
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1732 Session of
2015

INTRODUCED BY SACCONI, BAKER, BLOOM, WARD, METZGAR, DIAMOND,
METCALFE, MILLARD, KAUFFMAN, MCGINNIS, STAATS, A. HARRIS,
MALONEY, PHILLIPS-HILL, GROVE, TALLMAN, ZIMMERMAN AND PYLE,
DECEMBER 3, 2015

REFERRED TO COMMITTEE ON STATE GOVERNMENT, DECEMBER 3, 2015

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 title of act, for findings
12 and declaration of policy, for right to freedom from
13 discrimination in employment, housing and public
14 accommodation, for definitions, for unlawful discriminatory
15 practices and for prohibition of certain real estate
16 practices; providing for limited exceptions for employers;
17 and further providing for powers and duties of the
18 commission, for educational program and for construction and
19 exclusiveness of remedy.

20 The General Assembly of the Commonwealth of Pennsylvania
21 hereby enacts as follows:

22 Section 1. The title of the act of October 27, 1955
23 (P.L.744, No.222), known as the Pennsylvania Human Relations
24 Act, amended December 20, 1991 (P.L.414, No.51), is amended to
25 read:

1 AN ACT

2 Prohibiting certain practices of discrimination because of race,
3 color, religious creed, ancestry, exercise of self-defense
4 rights, 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.

12 Section 2. Sections 2 and 3 of the act, amended December 20,
13 1991 (P.L.414, No.51), are amended to read:

14 Section 2. Findings and Declaration of Policy.--

15 (a) The practice or policy of discrimination against
16 individuals or groups by reason of their race, color, familial
17 status, religious creed, ancestry, exercise of self-defense
18 rights, age, sex, national origin, handicap or disability, use
19 of guide or support animals because of the blindness, deafness
20 or physical handicap of the user or because the user is a
21 handler or trainer of support or guide animals is a matter of
22 concern of the Commonwealth. Such discrimination foments
23 domestic strife and unrest, threatens the rights and privileges
24 of the inhabitants of the Commonwealth, and undermines the
25 foundations of a free democratic state. The denial of equal
26 employment, housing and public accommodation opportunities
27 because of such discrimination, and the consequent failure to
28 utilize the productive capacities of individuals to their
29 fullest extent, deprives large segments of the population of the
30 Commonwealth of earnings necessary to maintain decent standards

1 of living, necessitates their resort to public relief and
2 intensifies group conflicts, thereby resulting in grave injury
3 to the public health and welfare, compels many individuals to
4 live in dwellings which are substandard, unhealthful and
5 overcrowded, resulting in racial segregation in public schools
6 and other community facilities, juvenile delinquency and other
7 evils, thereby threatening the peace, health, safety and general
8 welfare of the Commonwealth and its inhabitants.

9 (b) It is hereby declared to be the public policy of this
10 Commonwealth to foster the employment of all individuals in
11 accordance with their fullest capacities regardless of their
12 race, color, religious creed, ancestry, exercise of self-defense
13 rights, age, sex, national origin, handicap or disability, use
14 of guide or support animals because of the blindness, deafness
15 or physical handicap of the user or because the user is a
16 handler or trainer of support or guide animals, and to safeguard
17 their right to obtain and hold employment without such
18 discrimination, to assure equal opportunities to all individuals
19 and to safeguard their rights to public accommodation and to
20 secure housing accommodation and commercial property regardless
21 of race, color, familial status, religious creed, ancestry,
22 exercise of self-defense rights, age, sex, national origin,
23 handicap or disability, use of guide or support animals because
24 of blindness or deafness of the user or because the user is a
25 handler or trainer of guide or support animals.

26 (c) This act shall be deemed an exercise of the police power
27 of the Commonwealth for the protection of the public welfare,
28 prosperity, health and peace of the people of the Commonwealth
29 of Pennsylvania.

30 Section 3. Right to Freedom from Discrimination in

1 Employment, Housing and Public Accommodation.--The opportunity
2 for an individual to obtain employment for which he is
3 qualified, and to obtain all the accommodations, advantages,
4 facilities and privileges of any public accommodation and of any
5 housing accommodation and commercial property without
6 discrimination because of race, color, familial status,
7 religious creed, ancestry, exercise of self-defense rights,
8 handicap or disability, age, sex, national origin, the use of a
9 guide or support animal because of the blindness, deafness or
10 physical handicap of the user or because the user is a handler
11 or trainer of support or guide animals is hereby recognized as
12 and declared to be a civil right which shall be enforceable as
13 set forth in this act.

14 Section 3. Section 4(b) of the act, amended December 20,
15 1991 (P.L.414, No.51), is amended and the section is amended by
16 adding subsections to read:

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

19 * * *

20 (b) The term "employer" includes the Commonwealth or any
21 political subdivision or board, department, commission or school
22 district thereof and any person employing four or more persons
23 within the Commonwealth, but except as hereinafter provided,
24 does not include religious, fraternal, charitable or sectarian
25 corporations or associations, except such corporations or
26 associations supported, in whole or in part, by governmental
27 appropriations. The term "employer" with respect to
28 discriminatory practices based on race, color, age, sex,
29 national origin, exercise of self-defense rights or non-job
30 related handicap or disability, includes religious, fraternal,

1 charitable and sectarian corporations and associations employing
2 four or more persons within the Commonwealth.

3 * * *

4 (bb) Except as provided herein, the term "exercise of self-
5 defense rights" means, pursuant to section 21 of Article I of
6 the Constitution of Pennsylvania and the Second Amendment of the
7 Constitution of the United States, unless expressly prohibited
8 by 18 Pa.C.S. Ch. 61 (relating to firearms and other dangerous
9 articles) or any other Commonwealth law, any of the following:

10 (1) The lawful ownership, use, possession or transportation
11 of a firearm.

12 (2) The lawful carrying of a firearm under 18 Pa.C.S. §
13 6106(b) (relating to firearms not to be carried without a
14 license) or 6109 (relating to licenses).

15 (3) The lawful storage of a firearm in a dwelling, residence
16 or personal vehicle.

17 (4) The lawful transfer of a firearm.

18 (cc) The term "firearm" shall mean any weapon which is
19 designed to or may readily be converted to expel any projectile
20 by the action of an explosive or the frame or receiver of any
21 such weapon. The term shall include any scope, sight, bipod,
22 sling, light, magazine, clip, ammunition or other firearm
23 accessory attached to or intended to be used in conjunction with
24 a firearm.

25 Section 4. Sections 5(a), (b), (c), (f), (g), (h)(1), (2),
26 (3), (4), (5), (6) and (8) and (i)(1) and (2) and 5.3 of the
27 act, amended December 20, 1991 (P.L.414, No.51), are amended to
28 read:

29 Section 5. Unlawful Discriminatory Practices.--It shall be
30 an unlawful discriminatory practice, unless based upon a bona

1 fide occupational qualification, or in the case of a fraternal
2 corporation or association, unless based upon membership in such
3 association or corporation, or except where based upon
4 applicable security regulations established by the United States
5 or the Commonwealth of Pennsylvania:

6 (a) For any employer because of the race, color, religious
7 creed, ancestry, exercise of self-defense rights, age, sex,
8 national origin or non-job related handicap or disability or the
9 use of a guide or support animal because of the blindness,
10 deafness or physical handicap of any individual or independent
11 contractor, to refuse to hire or employ or contract with, or to
12 bar or to discharge from employment such individual or
13 independent contractor, or to otherwise discriminate against
14 such individual or independent contractor with respect to
15 compensation, hire, tenure, terms, conditions or privileges of
16 employment or contract, if the individual or independent
17 contractor is the best able and most competent to perform the
18 services required. The provision of this paragraph shall not
19 apply, to (1) operation of the terms or conditions of any bona
20 fide retirement or pension plan which have the effect of a
21 minimum service requirement, (2) operation of the terms or
22 conditions of any bona fide group or employe insurance plan, (3)
23 age limitations placed upon entry into bona fide apprenticeship
24 programs of two years or more approved by the State
25 Apprenticeship and Training Council of the Department of Labor
26 and Industry, established by the act of July 14, 1961 (P.L.604,
27 No.304), known as "The Apprenticeship and Training Act."
28 Notwithstanding any provision of this clause, it shall not be an
29 unlawful employment practice for a religious corporation or
30 association to hire or employ on the basis of sex in those

1 certain instances where sex is a bona fide occupational
2 qualification because of the religious beliefs, practices, or
3 observances of the corporation, or association.

4 (b) For any employer, employment agency or labor
5 organization, prior to the employment, contracting with an
6 independent contractor or admission to membership, to:

7 (1) Elicit any information or make or keep a record of or
8 use any form of application or application blank containing
9 questions or entries concerning the race, color, religious
10 creed, ancestry, exercise of self-defense rights, age, sex,
11 national origin, past handicap or disability or the use of a
12 guide or support animal because of the blindness, deafness or
13 physical handicap of any applicant for employment or membership.
14 Prior to an offer of employment, an employer may not inquire as
15 to whether an individual has a handicap or disability or as to
16 the severity of such handicap or disability. An employer may
17 inquire as to the individual's ability to perform the essential
18 functions of the employment.

19 (2) Print or publish or cause to be printed or published any
20 notice or advertisement relating to employment or membership
21 indicating any preference, limitation, specification or
22 discrimination based upon race, color, religious creed,
23 ancestry, exercise of self-defense rights, age, sex, national
24 origin, non-job related handicap or disability or the use of a
25 guide or support animal because of the blindness, deafness or
26 physical handicap of the user.

27 (3) Deny or limit, through a quota system, employment or
28 membership because of race, color, religious creed, ancestry,
29 exercise of self-defense rights, age, sex, national origin, non-
30 job related handicap or disability, the use of a guide or

1 support animal because of the blindness, deafness or physical
2 handicap of the user or place of birth.

3 (4) Substantially confine or limit recruitment or hiring of
4 individuals, with intent to circumvent the spirit and purpose of
5 this act, to any employment agency, employment service, labor
6 organization, training school or training center or any other
7 employe-referring source which services individuals who are
8 predominantly of the same race, color, religious creed,
9 ancestry, age, sex, national origin or non-job related handicap
10 or disability or which discriminates on the basis of the
11 exercise of self-defense rights.

12 (5) Deny employment because of a prior handicap or
13 disability.

14 Nothing in clause (b) of this section shall bar any
15 institution or organization for handicapped or disabled persons
16 from limiting or giving preference in employment or membership
17 to handicapped or disabled persons.

18 (c) For any labor organization because of the race, color,
19 religious creed, ancestry, exercise of self-defense rights, age,
20 sex, national origin, non-job related handicap or disability or
21 the use of a guide or support animal because of the blindness,
22 deafness or physical handicap of any individual to deny full and
23 equal membership rights to any individual or otherwise to
24 discriminate against such individuals with respect to hire,
25 tenure, terms, conditions or privileges of employment or any
26 other matter, directly or indirectly, related to employment.

27 * * *

28 (f) For any employment agency to fail or refuse to classify
29 properly, refer for employment or otherwise to discriminate
30 against any individual because of his race, color, religious

1 creed, ancestry, exercise of self-defense rights, age, sex,
2 national origin, non-job related handicap or disability or the
3 use of a guide or support animal because of the blindness,
4 deafness or physical handicap of the user.

5 (g) For any individual seeking employment to publish or
6 cause to be published any advertisement which in any manner
7 expresses a limitation or preference as to the race, color,
8 religious creed, ancestry, exercise of self-defense rights, age,
9 sex, national origin, non-job related handicap or disability or
10 the use of a guide or support animal because of the blindness,
11 deafness or physical handicap of any prospective employer.

12 (h) For any person to:

13 (1) Refuse to sell, lease, finance or otherwise to deny or
14 withhold any housing accommodation or commercial property from
15 any person because of the race, color, familial status, age,
16 religious creed, ancestry, exercise of self-defense rights, sex,
17 national origin or handicap or disability of any person,
18 prospective owner, occupant or user of such housing
19 accommodation or commercial property, or to refuse to lease any
20 housing accommodation or commercial property to any person due
21 to use of a guide animal because of the blindness or deafness of
22 the user, use of a support animal because of a physical handicap
23 of the user or because the user is a handler or trainer of
24 support or guide animals or because of the handicap or
25 disability of an individual with whom the person is known to
26 have a relationship or association.

27 * * *

28 (2) Refuse to lend money, whether or not secured by mortgage
29 or otherwise for the acquisition, construction, rehabilitation,
30 repair or maintenance of any housing accommodation or commercial

1 property or otherwise withhold financing of any housing
2 accommodation or commercial property from any person because of
3 the race, color, familial status, age, religious creed,
4 ancestry, exercise of self-defense rights, sex, national origin,
5 handicap or disability of any person, the use of a guide or
6 support animal because of the blindness, deafness or physical
7 handicap of the user or because the user is a handler or trainer
8 of support or guide animals or because of the handicap or
9 disability of an individual with whom the person is known to
10 have a relationship or association.

11 (3) Discriminate against any person in the terms or
12 conditions of selling or leasing any housing accommodation or
13 commercial property or in furnishing facilities, services or
14 privileges in connection with the ownership, occupancy or use of
15 any housing accommodation or commercial property because of the
16 race, color, familial status, age, religious creed, ancestry,
17 exercise of self-defense rights, sex, national origin, handicap
18 or disability of any person, the use of a guide or support
19 animal because of the blindness, deafness or physical handicap
20 of the user or because the user is a handler or trainer of
21 support or guide animals or because of the handicap or
22 disability of an individual with whom the person is known to
23 have a relationship or association.

24 * * *

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

1 rights, sex, national origin or handicap or disability of any
2 person, the use of a guide or support animal because of the
3 blindness, deafness or physical handicap of the user or because
4 the user is a handler or trainer of guide or support animals or
5 because of the handicap or disability of an individual with whom
6 the person is known to have a relationship or association.

7 (5) Print, publish or circulate any statement or
8 advertisement: (i) relating to the sale, lease or acquisition of
9 any housing accommodation or commercial property or the loan of
10 money, whether or not secured by mortgage, or otherwise for the
11 acquisition, construction, rehabilitation, repair or maintenance
12 of any housing accommodation or commercial property which
13 indicates any preference, limitation, specification, or
14 discrimination based upon race, color, familial status, age,
15 religious creed, ancestry, exercise of self-defense rights, sex,
16 national origin, handicap or disability or because of the
17 handicap or disability of an individual with whom the person is
18 known to have a relationship or association, or (ii) relating to
19 the sale, lease or acquisition of any housing accommodation or
20 commercial property which indicates any preference, limitation,
21 specification or discrimination based upon use of a guide or
22 support animal because of the blindness, deafness or physical
23 handicap of the user or because the user is a handler or trainer
24 of support or guide animals.

25 (6) Make any inquiry, elicit any information, make or keep
26 any record or use any form of application, containing questions
27 or entries concerning race, color, familial status, age,
28 religious creed, ancestry, exercise of self-defense rights, sex,
29 national origin, handicap or disability or because of the
30 handicap or disability of an individual with whom the person is

1 known to have a relationship or association in connection with
2 the sale or lease of any housing accommodation or commercial
3 property or loan of any money, whether or not secured by
4 mortgage or otherwise for the acquisition, construction,
5 rehabilitation, repair or maintenance of any housing
6 accommodation or commercial property, or to make any inquiry,
7 elicit any information, make or keep any record or use any form
8 of application, containing questions or entries concerning the
9 use of a guide or support animal because of the blindness,
10 deafness or physical handicap of the user or because the user is
11 a handler or trainer of support or guide animals, in connection
12 with the lease of any housing accommodation or commercial
13 property.

14 * * *

15 (8) Discriminate in real estate-related transactions, as
16 described by and subject to the following:

17 (i) It shall be unlawful for any person or other entity
18 whose business includes engaging in real estate-related
19 transactions to discriminate against any person in making
20 available such a transaction or in the terms or conditions of
21 such a transaction because of race, color, religious creed,
22 ancestry, exercise of self-defense rights, national origin, sex,
23 age, handicap or disability, use of a guide or support animal
24 because of a physical handicap or because the user is a handler
25 or trainer of guide or support animals or familial status.

26 (ii) Nothing in this act prohibits a person engaged in the
27 business of furnishing appraisals of real property to take into
28 consideration factors other than race, color, religious creed,
29 ancestry, exercise of self-defense rights, national origin, sex,
30 age, handicap or disability, use of a guide or support animal

1 because of a physical handicap or because the user is a handler
2 or trainer of guide or support animals or familial status.

3 * * *

4 (i) For any person being the owner, lessee, proprietor,
5 manager, superintendent, agent or employe of any public
6 accommodation, resort or amusement to:

7 (1) Refuse, withhold from, or deny to any person because of
8 his race, color, sex, religious creed, ancestry, exercise of
9 self-defense rights, national origin or handicap or disability,
10 or to any person due to use of a guide or support animal because
11 of the blindness, deafness or physical handicap of the user or
12 because the user is a handler or trainer of support or guide
13 animals, either directly or indirectly, any of the
14 accommodations, advantages, facilities or privileges of such
15 public accommodation, resort or amusement.

16 (2) Publish, circulate, issue, display, post or mail, either
17 directly or indirectly, any written or printed communication,
18 notice or advertisement to the effect that any of the
19 accommodations, advantages, facilities and privileges of any
20 such place shall be refused, withheld from or denied to any
21 person on account of race, color, religious creed, sex,
22 ancestry, exercise of self-defense rights, national origin or
23 handicap or disability, or to any person due to use of a guide
24 or support animal because of the blindness, deafness or physical
25 handicap of the user, or because the user is a handler or
26 trainer of support or guide animals, or that the patronage or
27 custom thereof of any person, belonging to or purporting to be
28 of any particular race, color, religious creed, sex, ancestry,
29 exercise of self-defense rights, national origin or handicap or
30 disability, or to any person due to use of a guide or support

1 animal because of the blindness, deafness or physical handicap
2 of the user or because the user is a handler or trainer of
3 support or guide animals, is unwelcome, objectionable or not
4 acceptable, desired or solicited or to any person who exercises
5 self-defense rights.

6 * * *

7 Section 5.3. Prohibition of Certain Real Estate Practices.--
8 It shall be an unlawful discriminatory practice for any person
9 to:

10 (a) Induce, solicit or attempt to induce or solicit for
11 commercial profit any listing, sale or transaction involving any
12 housing accommodation or commercial property by representing
13 that such housing accommodation or commercial property is within
14 any neighborhood, community or area adjacent to any other area
15 in which there reside, or do not reside, persons of a particular
16 race, color, familial status, age, religious creed, ancestry,
17 sex, national origin, handicap or disability, or who are guide
18 or support animal dependent or who exercise self-defense rights.

19 (b) Discourage, or attempt to discourage, for commercial
20 profit, the purchase or lease of any housing accommodation or
21 commercial property by representing that such housing
22 accommodation or commercial property is within any neighborhood,
23 community or area adjacent to any other area in which there
24 reside, or may in the future reside in increased or decreased
25 numbers, persons of a particular race, color, familial status,
26 age, religious creed, ancestry, sex, national origin, handicap
27 or disability, or who are guide or support animal dependent or
28 who exercise self-defense rights.

29 (c) Misrepresent, create or distort a circumstance,
30 condition or incident for the purpose of fostering the

1 impression or belief, on the part of any owner, occupant or
2 prospective owner or occupant of any housing accommodation or
3 commercial property, that such housing accommodation or
4 commercial property is within any neighborhood, community or
5 area adjacent to any other area which would be adversely
6 impacted by the residence, or future increased or decreased
7 residence, of persons of a particular race, color, familial
8 status, age, religious creed, ancestry, sex, national origin,
9 handicap or disability, or who are guide or support animal
10 dependent or who exercise self-defense rights within such
11 neighborhood, community or area.

12 (d) In any way misrepresent or otherwise misadvertise within
13 a neighborhood or community, whether or not in writing, that any
14 housing accommodation or commercial property within such
15 neighborhood or community is available for inspection, sale,
16 lease, sublease or other transfer, in any context where such
17 misrepresentation or misadvertising would have the effect of
18 fostering an impression or belief that there has been or will be
19 an increase in real estate activity within such neighborhood or
20 community due to the residence, or anticipated increased or
21 decreased residence, of persons of a particular race, color,
22 familial status, age, religious creed, ancestry, exercise of
23 self-defense rights, sex, national origin, handicap or
24 disability, or the use of a guide or support animal because of
25 the blindness, deafness or physical handicap of the user.

26 Section 5. The act is amended by adding a section to read:

27 Section 5.4. Limited Exceptions for Employers.--(a)
28 Notwithstanding any other provision of this act, an employer may
29 consider, advertise or require the exercise of self-defense
30 rights as a condition of employment for applicants or employes,

1 if the exercise of self-defense rights is an integral part of
2 the employment. This includes, but is not limited to:

3 (1) The ability of an employe or applicant to lawfully
4 possess or use a firearm.

5 (2) Whether or not the employe or applicant is licensed to
6 carry a firearm under 18 Pa.C.S. § 6109 (relating to licenses)
7 or exempted from licensure under 18 Pa.C.S. § 6106(b) (relating
8 to firearms not to be carried without a license).

9 (3) Whether or not the employe or applicant is certified
10 under:

11 (i) 53 Pa.C.S. Ch. 21 Subch. D (relating to municipal police
12 education and training).

13 (ii) The act of February 9, 1984 (P.L.3, No.2), known as the
14 Sheriff and Deputy Sheriff Education and Training Act.

15 (iii) The act of October 10, 1974 (P.L.705, No.235), known
16 as the Lethal Weapons Training Act.

17 (iv) The act of December 13, 2005 (P.L.432, No.79), known as
18 the Retired Law Enforcement Identification Act.

19 (v) Any other firearms program that has been determined by
20 the Commissioner of the Pennsylvania State Police to be of
21 sufficient scope and duration as to provide the participant with
22 basic training in the use and handling of firearms.

23 (4) An assessment, evaluation or certification related to
24 the employe or applicant's ability to:

25 (i) Handle a firearm safely.

26 (ii) Properly and effectively use a firearm.

27 (iii) Achieve a minimum competency level related to the use,
28 handling, repair or modification of firearms.

29 (b) Notwithstanding any other provision of this act, an
30 employer may reasonably regulate an employe's possession,

1 storage or carrying of a firearm on property owned or controlled
2 by the employer or during the employe's work hours, except that
3 an employer shall not create any rule or policy or take any
4 action that interferes with:

5 (1) the lawful carrying of a concealed firearm by an employe
6 licensed to carry a firearm under 18 Pa.C.S. § 6109 or exempted
7 from licensure under 18 Pa.C.S. § 6106(b);

8 (2) The lawful storage of a firearm in an employe's personal
9 vehicle; or

10 (3) An employe's exercise of self-defense rights when not
11 acting in his capacity as an employe.

12 Section 6. Section 7(i), (j) and (k) of the act, amended
13 December 20, 1991 (P.L.414, No.51), are amended to read:

14 Section 7. Powers and Duties of the Commission.--The
15 Commission shall have the following powers and duties:

16 * * *

17 (i) To create such advisory agencies and conciliation
18 councils, local or state-wide, as will aid in effectuating the
19 purposes of this act. The Commission may itself or it may
20 empower these agencies and councils to (1) study the problems of
21 discrimination in all or specific fields of human relationships
22 when based on race, color, familial status, religious creed,
23 ancestry, exercise of self-defense rights, age, sex, national
24 origin or handicap or disability, and (2) foster, through
25 community effort or otherwise, good will among the groups and
26 elements of the population of the State. Such agencies and
27 councils may make recommendations to the Commission for the
28 development of policies and procedure in general. Advisory
29 agencies and conciliation councils created by the Commission
30 shall be composed of representative citizens, serving without

1 pay, but the Commission may make provision for technical and
2 clerical assistance to such agencies and councils, and for the
3 payment of the expenses of such assistance.

4 (j) To issue such publications and such results of
5 investigations and research as, in its judgment, will tend to
6 promote good will and minimize or eliminate discrimination
7 because of race, color, familial status, religious creed,
8 ancestry, exercise of self-defense rights, age, sex, national
9 origin or handicap or disability.

10 (k) To submit an annual report for each fiscal year by the
11 following March 31 to the General Assembly, the Labor and
12 Industry Committee of the Senate and the State Government
13 Committee of the House of Representatives and the Governor
14 describing in detail the types of complaints received, the
15 investigations, status of cases, Commission action which has
16 been taken, how many were found to have probable cause, how many
17 were resolved by public hearing and the length of time from the
18 initial complaint to final Commission resolution. It shall also
19 contain recommendations for such further legislation concerning
20 abuses and discrimination because of race, color, familial
21 status, religious creed, ancestry, exercise of self-defense
22 rights, national origin, age, sex, handicap or disability or the
23 use of a guide or support animal because of the blindness,
24 deafness or physical handicap of the user or because the user is
25 a handler or trainer of support or guide animals, as may be
26 desirable.

27 * * *

28 Section 7. Section 8 of the act, amended July 12, 1996
29 (P.L.684, No.117), is amended to read:

30 Section 8. Educational Program.--The Commission, in

1 cooperation with the Department of Education, is authorized to
2 recommend a multicultural educational program, designed for the
3 students of the schools in this Commonwealth and for all other
4 residents thereof, with emphasis on foreign cultural and
5 language studies, as well as on the basic shared precepts and
6 principles of United States culture, in order to promote
7 cultural understanding and appreciation and to further good will
8 among all persons, without regard to race, color, familial
9 status, religious creed, ancestry, exercise of self-defense
10 rights, age, sex, national origin, handicap or disability.

11 Section 8. Section 12(b) of the act, amended December 20,
12 1991 (P.L.414, No.51), is amended to read:

13 Section 12. Construction and Exclusiveness of Remedy.--

14 * * *

15 (b) Except as provided in subsection (c), nothing contained
16 in this act shall be deemed to repeal or supersede any of the
17 provisions of any existing or hereafter adopted municipal
18 ordinance, municipal charter or of any law of this Commonwealth
19 relating to discrimination because of race, color, familial
20 status, religious creed, ancestry, exercise of self-defense
21 rights, age, sex, national origin or handicap or disability, but
22 as to acts declared unlawful by section five of this act the
23 procedure herein provided shall, when invoked, be exclusive and
24 the final determination therein shall exclude any other action,
25 civil or criminal, based on the same grievance of the
26 complainant concerned. If the complainant institutes any action
27 based on such grievance without resorting to the procedure
28 provided in this act, such complainant may not subsequently
29 resort to the procedure herein. In the event of a conflict
30 between the interpretation of a provision of this act and the

1 interpretation of a similar provision contained in any municipal
2 ordinance, the interpretation of the provision in this act shall
3 apply to such municipal ordinance.

4 * * *

5 Section 9. This act shall take effect in 60 days.