, national origin, alienage, color, race, sex, gender identity or expression, sexual orientation, blindness, mental disability, physical disability, [or] status as a veteran or status as a victim of

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domestic violence, shall be in violation of subsection (a) of this section.

(e) (1) Except as provided in subdivision (2) of this subsection, any person who violates any provision of this section shall be guilty of a class A misdemeanor and shall be fined not less than one thousand dollars, except that if property is damaged as a consequence of such violation in an amount in excess of one thousand dollars, such person shall be guilty of a class D felony and shall be fined not less than one thousand dollars.

(2) Any person who violates the provisions of this section by intentionally desecrating a house of religious worship (A) shall be guilty of a class D felony and shall be fined not less than one thousand dollars if property is damaged as a consequence of such violation in an amount up to and including ten thousand dollars, and (B) shall be guilty of a class C felony and shall be fined not less than three thousand dollars if the property damaged as a consequence of such violation is in an amount in excess of ten thousand dollars.

(3) The minimum amount of any fine imposed by the provisions of this section may not be remitted or reduced by the court unless the court states on the record its reasons for remitting or reducing such fine.

(4) The court may order restitution for any victim of a violation of this section pursuant to subsection (c) of section 53a-28.

Sec. 12. Subsection (a) of section 46a-59 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) It shall be a discriminatory practice in violation of this section for any association, board or other organization the principal purpose of which is the furtherance of the professional or occupational interests of its members, whose profession, trade or occupation requires a state license, to refuse to accept a person as a member of such association,

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board or organization because of his race, national origin, creed, sex, gender identity or expression, color, [or] status as a veteran or status as a victim of domestic violence.

Sec. 13. Subsection (a) of section 46a-64 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) It shall be a discriminatory practice in violation of this section: (1) To deny any person within the jurisdiction of this state full and equal accommodations in any place of public accommodation, resort or amusement because of race, creed, color, national origin, ancestry, sex, gender identity or expression, marital status, age, lawful source of income, intellectual disability, mental disability, physical disability, including, but not limited to, blindness or deafness, [or] status as a veteran or status as a victim of domestic violence, of the applicant, subject only to the conditions and limitations established by law and applicable alike to all persons; (2) to discriminate, segregate or separate on account of race, creed, color, national origin, ancestry, sex, gender identity or expression, marital status, age, lawful source of income, intellectual disability, mental disability, learning disability, physical disability, including, but not limited to, blindness or deafness, [or] status as a veteran or status as a victim of domestic violence; (3) for a place of public accommodation, resort or amusement to restrict or limit the right of a mother to breast-feed her child; (4) for a place of public accommodation, resort or amusement to fail or refuse to post a notice, in a conspicuous place, that any blind, deaf or mobility impaired person, accompanied by his guide dog wearing a harness or an orange-colored leash and collar, may enter such premises or facilities; or (5) to deny any blind, deaf or mobility impaired person or any person training a dog as a guide dog for a blind person or a dog to assist a deaf or mobility impaired person, accompanied by his guide dog or assistance dog, full and equal access to any place of public accommodation, resort or

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amusement. Any blind, deaf or mobility impaired person or any person training a dog as a guide dog for a blind person or a dog to assist a deaf or mobility impaired person may keep his guide dog or assistance dog with him at all times in such place of public accommodation, resort or amusement at no extra charge, provided the dog wears a harness or an orange-colored leash and collar and is in the direct custody of such person. The blind, deaf or mobility impaired person or person training a dog as a guide dog for a blind person or a dog to assist a deaf or mobility impaired person shall be liable for any damage done to the premises or facilities by his dog. For purposes of this subdivision, "guide dog" or "assistance dog" includes a dog being trained as a guide dog or assistance dog and "person training a dog as a guide dog for a blind person or a dog to assist a deaf or mobility impaired person" means a person who is employed by and authorized to engage in designated training activities by a guide dog organization or assistance dog organization that complies with the criteria for membership in a professional association of guide dog or assistance dog schools and who carries photographic identification indicating such employment and authorization.

Sec. 14. Subdivision (1) of subsection (a) of section 46a-64c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*)

(1) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, creed, color, national origin, ancestry, sex, gender identity or expression, marital status, age, lawful source of income, familial status, [or] status as a veteran or status as a victim of domestic violence.

Sec. 15. Subsection (a) of section 46a-66 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

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(a) It shall be a discriminatory practice in violation of this section for any creditor to discriminate on the basis of sex, gender identity or expression, age, race, color, religious creed, national origin, ancestry, marital status, intellectual disability, learning disability, blindness, physical disability, [or] status as a veteran or status as a victim of domestic violence against any person eighteen years of age or over in any credit transaction.

Sec. 16. Subsection (a) of section 46a-70 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) State officials and supervisory personnel shall recruit, appoint, assign, train, evaluate and promote state personnel on the basis of merit and qualifications, without regard for race, color, religious creed, sex, gender identity or expression, marital status, age, national origin, ancestry, status as a veteran, status as a victim of domestic violence, intellectual disability, mental disability, learning disability or physical disability, including, but not limited to, blindness, unless it is shown by such state officials or supervisory personnel that such disability prevents performance of the work involved.

Sec. 17. Subsection (a) of section 46a-71 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) All services of every state agency shall be performed without discrimination based upon race, color, religious creed, sex, gender identity or expression, marital status, age, national origin, ancestry, intellectual disability, mental disability, learning disability, physical disability, including, but not limited to, blindness, [or] status as a veteran or status as a victim of domestic violence.

Sec. 18. Subsection (b) of section 46a-72 of the general statutes is

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repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(b) Any job request indicating an intention to exclude any person because of race, color, religious creed, sex, gender identity or expression, marital status, age, national origin, ancestry, status as a veteran, status as a victim of domestic violence, intellectual disability, mental disability, learning disability or physical disability, including, but not limited to, blindness, shall be rejected, unless it is shown by such public or private employers that such disability prevents performance of the work involved.

Sec. 19. Subsection (a) of section 46a-73 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) No state department, board or agency may grant, deny or revoke the license or charter of any person on the grounds of race, color, religious creed, sex, gender identity or expression, marital status, age, national origin, ancestry, status as a veteran, status as a victim of domestic violence, intellectual disability, mental disability, learning disability or physical disability, including, but not limited to, blindness, unless it is shown by such state department, board or agency that such disability prevents performance of the work involved.

Sec. 20. Subsection (a) of section 46a-75 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) All educational, counseling, and vocational guidance programs and all apprenticeship and on-the-job training programs of state agencies, or in which state agencies participate, shall be open to all qualified persons, without regard to race, color, religious creed, sex, gender identity or expression, marital status, age, national origin,

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ancestry, intellectual disability, mental disability, learning disability, physical disability, including, but not limited to, blindness, [or] status as a veteran or status as a victim of domestic violence.

Sec. 21. Subsection (a) of section 46a-76 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) Race, color, religious creed, sex, gender identity or expression, marital status, age, national origin, ancestry, intellectual disability, mental disability, learning disability, physical disability, including, but not limited to, blindness, [or] status as a veteran or status as a victim of domestic violence, shall not be considered as limiting factors in state-administered programs involving the distribution of funds to qualify applicants for benefits authorized by law.

Sec. 22. Section 46a-55 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The executive director [, through the supervising attorney,] shall assign a commission legal counsel to represent the commission in any proceeding wherein any state agency or state officer is an adversary party and in such other matters as the commission and the Attorney General may jointly prescribe.

(b) The executive director [, through the supervising attorney,] may assign a commission legal counsel to represent the commission in any hearing or appeal under subparagraph (A) of subdivision (2) of subsection (e) of section 4-61dd. Commission legal counsel may intervene as a matter of right in any such hearing or appeal without permission of the parties, a hearing officer or the court.

(c) The executive director [, through the supervising attorney,] may, within available appropriations, assign a commission legal counsel to bring a civil action concerning an alleged discriminatory practice, in

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accordance with this subsection, in lieu of an administrative hearing pursuant to section 46a-84, when the executive director determines that a civil action is in the public interest and if the parties to the administrative hearing mutually agree, in writing, to the bringing of such civil action by commission legal counsel. The commission legal counsel shall bring such a civil action in the Superior Court not later than ninety days following the date the commission legal counsel notifies the parties of the executive director's determination. Such civil action may be served by certified mail and shall not be subject to the provisions of section 46a-100, 46a-101 or 46a-102. The jurisdiction of the Superior Court in an action brought under this subsection shall be limited to such claims, counterclaims, defenses or the like that could be presented at an administrative hearing before the commission, had the complaint remained with the commission for disposition. A complainant may intervene as a matter of right without permission of the court or the parties. The civil action shall be tried to the court without a jury. If the commission legal counsel determines that the interests of the state will not be adversely affected, the complainant or attorney for the complainant shall present all or part of the case in support of the complaint. The court may grant any relief available under section 46a-104. Where the Superior Court finds that a respondent has committed a discriminatory practice, the court shall grant the commission its fees and costs and award the commission a civil penalty, not exceeding ten thousand dollars, provided such discriminatory practice has been established by clear and convincing evidence, which shall be payable to the commission and used by the commission to advance the public interest in eliminating discrimination.

Sec. 23. (*Effective July 1, 2022*) For the fiscal year ending June 30, 2023, the Department of Social Services shall make the sum of one million four hundred forty thousand dollars available for domestic violence child and family advocates at domestic violence agencies, as defined in section 52-146k of the general statutes, whose purpose shall be to

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provide trauma-informed services to children and families experiencing domestic violence. For purposes of this section, "trauma-informed services" means services directed by a thorough understanding of the neurological, biological, psychological and social effects of trauma and violence on a person.

Approved May 24, 2022