



Legislation Summary:

An Act promoting fair housing by preventing discrimination against affordable housing

Initial bill number(s): H.1295/S.859 (Bill numbers will change as legislation proceeds.)

Sponsors: Rep. Christine Barber and Sen. Julian Cyr

These bills amend GL151B:4 (Discrimination) to prohibit a local or state administrative, legislative or regulatory body from engaging in a discriminatory land use practice, defined to include any action which would limit or exclude: (1) housing accommodations for families or individuals with incomes at or below 80 percent of the area median income (AMI); (2) accommodations with sufficient bedrooms for families with children, including those with more than two bedrooms; (3) families or individuals based on race, color, religious creed, national origin, sex, gender identity, sexual orientation (which shall not include persons whose sexual orientation involves minor children as the sex object), age, genetic information, ancestry, marital status, veteran status or membership in the armed forces, familial status, disability condition, blindness, hearing impairment or because a person possesses a trained dog guide as a consequence of blindness, hearing impairment or other handicap.

Local or state government entities can prove an unintended discriminatory effect if it was justified by a substantial, legitimate nondiscriminatory governmental interest. Aggrieved parties and the Attorney General may institute civil actions for up to three years after a violation.

Many types of discrimination have historically been practiced that have kept Black, Indigenous or persons of color and others out of housing or only eligible for specific programs or housing developments. Examples include redlining, segregated subsidized housing projects, and barriers to real estate or home ownership. These discriminatory government actions have led to immense disparities in accumulated wealth between persons deemed white and those considered persons of other racial and ethnic groups. In addition, we have come to understand that many others have been disadvantaged because of their personal characteristics that we need to name and protect. The right to a place to live is so fundamental to life itself and to being a part of the human community that all residents deserve to have this right protected.

League position

LWVMA supports these bills based on its national position on Equality of Opportunity. From: [Impact on Issues 2022-2024](#)

“The League of Women Voters of the United States believes that the federal government shares with other levels of government the responsibility to provide equality of opportunity for education, employment and housing for all persons in the United States regardless of their race, color, gender, religion, national origin, age, sexual orientation, or disability.” (p. 122)

Under Further Guidelines for Fair Housing Criteria:

“Opportunities for purchase or renting of homes, and for borrowing money for housing should not be restricted because of discriminatory reasons such as race, color, sex, religion, or national origin....In the enforcement of fair housing laws, speedy resolution should be ensured.

Administrative procedures and responsibilities should be clearly defined and widely publicized.

Mediation and legal redress should be readily available. The process should ensure every possible protection for both complainant and persons or institutions against whom complaints are lodged....There should be continued evaluation to provide a basis for revision and strengthening of all procedures so that equality of opportunity for access to housing can be accomplished.” (p. 124)