

2022 Regular Session

HOUSE BILL NO. 1083 (Substitute for House Bill No. 41 by Representative Newell)

BY REPRESENTATIVES NEWELL, BOYD, BRASS, CARPENTER, WILFORD
CARTER, DUPLESSIS, FISHER, FREEMAN, GAINES, GREEN, HUGHES,
IVEY, JENKINS, JORDAN, LAFLEUR, LANDRY, LARVADAIN, LYONS,
PIERRE, SELDERS, AND WILLARD AND SENATORS BARROW, BOUIE,
CARTER, CATHEY, JACKSON, LUNEAU, AND PRICE

1 AN ACT

2 To amend and reenact R.S. 17:111(A), R.S. 23:332(A)(1) and (2), (B), (C)(1) and (2), (D),
3 (E), (F)(1) and (2), and (H)(3) and (4), R.S. 51:2232(5), 2236(A), 2602(A),
4 2606(A)(1) through (5), 2607(A), and 2608 and to enact R.S. 23:332(I) and R.S.
5 51:2232(11) and 2603(13), relative to discrimination; to provide relative to
6 discrimination based on hairstyle; to provide relative to discrimination in education,
7 employment, public accommodations, and housing opportunities; to provide for
8 definitions; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:111(A) is hereby amended and reenacted to read as follows:

11 §111. Discrimination in public schools prohibited; pupil assignment; religious
12 educational institutions

13 A.(1) No person shall be refused admission into or be excluded from any
14 public school in the state of Louisiana on account of race, creed, color, disability, as
15 defined in R.S. 51:2232, ~~or national origin, or natural, protective, or cultural~~
16 hairstyle.

17 (2) "Natural, protective, or cultural hairstyle" shall include but is not limited
18 to afros, dreadlocks, twists, locs, braids, cornrow braids, Bantu knots, curls, and hair
19 styled to protect hair texture or for cultural significance.

20 * * *

21 Section 2. R.S. 23:332(A)(1) and (2), (B), (C)(1) and (2), (D), (E), (F)(1) and (2),
22 and (H)(3) and (4) are hereby amended and reenacted and R.S. 23:332(I) is hereby enacted
23 to read as follows:

1 §332. Intentional discrimination in employment

2 A. It shall be unlawful discrimination in employment for an employer to
3 engage in any of the following practices:

4 (1) Intentionally fail or refuse to hire or to discharge any individual, or
5 otherwise to intentionally discriminate against any individual with respect to
6 compensation, or terms, conditions, or privileges of employment, because of the
7 individual's race, color, religion, sex, ~~or~~ national origin, or natural, protective, or
8 cultural hairstyle.

9 (2) Intentionally limit, segregate, or classify employees or applicants for
10 employment in any way which would deprive or tend to deprive any individual of
11 employment opportunities, or otherwise adversely affect the individual's status as an
12 employee, because of the individual's race, color, religion, sex, ~~or~~ national origin, or
13 natural, protective, or cultural hairstyle.

14 * * *

15 B. It shall be unlawful discrimination in employment for an employment
16 agency to intentionally fail or refuse to refer for employment, or otherwise to
17 intentionally discriminate against, any individual because of his race, color, religion,
18 sex, or national origin, or to intentionally classify or refer for employment any
19 individual on the basis of his race, color, religion, sex, ~~or~~ national origin, or natural,
20 protective, or cultural hairstyle.

21 C. It shall be unlawful discrimination in employment for a labor organization
22 to engage in any of the following practices:

23 (1) Intentionally exclude or intentionally expel from its membership, or
24 otherwise intentionally discriminate against, any individual because of his race,
25 color, religion, sex, ~~or~~ national origin, or natural, protective, or cultural hairstyle.

26 (2) Intentionally limit, segregate, or classify its membership or applicants for
27 membership, or intentionally classify or fail or refuse to refer for employment any
28 individual in any way which would deprive or tend to deprive any individual of
29 employment opportunities, or would limit such employment opportunities, or
30 otherwise adversely affect his status as an employee or as an applicant for

1 employment, because of such individual's race, color, religion, sex, ~~or~~ national
2 origin, or natural, protective, or cultural hairstyle.

3 * * *

4 D. It shall be unlawful discrimination in employment for any employer, labor
5 organization, or joint labor-management committee controlling apprenticeship or
6 other training or retraining, including on-the-job training programs, to discriminate
7 against any individual because of his race, color, religion, sex, ~~or~~ national origin, or
8 natural, protective or cultural hairstyle in admission to, or employment in, any
9 program established to provide apprenticeship or other training.

10 E. It shall be unlawful discrimination in employment for an employer,
11 employment agency, labor organization, or joint labor-management committee
12 controlling apprenticeship or other training or retraining, including on-the-job
13 training programs, to print or publish, or cause to be printed or published, any notice
14 or advertisement relating to employment by an employer or membership in or any
15 classification or referral for employment by a labor organization, or relating to any
16 classification or referral for employment by an employment agency, or relating to
17 admission to, or employment in, any program established to provide apprenticeship
18 or other training by a joint labor-management committee, indicating any preference,
19 limitation, specification, or discrimination based on race, color, religion, sex, ~~or~~
20 national origin, or natural, protective, or cultural hairstyle. However, a notice or
21 advertisement may indicate a preference, limitation, specification, or discrimination
22 based on religion, sex, or national origin when religion, sex, or national origin is a
23 bona fide occupational qualification for employment.

24 F. It shall be unlawful discrimination in employment for an insurer to engage
25 in any of the following practices:

26 (1) Intentionally fail or refuse to appoint or to discharge any insurance agent,
27 or otherwise to intentionally discriminate against any insurance agent with respect
28 to his compensation, terms, conditions, or privileges of employment, because of the
29 insurance agent's race, color, religion, sex, ~~or~~ national origin, or natural, protective,
30 or cultural hairstyle.

1 §2607. Discrimination in residential real estate related transactions

2 A. It is unlawful for any person or other entity whose business includes
3 engaging in residential real estate related transactions to discriminate against any
4 person in making available such a transaction, or in the terms or conditions of such
5 a transaction, because of race, color, religion, sex, disability, familial status, ~~or~~
6 national origin, or natural, protective, or cultural hairstyle.

7 * * *

8 §2608. Discrimination in provision of brokerage services

9 It is unlawful to deny any person access to or membership or participation in
10 any multiple-listing service, real estate brokers' organization or other service,
11 organization, or facility relating to the business of selling or renting dwellings, or to
12 discriminate against him in the terms or conditions of such access, membership, or
13 participation, on account of race, color, religion, sex, disability, familial status, ~~or~~
14 national origin, or natural, protective, or cultural hairstyle.

15 Section 4. The Louisiana State Law Institute is hereby authorized and directed to
16 arrange in alphabetical order and renumber the definitions provided in R.S. 51:2232 and
17 2603.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____