

---

 DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

---

Broome

SB No. 233

Present law provides relative to the La. Equal Housing Opportunity Act.

Proposed law provides that "domestic abuse" includes but is not limited to physical or sexual abuse and any offense against the person as defined by law, except negligent injury and defamation, committed by one family or household member against another. "Domestic abuse" also includes abuse of adults as defined by law when committed by an adult child or adult grandchild.

Proposed law provides that reasonable evidence of "domestic abuse" that may be provided by an individual includes but is not limited to information from law enforcement, the courts, or a third-party service provider.

Proposed law defines "family or household member" as a spouse, former spouse, parent, child, stepparent, stepchild, foster parent, foster child, grandparent and grandchild.

Proposed law adds to present law (R.S. 51:2606) that it is unlawful to discriminate in the sale or rental or to otherwise make unavailable or deny a dwelling to any buyer or renter because that person is or has been a victim of domestic abuse.

The provisions of proposed law do not allow a private right of action against agencies governed by or regulated by 24 CFR 5.2001 in circumstances when the United States Housing Act of 1937, as amended by the Violence Against Women Act (VAWA), 42 U.S.C. 1437f and 42 U.S.C. 1437d, provides a substantially equivalent private right of action for a victim of domestic abuse.

Proposed law adds to present law (R.S. 51:2606) that it is unlawful to discriminate against any person in the terms, conditions, or privileges with respect to the sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling because of the person's status as a victim of domestic abuse.

Proposed law further provides that discrimination is limited to the following:

- (1) A rental agreement that allows for termination of a victim's lease based on a domestic dispute or that otherwise discourages tenants from contacting emergency assistance due to a domestic dispute.
- (2) Eviction of or making housing otherwise unavailable to a victim of domestic abuse who is otherwise in good standing as a lessee, tenant, or resident.

Proposed law provides that no provision of present or proposed law limits a lessee's obligation as required by a rental agreement between the lessor and lessee.

Effective August 1, 2014.

Amends R.S. 51:2603(6) through (12); (Adds R.S. 51:2603(13) and (14) and 2606(A)(7) and (8))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Adds definition of "family or household member".

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Commerce to the original bill.

1. Made technical changes.
2. Removed the status as a victim of domestic abuse as a protected class from the provisions of proposed law.
3. Added that reasonable evidence of domestic abuse that an individual may provide includes but is not limited to information from law enforcement, the courts, or a third-party service provider.
4. Added that it is unlawful to discriminate in the sale or rental or to otherwise make unavailable or deny a dwelling to any buyer or renter because that person is or has been a victim of domestic abuse
5. Added that proposed law does not allow a private right of action against agencies governed by or regulated by 24 CFR 5.2001, when a substantially equivalent private right of action for a victim of domestic abuse is available.
6. Added that it is unlawful to discriminate against any person in the terms, conditions, or privileges with respect to the sale or rental of a dwelling, or in the provision of services or facilities in connection with the dwelling because of the person's status as a victim of domestic abuse.
7. Limited discrimination to a rental agreement that allows for termination of a victim's lease based on a domestic dispute or that otherwise discourages tenants from contacting emergency assistance due to a domestic dispute.
8. Limited discrimination to the eviction of or making housing otherwise unavailable to a victim of domestic abuse who is otherwise in good standing as a lessee, tenant, or resident.
9. Added that no provision of present or proposed law limits a lessee's obligation as required by a rental agreement between the lessor and lessee.