

2022 Regular Session

HOUSE BILL NO. 253

BY REPRESENTATIVES EDMONSTON, AMEDEE, BAGLEY, BUTLER, ECHOLS,  
GADBERRY, HODGES, HORTON, MCCORMICK, CHARLES OWEN,  
SCHAMERHORN, SEABAUGH, AND WRIGHT

DISCRIMINATION: Prohibits discriminatory practices on the basis of vaccination status  
or immunity status

1 AN ACT

2 To amend and reenact R.S. 9:3583, R.S. 17:7(20)(b)(ix), 46(Q), 100.5(C)(2), 111(A),

3 158(F), 407.40(A)(5), and 1187(B), R.S. 22:1128(D)(2), 1206(7)(a)(i) and (ii),

4 1452(C)(25), and 1454(A), R.S. 23:332, R.S. 37:1025(B), 1360.23(H), 1360.82, and

5 2719, R.S. 38:2315, R.S. 39:1411, R.S. 40:1133.1(C), 2113.4(A), 2113.6(A)(1) and

6 (B), 2120.35(B)(5), and 2125(B), R.S. 46:437.11(A), 1104, 1134, 1154, 1407(F), and

7 1995, R.S. 47:37(C) and 287.755(C), R.S. 49:145, 146(A)(1), and 673, and R.S.

8 51:2231(A), 2232(5), 2235(16)(a), 2236(A), 2237(2), 2247, 2248, 2254(1) and (2),

9 2255(A)(introductory paragraph), and 2608 and to enact R.S. 22:1063(A)(1)(i), R.S.

10 23:302(9) and (10), R.S. 40:2102(5) and (6), and R.S. 51:2232(11) and (12) and

11 2603(13) and (14), relative to discriminatory practices based on vaccination status

12 or immunity status; to prohibit discriminating between individuals based on such

13 status; to provide for the extension of credit; to provide for the duties of the State

14 Board of Elementary and Secondary Education; to provide for financial assistance

15 awards; to provide for the granting of sabbatical leave; to provide for enrollment at

16 alternative schools; to provide for public school admissions; to provide for the duties

17 of public school boards; to provide for student transportation; to provide for early

18 learning center licensing; to provide for eligibility in group health plans and health

19 insurance coverage; to provide for the duties of the commissioner of insurance; to

1 provide for risk rates of the Louisiana Health Plan; to provide for insurance rates for  
 2 property and casualty insurance; to provide for intentional discrimination in  
 3 employment; to provide for the duties of the Department of Health; to provide for  
 4 the selection of medication attendants; to provide for the duties of the State Board  
 5 of Medical Examiners; to provide for the training of physician assistants; to provide  
 6 for direct primary care practices; to provide for the duties of the Louisiana State  
 7 Board of Social Work Examiners; to provide for application to the Louisiana State  
 8 Board of Social Work Examiners; to provide for the selection of persons for  
 9 professional services in public contracts; to provide for programs and activities  
 10 receiving state financial assistance; to provide for the licensure process for  
 11 emergency medical personnel; to provide for emergency services; to provide for  
 12 adult brain injury facilities; to provide for medical assistance programs; to provide  
 13 for parish hospital and hospital service district affirmative action programs; to  
 14 provide for child-placing agencies, maternity homes, and certain residential homes;  
 15 to provide for certain programs and activities for displaced homemakers; to provide  
 16 for certain income tax credits; to provide for access to public meetings in public  
 17 buildings and facilities; to provide for the expenditure of federal block grant funds;  
 18 to provide for the Louisiana Commission of Human Rights; to provide for the  
 19 authority of the commission; to provide for local human rights commissions; to  
 20 provide relative to discriminatory practices and advertisements; to provide relative  
 21 to discrimination by financial institutions; to provide for credit transactions; to  
 22 provide for the Equal Housing Opportunity Act; to provide relative to the provision  
 23 of brokerage services; to provide for definitions; and to provide for related matters.

24 Be it enacted by the Legislature of Louisiana:

25 Section 1. R.S. 9:3583 is hereby amended and reenacted to read as follows:

26 §3583. Discrimination prohibited

27 A. It shall be unlawful for any extender of credit to refuse to extend credit  
 28 to any major or emancipated minor solely because of that person's race, color,

1 religion, national origin, sex, vaccination status or immunity status, as those terms  
2 are defined in R.S. 51:2232, or marital status.

3 B. It shall ~~also~~ be unlawful for any extender of credit to require any major  
4 or emancipated minor to meet credit qualification standards not required of other  
5 persons similarly situated.

6 Section 2. R.S. 17:7(20)(b)(ix), 46(Q), 100.5(C)(2), 111(A), 158(F), 407.40(A)(5),  
7 and 1187(B) are hereby amended and reenacted to read as follows:

8 §7. Duties, functions, and responsibilities of board

9 In addition to the authorities granted by R.S. 17:6 and any powers, duties, and  
10 responsibilities vested by any other applicable laws, the board shall:

11 \* \* \*

12 (20)

13 \* \* \*

14 (b) The following guidelines, criteria, and procedures shall apply to the  
15 financial assistance awards program provided for by this Paragraph:

16 \* \* \*

17 (ix) The criteria for approving a financial assistance award shall consist of  
18 thoroughness and detail of information submitted in the application process and the  
19 qualifications and competition record of the team members or individual competitors  
20 seeking assistance. Award criteria shall not discriminate against any student on the  
21 basis of race, sex, religious belief, vaccination status or immunity status, as those  
22 terms are defined in R.S. 51:2232, or school attendance at an approved nonpublic  
23 school.

24 \* \* \*

25 §46. Sabbatical leave program

26 \* \* \*

27 Q. Each person granted sabbatical leave shall sign an agreement or contract  
28 with the superintendent of the Special School District stipulating that, as a condition  
29 of his sabbatical leave and in order to be eligible for compensation during such leave,

1 he will return to service for one semester for each semester of leave following the  
 2 expiration of his leave in the special school granting the leave. Should a person  
 3 taking sabbatical leave fail to return to service in the special school granting leave  
 4 for one semester for each semester of leave following the expiration of such leave  
 5 for any reason other than incapacitating illness as certified by two physicians, that  
 6 person shall forfeit all compensation received during the leave period, provided  
 7 however, the superintendent may waive the provisions of this Section in accordance  
 8 with the prepublished criteria if he deems to be in the best interest of the special  
 9 school to do so. No such waiver shall favor or discriminate against any employee  
 10 or applicant because of his job description, age, race, ~~or sex,~~ or vaccination status or  
 11 immunity status, as those terms are defined in R.S. 51:2232.

\* \* \*

13 §100.5. Alternative schools; establishment by local boards

14 \* \* \*

15 C.

16 \* \* \*

17 (2) Eligibility for enrollment in alternative schools shall be determined from  
 18 a list compiled by each city and parish school board of students with discipline  
 19 problems whose behavior is disruptive. Students selected for enrollment in the  
 20 alternative schools from the eligibility list shall be selected from volunteers,  
 21 provided that there shall be no racial, sexual, or ethnic discrimination or  
 22 discrimination based on vaccination status or immunity status, as those terms are  
 23 defined in R.S. 51:2232, in either the compilation of the eligibility list or in the  
 24 operation of the school.

25 \* \* \*

26 §111. Discrimination in public schools prohibited; pupil assignment; religious  
27 educational institutions

28 A. No person shall be refused admission into or be excluded from any public  
 29 school in the state of Louisiana on account of race, creed, color, ~~disability, as defined~~

1 ~~in R.S. 51:2232, or national origin, or disability, vaccination status, or immunity~~  
2 status, as those terms are defined in R.S. 51:2232.

3 \* \* \*

4 §158. School buses for transportation of students; employment of bus operators;  
5 alternative means of transportation; improvement of school bus turnarounds;  
6 loading and unloading students

7 \* \* \*

8 F. The provisions of this Section shall apply to eligible public and nonpublic  
9 school students. However, these provisions shall not apply to any student or the  
10 parent or tutor of any student who attends a school which discriminates on the basis  
11 of race, creed, color, ~~or~~ national origin, or vaccination status or immunity status, as  
12 those terms are defined in R.S. 51:2232.

13 \* \* \*

14 §407.40. Rules, regulations and standards for licenses

15 A. The State Board of Elementary and Secondary Education shall  
16 promulgate regulations for each type of license which, at a minimum, shall  
17 accomplish all of the following:

18 \* \* \*

19 (5) Prohibit discrimination on the basis of race, color, creed, sex, national  
20 origin, handicap, ancestry, vaccination status or immunity status, as those terms are  
21 defined in R.S. 51:2232, or whether the child is being breastfed. However, nothing  
22 in this Paragraph shall be construed to affect, limit, or otherwise restrict the hiring  
23 or admission policies of an early learning center owned by a church or religious  
24 organization, or prohibit such a center from giving preference in hiring or admission  
25 to members of the church or denomination.

26 \* \* \*

27 §1187. Persons granted sabbatical leave; return to service

28 \* \* \*

1           B. Should a person taking sabbatical leave fail to return to service in the  
2 school system granting leave for one semester for each semester of leave following  
3 the expiration of such leave for any reason other than incapacitating illness as  
4 certified by two physicians, that person shall forfeit all compensation received during  
5 the leave period. Provided however, any school board may waive the provisions of  
6 this Section in accordance with prepublished criteria if it deems to be in the best  
7 interest of the school system to do so. No such waiver shall favor or discriminate  
8 against any employee or applicant because of his job description, age, race, ~~or sex,~~  
9 or vaccination status or immunity status, as those terms are defined in R.S. 51:2232.

\* \* \*

11           Section 3. R.S. 22:1128(D)(2), 1206(7)(a)(i) and (ii), 1452(C)(25) and 1454(A) are  
12 hereby amended and reenacted and R.S. 22:1063(A)(1)(i) is hereby enacted to read as  
13 follows:

14           §1063. Prohibiting discrimination against individual participants and beneficiaries  
15 based on health status

16           A.(1) Subject to Paragraph (2) of this Subsection, a group health plan, and  
17 a health insurance issuer offering group health insurance coverage in connection with  
18 a group health plan, may not establish rules for eligibility, including continued  
19 eligibility, of any individual to enroll under the terms of the plan based on any of the  
20 following health status-related factors in relation to the individual or a dependent of  
21 the individual:

\* \* \*

23           (i) Vaccination status or immunity status, as those terms are defined in R.S.  
24 51:2232.

\* \* \*

26           §1128. Comprehensive health coverage

\* \* \*

1           D. In defining essential health benefits for purposes of this Section, the  
2 commissioner shall do the following:

3   \*       \*       \*

4           (2) Ensure that coverage decisions, determination of reimbursement rates,  
5 establishment of incentive programs, and designation of benefits are effected in ways  
6 that do not discriminate against individuals because of age, disability, ~~or~~ life  
7 expectancy, or vaccination status or immunity status, as those terms are defined in  
8 R.S. 51:2232.

9   \*       \*       \*

10          §1206. Powers and duties of the plan

11           The plan shall have the general powers and authority granted under the laws  
12 of this state to insurance companies licensed to provide health and accident insurance  
13 and, in addition thereto, the specific authority to:

14   \*       \*       \*

15           (7) Establish appropriate rates, rate schedules, rate adjustments, expense  
16 allowances, agent's referral fees, and claim reserve formulas, and perform or contract  
17 for the performance of any other actuarial function appropriate to the operation of  
18 the plan, subject to the following limitations:

19           (a) Rates for federally defined individuals and nonfederally defined  
20 individuals.

21           (i) For federally defined individuals, subject to approval by the Department  
22 of Insurance, the plan shall determine a standard risk rate for each coverage option  
23 offered by considering the premium rates charged by other insurers offering similar  
24 health insurance coverage to individuals and family groups, if applicable. The  
25 standard risk rate shall be established using reasonable actuarial techniques and shall  
26 reflect anticipated experience and expenses for such coverage. Subject to the limits  
27 provided in this Paragraph, initial rates for each plan year shall be established to  
28 provide fully for the expected costs of claims, including recovery of prior losses,  
29 expenses of operation, investment income of claim reserves, and any other cost

1 factors subject to the limitations described herein, provided such rates shall not  
2 exceed two hundred percent of rates applicable to individual standard risks. Upon  
3 the receipt of governmental appropriations or alternative funding sources, other than  
4 assessments under R.S. 22:1210, such as authorized service charges, governmental  
5 transfer payments, donations, or grants, the board shall be authorized to reduce rates  
6 for the plan year based on established actuarial and underwriting practices. In no  
7 event shall rates for plan coverage be less than the greater of one hundred twenty-  
8 five percent of rates established as applicable for individual standard risks or rates  
9 established for other individuals provided coverage by or through the plan unless  
10 such rates would exceed the maximum amount allowed under this Paragraph. In no  
11 instance shall the rates discriminate between covered individuals on the basis of  
12 health-related factors, including vaccination status or immunity status, as those terms  
13 are defined in R.S. 51:2232.

14 (ii) Rates for nonfederally defined individuals. For nonfederally defined  
15 individuals, subject to approval by the Department of Insurance, the plan shall  
16 determine a standard risk rate for each coverage option offered by considering the  
17 premium rates charged by other insurers offering similar health insurance coverage  
18 to individuals and family groups, if applicable. The standard risk rate shall be  
19 established using reasonable actuarial techniques and shall reflect anticipated  
20 experience and expenses for such coverage. Subject to the limits provided in this  
21 Paragraph, initial rates for each plan year shall be established to provide fully for the  
22 expected costs of claims, including recovery of prior losses, expenses of operation,  
23 investment income of claim reserves, and any other cost factors subject to the  
24 limitations of prior losses, expenses of operation, investment income of claim  
25 reserves, and any other cost factors subject to the limitations described herein,  
26 provided such rates shall not exceed two hundred percent of rates applicable to  
27 individual standard risks. Upon the receipt of governmental appropriations or  
28 alternative funding sources, such as authorized service charges, governmental  
29 transfer payments, donations, or grants, the board shall be authorized to reduce rates



1 for the plan year based on established actuarial and underwriting practices. In no  
 2 event shall rates for plan coverage be less than one hundred ten percent of rates  
 3 established as applicable for individual standard risks or rates established for other  
 4 individuals provided coverage by or through the plan, provided such rates shall not  
 5 exceed the maximum amount of two hundred percent of rates applicable to  
 6 individual standard rates. In no instance shall the rates discriminate between covered  
 7 individuals on the basis of health-related factors, including vaccination status or  
 8 immunity status, as those terms are defined in R.S. 51:2232.

9 \* \* \*

10 §1452. Purpose of rate regulation; construction; definitions

11 \* \* \*

12 C. As used in this Subpart, the following definitions shall be applicable:

13 \* \* \*

14 (25) "Unfairly discriminatory" means not capable of being actuarially  
 15 justified or based on race, color, creed, ~~or~~ national origin, or vaccination status or  
 16 immunity status, as those terms are defined in R.S. 51:2232. It does not refer to rates  
 17 that produce differences in premiums for policyholders with different loss exposures,  
 18 so long as the rate is actuarially justified and reflects such differences with  
 19 reasonable accuracy.

20 \* \* \*

21 §1454. Rating standards and methods

22 A. Rates shall not be inadequate or unfairly discriminatory in a competitive  
 23 market. Rates shall not be excessive, inadequate, or unfairly discriminatory in a  
 24 noncompetitive market. Risks may be classified using any criteria except that no  
 25 risk shall be classified on the basis of race, color, creed, ~~or~~ national origin, or  
 26 vaccination status or immunity status, as those terms are defined in R.S. 51:2232.

27 \* \* \*

1 Section 4. R.S. 23:332 is hereby amended and reenacted and R.S. 23:302(9) and (10)  
2 are hereby enacted to read as follows:

3 §302. Definitions

4 For purposes of this Chapter and unless the context clearly indicates  
5 otherwise, the following terms shall have the following meanings ascribed to them:

6 \* \* \*

7 (9) "Immunity status" shall have the same meaning as provided in R.S.  
8 51:2232.

9 (10) "Vaccination status" shall have the same meaning as provided in R.S.  
10 51:2232.

11 \* \* \*

12 §332. Intentional discrimination in employment

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

15 (1) Intentionally fail or refuse to hire or to discharge any individual, or  
16 otherwise to intentionally discriminate against any individual with respect to  
17 compensation, or terms, conditions, or privileges of employment, because of the  
18 individual's race, color, religion, sex, ~~or national origin,~~ vaccination status, or  
19 immunity status.

20 (2) Intentionally limit, segregate, or classify employees or applicants for  
21 employment in any way which would deprive or tend to deprive any individual of  
22 employment opportunities, or otherwise adversely affect the individual's status as an  
23 employee, because of the individual's race, color, religion, sex, ~~or national origin,~~  
24 vaccination status, or immunity status.

25 (3) Intentionally pay wages to an employee at a rate less than that of another  
26 employee of the opposite sex for equal work on jobs in which their performance  
27 requires equal skill, effort, and responsibility and which are performed under similar  
28 working conditions. An employer paying wages in violation of this Section may not  
29 reduce the wages of any other employee in order to comply with this Section.

1           B. It shall be unlawful discrimination in employment for an employment  
2 agency to intentionally fail or refuse to refer for employment, or otherwise to  
3 intentionally discriminate against, any individual because of his race, color, religion,  
4 sex, or national origin, or to intentionally classify or refer for employment any  
5 individual on the basis of his race, color, religion, sex, ~~or~~ national origin, vaccination  
6 status, or immunity status.

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

9           (1) Intentionally exclude or intentionally expel from its membership, or  
10 otherwise intentionally discriminate against, any individual because of his race,  
11 color, religion, sex, ~~or~~ national origin, vaccination status, or immunity status.

12           (2) Intentionally limit, segregate, or classify its membership or applicants for  
13 membership, or intentionally classify or fail or refuse to refer for employment any  
14 individual in any way which would deprive or tend to deprive any individual of  
15 employment opportunities, or would limit such employment opportunities, or  
16 otherwise adversely affect his status as an employee or as an applicant for  
17 employment, because of such individual's race, color, religion, sex, ~~or~~ national  
18 origin, vaccination status, or immunity status.

19           (3) Intentionally cause or attempt to cause an employer to discriminate  
20 against an individual in violation of this Section.

21           D. It shall be unlawful discrimination in employment for any employer, labor  
22 organization, or joint labor-management committee controlling apprenticeship or  
23 other training or retraining, including on-the-job training programs, to discriminate  
24 against any individual because of his race, color, religion, sex, ~~or~~ national origin,  
25 vaccination status, or immunity status in admission to, or employment in, any  
26 program established to provide apprenticeship or other training.

27           E. It shall be unlawful discrimination in employment for an employer,  
28 employment agency, labor organization, or joint labor-management committee  
29 controlling apprenticeship or other training or retraining, including on-the-job

1 training programs, to print or publish, or cause to be printed or published, any notice  
2 or advertisement relating to employment by an employer or membership in or any  
3 classification or referral for employment by a labor organization, or relating to any  
4 classification or referral for employment by an employment agency, or relating to  
5 admission to, or employment in, any program established to provide apprenticeship  
6 or other training by a joint labor-management committee, indicating any preference,  
7 limitation, specification, or discrimination based on race, color, religion, sex, ~~or~~  
8 national origin, vaccination status, or immunity status. However, a notice or  
9 advertisement may indicate a preference, limitation, specification, or discrimination  
10 based on religion, sex, ~~or~~ national origin, vaccination status, or immunity status when  
11 religion, sex, ~~or~~ national origin, vaccination status, or immunity status is a bona fide  
12 occupational qualification for employment.

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

15 (1) Intentionally fail or refuse to appoint or to discharge any insurance agent,  
16 or otherwise to intentionally discriminate against any insurance agent with respect  
17 to his compensation, terms, conditions, or privileges of employment, because of the  
18 insurance agent's race, color, religion, sex, ~~or~~ national origin, vaccination status, or  
19 immunity status.

20 (2) Intentionally limit, segregate, or classify his insurance agents or  
21 applicants for an insurance agent in any way which would deprive or tend to deprive  
22 any insurance agent or applicant of employment opportunities, or otherwise  
23 adversely affect his status as an insurance agent or applicant because of the insurance  
24 agent's or applicant's race, color, religion, sex, ~~or~~ national origin, vaccination status,  
25 or immunity status.

26 G. Nothing contained in this Section shall be construed so as to create a  
27 cause of action against an employer, employment agency, labor organization, or  
28 insurer for employment practices pursuant to any affirmative action plan.

1 H. Notwithstanding any other provision of this Section, it shall not be  
2 unlawful discrimination in employment for:

3 (1) An employer to hire and employ employees, for an employment agency  
4 to classify or refer for employment any individual, for a labor organization to  
5 classify its membership or to classify or refer for employment any individual, or for  
6 an employer, labor organization, or joint labor-management committee controlling  
7 apprenticeship or other training or retraining programs to admit or employ any  
8 individual in any such program on the basis of his religion, sex, ~~or~~ national origin,  
9 vaccination status, or immunity status in those certain instances where religion, sex,  
10 ~~or~~ national origin, vaccination status, or immunity status is a bona fide occupational  
11 qualification reasonably necessary for the normal operation of that particular  
12 business or enterprise.

13 (2) A school, college, university, or other educational institution or  
14 institution of learning to hire and employ employees of a particular religion if such  
15 school, college, university, or other educational institution or institution of learning  
16 is, in whole or in substantial part, owned, supported, controlled, or managed by a  
17 particular religion or by a particular religious corporation, association, or society, or  
18 if the curriculum of the school, college, university, or other educational institution  
19 or institution of learning is directed toward the propagation of a particular religion.

20 (3) An employer to apply different standards of compensation or different  
21 terms, conditions, or privileges of employment pursuant to a bona fide seniority or  
22 merit system, or a system which measures earnings by quantity or quality of  
23 production, or any other differential based on any factor other than sex, or to  
24 employees who work in different locations, provided that such differences are not  
25 the result of an intention to discriminate because of race, color, religion, sex, ~~or~~  
26 national origin, vaccination status, or immunity status.

27 (4) An employer to give and to act upon the results of any professionally  
28 developed ability test, provided that such test, its administration, or action upon the

1 results is not designed, intended, or used to discriminate because of race, color,  
2 religion, sex, ~~or~~ national origin, vaccination status, or immunity status.

3 Section 5. R.S. 37:1025(B), 1360.23(H), 1360.82, and 2719 are hereby amended  
4 and reenacted to read as follows:

5 §1025. Qualifications of applicants to the drug administration course

6 \* \* \*

7 B. There will be no discrimination in selection of medication attendants for  
8 reason of race, color, creed, religion, ~~disability, as defined in R.S. 51:2232, or~~  
9 national origin, or disability, vaccination status, or immunity status, as those terms  
10 are defined in R.S. 51:2232.

11 \* \* \*

12 §1360.23. Powers and duties of the board

13 \* \* \*

14 H. The board shall ensure that applicants for the program shall not be  
15 discriminated against due to race, color, creed, age, sex, ~~disability, as defined in R.S.~~  
16 ~~51:2232, or~~ national origin, or disability, vaccination status, or immunity status, as  
17 those terms are defined in R.S. 51:2232.

18 \* \* \*

19 §1360.82. Prohibition on discrimination

20 Except as provided in R.S. 37:1360.85, no direct practice shall decline to  
21 accept any person solely on account of race, religion, national origin, the presence  
22 of any sensory, mental, or physical disability, education, ~~or~~ economic status, or  
23 vaccination status or immunity status, as those terms are defined in R.S. 51:2232.

24 \* \* \*

25 §2719. Discrimination

26 No license, certificate, or registration shall be denied any applicant based  
27 upon the applicant's race, religion, creed, national origin, sex, vaccination status or  
28 immunity status, as those terms are defined in R.S. 51:2232, or physical impairment

1 so long as the physical impairment does not interfere with the performance of  
2 professional duties.

3 Section 6. R.S. 38:2315 is hereby amended and reenacted to read as follows:

4 §2315. Equal opportunity

5 Every person shall be guaranteed equal employment opportunities in the  
6 selection of persons for professional services and such selection of persons for  
7 professional services and such selection shall not discriminate against any person  
8 because of race, religion, national ancestry, age, sex, ~~or physical condition, or~~  
9 vaccination status or immunity status, as those terms are defined in R.S. 51:2232.

10 If any person or persons violates the provisions of this section, they shall be subject  
11 to the same penalties as provided in R.S. 38:2314(A).

12 Section 7. R.S. 39:1411 is hereby amended and reenacted to read as follows:

13 §1411. No state assistance for discriminatory programs

14 No person in the State of Louisiana shall, on the ground of race, color,  
15 religion, ~~or national origin, or vaccination status or immunity status, as those terms~~  
16 are defined in R.S. 51:2232, be excluded from participation in, be denied the benefits  
17 of, or be subjected to discrimination under any program or activity receiving state  
18 financial assistance.

19 Section 8. R.S. 40:1133.1(C), 2113.4(A), 2113.6(A)(1) and (B), 2120.35(B)(5), and  
20 2125(B) are hereby amended and reenacted and R.S. 40:2102(5) and (6) are hereby enacted  
21 to read as follows:

22 §1133.1. Emergency medical personnel training; licensure

23 \* \* \*

24 C. The bureau shall affirmatively provide that there is no discrimination  
25 toward any individual in the licensure process on the basis of race, religion, creed,  
26 national origin, sex, ~~or age, or vaccination status or immunity status, as those terms~~  
27 are defined in R.S. 51:2232.

28 \* \* \*

1 §2102. Definitions

2 As used in this Part:

3 \* \* \*

4 (5) "Immunity status" shall have the same meaning as provided in R.S.  
5 51:2232.

6 (6) "Vaccination status" shall have the same meaning as provided in R.S.  
7 51:2232.

8 \* \* \*

9 §2113.4. Duty to provide services; penalty

10 A. Any general hospital licensed under this Part, which is owned or operated,  
11 or both, by a hospital service district, which benefits from being financed by the sale  
12 of bonds that are exempt from taxation as provided by Louisiana law, or which  
13 receives any other type of financial assistance from the state of Louisiana and which  
14 offers emergency room services to the public and is actually offering such services  
15 at the time, shall make its emergency services available to all persons residing in the  
16 territorial area of the hospital regardless of whether the person is covered by private,  
17 federal Medicare or Medicaid, or other insurance. Each person shall receive these  
18 services free from discrimination based on race, religion, or national ancestry and  
19 from arbitrary, capricious, or unreasonable discrimination based on age, sex,  
20 vaccination status, immunity status, or physical condition and economic status.

21 However, in no event shall emergency treatment be denied to anyone on account of  
22 inability to pay. Any such hospital found to be in violation of this Section shall not  
23 receive any client referrals from the Louisiana Department of Health.

24 \* \* \*

25 §2113.6. Emergency diagnoses and services; denial for inability to pay;  
26 discriminatory practices

27 A.(1) No officer, employee, or member of the medical staff of a hospital  
28 licensed by the Louisiana Department of Health shall deny emergency services  
29 available at the hospital to a person diagnosed by a licensed physician as requiring



1 emergency services because the person is unable to establish his ability to pay for the  
2 services or because of race, religion, or national ancestry. In addition, the person  
3 needing the services shall not be subjected by any such person to arbitrary,  
4 capricious, or unreasonable discrimination based on age, sex, physical condition,  
5 vaccination status, immunity status, or economic status.

6 \* \* \*

7 B. No officer, employee, or member of the medical staff of a hospital  
8 licensed by the Louisiana Department of Health shall deny a person in need of  
9 emergency services access to diagnosis by a licensed physician on the staff of the  
10 hospital because the person is unable to establish his ability to pay for the services  
11 or because of race, religion, or national ancestry. In addition, the person needing the  
12 services shall not be subjected by any such person to arbitrary, capricious, or  
13 unreasonable discrimination based on age, sex, physical condition, vaccination  
14 status, immunity status, or economic status.

15 \* \* \*

16 §2120.35. Rules, regulations, and standards for licenses

17 \* \* \*

18 B. The department shall promulgate minimum standards for adult brain  
19 injury facilities as defined in this Part which, at a minimum, shall:

20 \* \* \*

21 (5) Prohibit discrimination by brain injury facilities on the basis of race,  
22 color, creed, sex, ~~disability, as defined in R.S. 51:2232,~~ national origin, ~~or ancestry,~~  
23 or disability, vaccination status, or immunity status, as those terms are defined in  
24 R.S. 51:2232.

25 \* \* \*

26 §2125. Age; continuation of assistance; discrimination

27 \* \* \*

28 B. Such assistance shall not be provided where an institution or provider  
29 discriminates against those seeking services provided herein on the basis of race,

1 color, creed, ~~disability, as defined in R.S. 51:2232, or national origin, or disability,~~  
2 vaccination status, or immunity status, as those terms are defined in R.S. 51:2232.

3 Section 9. R.S. 46:437.11(A), 1104, 1134, 1154, 1407(F), and 1995 are hereby  
4 amended and reenacted to read as follows:

5 §437.11. Provider agreements

6 A. The department shall make payments from medical assistance programs  
7 funds for goods, services, or supplies rendered to recipients to any person who has  
8 a provider agreement in effect with the department, who is complying with all  
9 federal and state laws and rules pertaining to the medical assistance programs, and  
10 who agrees that no person shall be subjected to discrimination under the medical  
11 assistance programs because of race, creed, ethnic origin, sex, age, ~~or~~ physical  
12 condition, or vaccination status or immunity status, as those terms are defined in R.S.  
13 51:2232.

14 \* \* \*

15 §1104. Application consideration; evaluation

16 It shall be the duty of the board of commissioners to receive, consider,  
17 evaluate, and allow or disallow all applications for scholarships made by eligible  
18 applicants. The board of commissioners shall make careful and full investigation of  
19 the ability and qualifications of each applicant. The board of commissioners shall  
20 provide that an affirmative action program for the selection of recipients be  
21 established which shall include that no discrimination occur on the basis of race,  
22 creed, sex, age, ~~or~~ ethnic origin, or vaccination status or immunity status, as those  
23 terms are defined in R.S. 51:2232. The board of commissioners shall establish and  
24 publish rules on the selection process of the recipient which shall preclude the  
25 appearance of and the possibility of nepotism. The board of commissioners shall  
26 notify each applicant selected to receive a scholarship of his selection and shall also  
27 notify the dean of the medical school to which the recipient has been admitted or in

1 which he is engaged in study, or the chief administrator of any internship or  
2 residency program in which the applicant is engaged.

3 \* \* \*

4 §1134. Application consideration; evaluation

5 It shall be the duty of the board of commissioners to receive, consider,  
6 evaluate, and allow or disallow all applications for scholarships made by eligible  
7 applicants. The board of commissioners shall make careful and full investigation of  
8 the ability and qualifications of each applicant. The board of commissioners shall  
9 provide that an affirmative action program for the selection of recipients be  
10 established which shall include that no discrimination occur on the basis of race,  
11 creed, sex, age, ~~or ethnic origin, or vaccination status or immunity status, as those~~  
12 terms are defined in R.S. 51:2232. The board of commissioners shall establish and  
13 publish rules on the selection process of the recipient which shall preclude the  
14 appearance of and the possibility of nepotism. The board of commissioners shall  
15 notify each applicant selected to receive a scholarship of his selection and shall also  
16 notify the dean of the nursing school or office of financial assistance at the school  
17 where the student is registered.

18 \* \* \*

19 §1154. Application consideration; evaluation

20 The board shall receive, consider, evaluate, and allow or disallow all  
21 applications for scholarships made by eligible applicants. The board shall make  
22 careful and full investigation of the ability and qualifications of each applicant. The  
23 board shall ensure that no discrimination occurs on the basis of race, creed, sex, age,  
24 ~~or ethnic origin, or vaccination status or immunity status, as those terms are defined~~  
25 in R.S. 51:2232. The board shall establish and publish rules on the selection process  
26 of the recipient which shall preclude the appearance of and the possibility of  
27 nepotism. The board shall notify each applicant selected to receive a scholarship of

1 his selection and shall also notify the dean of the school or office of financial  
2 assistance at the school where the student is registered.

3 \* \* \*

4 §1407. Rules, regulations, and standards for licenses

5 \* \* \*

6 F. Discrimination by specialized providers and child-placing agencies on the  
7 basis of race, color, creed, sex, national origin, ~~disability as defined by R.S. 51:2232,~~  
8 ancestry, or whether the child is being breastfed, or disability, vaccination status, or  
9 immunity status, as those terms are defined in R.S. 51:2232 is prohibited. However,  
10 this shall not restrict the hiring or admission policies of a church or religious  
11 organization, which may give preference in hiring or admission to members of the  
12 church or denomination.

13 \* \* \*

14 §1995. Nondiscrimination

15 No citizen of this state shall on the ground of sex, age, race, color, religion,  
16 ~~or national origin, or vaccination status or immunity status, as those terms are~~  
17 defined in R.S. 51:2232, be excluded from participating in, be denied the benefits of,  
18 or be subjected to discrimination under, any program or activity funded in whole or  
19 in part with funds made available under this Chapter.

20 Section 10. R.S. 47:37(C) and 287.755(C) are hereby amended and reenacted to read  
21 as follows:

22 §37. Tax credit for contributions to educational institutions

23 \* \* \*

24 C. There shall be allowed a credit against the tax liability due under the  
25 income tax for donations, contributions, or sales below cost of tangible movable  
26 property made to educational institutions in the state of Louisiana. The credit  
27 allowed by this Section shall be computed at the rate of twenty-nine percent of such  
28 property's value, as defined herein, or, in the case of a sale below cost, twenty-nine  
29 percent of the difference between the price received for the tangible movable

1 property by the taxpayer and the value of the property as defined herein. The credit  
 2 shall be limited to the total of the tax liability for the taxable year for which it is  
 3 being claimed and shall be in lieu of the deductions from gross income provided for  
 4 in R.S. 47:57. The credit shall not be allowed if the taxpayer arbitrarily,  
 5 capriciously, or unreasonably discriminates against any person because of race,  
 6 religion, ideas, beliefs, ~~or~~ affiliations, or vaccination status or immunity status, as  
 7 those terms are defined in R.S. 51:2232.

\* \* \*

9 §287.755. Tax credit for contributions to educational institutions

\* \* \*

11 C. There shall be allowed a credit against the tax liability due under the  
 12 income tax for donations, contributions, or sales below cost of tangible movable  
 13 property made to educational institutions in the state of Louisiana. The credit  
 14 allowed by this Section shall be computed at the rate of twenty-nine percent of such  
 15 property's value, as defined herein, or, in the case of a sale below cost, twenty-nine  
 16 percent of the difference between the price received for the tangible movable  
 17 property by the taxpayer and the value of the property as defined herein. The credit  
 18 shall be limited to the total of the tax liability for the taxable year for which it is  
 19 being claimed and shall be in lieu of the deductions from gross income provided for  
 20 in R.S. 47:57. The credit shall not be allowed if the taxpayer arbitrarily,  
 21 capriciously, or unreasonably discriminates against any person because of race,  
 22 religion, ideas, beliefs, ~~or~~ affiliations, or vaccination status or immunity status, as  
 23 those terms are defined in R.S. 51:2232.

\* \* \*

25 Section 11. R.S. 49:145, 146(A)(1), and 673 are hereby amended and reenacted to  
 26 read as follows:

27 §145. Use of public buildings; discrimination

28 No person shall be denied access to any public meeting in any public building  
 29 or facility used or owned by the state or any political subdivision of the state because

1 of race, color, creed, ~~or~~ physical or mental disability, or vaccination status or  
2 immunity status, as those terms are defined in R.S. 51:2232. For purposes of this  
3 Section, a public meeting is a meeting which is advertised as being open to the  
4 general public.

5 §146. Facilities to which public invited; discrimination

6 A.(1) In access to public areas, public accommodations, and public facilities,  
7 every person shall be free from discrimination based on race, religion, or national  
8 ancestry and from arbitrary, capricious, or unreasonable discrimination based on age,  
9 sex, ~~or~~ physical or mental disability, or vaccination status or immunity status, as  
10 those terms are defined in R.S. 51:2232.

11 \* \* \*

12 §673. Discrimination prohibited

13 Unless existing federal guidelines and requirements of a federal block grant  
14 provide for such, any executive agencies which receive federal block grant funds  
15 shall prepare a plan for the expenditure of the funds which prohibits discrimination  
16 on the basis of race, sex, religion, ~~and~~ age, and vaccination status or immunity status,  
17 as those terms are defined in R.S. 51:2232, and ensures respect for the civil rights of  
18 program recipients. They shall present such plan, prior to implementation, at public  
19 hearings to be held at a location in each of the public service commission districts  
20 of the state and shall adopt such plan in accordance with the provisions of Chapter  
21 13 of Title 49 of the Louisiana Revised Statutes of 1950.

22 Section 12. R.S. 51:2231(A), 2232(5), 2235(16)(a), 2236(A), 2237(2), 2247, 2248,  
23 2254(1) and (2), 2255(A)(introductory paragraph), and 2608 are hereby amended and  
24 reenacted and R.S. 51:2232(11) and (12) and 2603(13) and (14) are hereby enacted to read  
25 as follows:

26 §2231. Statement of purpose; limitation on prohibitions against discrimination  
27 because of age

28 A. It is the purpose and intent of the legislature by this enactment to provide  
29 for execution within Louisiana of the policies embodied in the Federal Civil Rights

1 Act of 1964, 1968, and 1972 and the Age Discrimination in Employment Act of  
 2 1967, as amended; and to assure that Louisiana has appropriate legislation  
 3 prohibiting discrimination in public accommodations sufficient to justify the deferral  
 4 of cases by the federal Equal Employment Opportunity Commission, the secretary  
 5 of the Louisiana Workforce Commission, and the Department of Justice under those  
 6 statutes; to safeguard all individuals within the state from discrimination because of  
 7 race, creed, color, religion, sex, age, disability, ~~or~~ national origin, vaccination status,  
 8 or immunity status in connection with employment and in connection with public  
 9 accommodations; to protect their interest in personal dignity and freedom from  
 10 humiliation; to make available to the state their full productive capacities in  
 11 employment; to secure the state against domestic strife and unrest which would  
 12 menace its democratic institutions; to preserve the public safety, health, and general  
 13 welfare; and to further the interest, rights, and privileges within the state.

14 \* \* \*

15 §2232. Definitions

16 As used in this Chapter:

17 \* \* \*

18 (5) "Discriminatory practice in connection with public accommodations"  
 19 means any direct or indirect act or practice of exclusion, distinction, restriction,  
 20 segregation, limitation, refusal, denial, or any other act or practice of differentiation  
 21 or preference in the treatment of a person or persons because of race, creed, color,  
 22 religion, sex, age, disability, ~~or~~ national origin, vaccination status, or immunity  
 23 status.

24 \* \* \*

25 (11) "Immunity status" means whether or not a person has immunity to an  
 26 infection or disease.

27 (12) "Vaccination status" means a person's status with respect to having been  
 28 vaccinated.

29 \* \* \*

1 §2235. Powers and duties of commission

2 In the enforcement of this Chapter or of Chapter 3-A of Title 23 of the  
3 Louisiana Revised Statutes of 1950, or R.S. 23:664, the commission shall have the  
4 following powers and duties:

5 \* \* \*

6 (16) To create local or statewide advisory committees that in its judgment  
7 will aid in effectuating the purposes of this Chapter. Members of such committees  
8 shall serve without pay but shall be reimbursed for expenses incurred in such service.  
9 The commission may make provision for technical and clerical assistance to the  
10 committees. The commission may empower these committees:

11 (a) To study and report on problems of discrimination because of race, creed,  
12 color, religion, sex, age, disability, ~~or~~ national origin, vaccination status, or immunity  
13 status.

14 \* \* \*

15 §2236. Parishes and municipalities may prohibit discrimination

16 A. Parishes and municipalities may adopt and enforce ordinances, orders,  
17 and resolutions prohibiting all forms of discrimination, including discrimination on  
18 the basis of race, creed, color, religion, national origin, sex, disability, ~~or~~ age,  
19 vaccination status, or immunity status, and to prescribe penalties for violations  
20 thereof, such penalties being in addition to the remedial orders and enforcement  
21 herein authorized.

22 \* \* \*

23 §2237. Local human rights commissions

24 Any parish or municipality, or one or more parishes and municipalities acting  
25 jointly, may create a human rights commission, hereinafter referred to as a "local  
26 commission":

27 \* \* \*



1 (2) To safeguard all individuals within its jurisdiction from discrimination  
 2 because of race, creed, color, religion, national origin, sex, disability, ~~or age,~~  
 3 vaccination status, or immunity status.

4 \* \* \*

5 §2247. Public accommodations, resorts, amusements; discriminatory practices  
 6 prohibited

7 Except as otherwise provided in this Chapter, it is a discriminatory practice  
 8 for a person to deny an individual the full and equal enjoyment of the goods,  
 9 services, facilities, privileges, advantages, and accommodations of a place of public  
 10 accommodation, resort, or amusement, as defined in this Chapter, on the grounds of  
 11 race, creed, color, religion, sex, age, disability, ~~as defined in R.S. 51:2232,~~ or  
 12 national origin, vaccination status, or immunity status.

13 \* \* \*

14 §2248. Advertisement of accommodations, goods, services

15 It shall be an unlawful practice for a person, directly or indirectly, to publish,  
 16 circulate, issue, display, mail, or cause to be published, circulated, issued, displayed,  
 17 or mailed, a written, printed, oral, or visual communication, notice, or advertisement  
 18 which indicates that the goods, services, facilities, privileges, advantages, and  
 19 accommodations of a place of public accommodation, resort, or amusement shall be  
 20 refused, withheld from, or denied an individual on account of his race, color,  
 21 religion, disability, ~~as defined in R.S. 51:2232,~~ or national origin, vaccination status,  
 22 or immunity status or that the patronage of or presence at a place of public  
 23 accommodations, resort, or amusement of an individual on account of his race, color,  
 24 religion, disability, ~~as defined in R.S. 51:2232,~~ or national origin, vaccination status,  
 25 or immunity status is objectionable, unwelcome, unacceptable, or undesirable.

26 §2254. Unlawful financial practices

27 It shall be an unlawful practice for a financial institution or an individual  
 28 employed by or acting on behalf of a financial institution:

1           (1) To discriminate against an individual because of the race, creed, color,  
 2           religion, national origin, sex, disability, ~~as defined in R.S. 51:2232,~~ or age,  
 3           vaccination status, or immunity status of the individual or the present or prospective  
 4           owner, tenant, or occupant of the immovable property or of a member, stockholder,  
 5           director, officer, employee, or representative of any of these, in the granting,  
 6           withholding, extending, modifying, or renewing of rates, terms, conditions,  
 7           privileges, or other provisions of financial assistance or in the extension of services  
 8           in connection therewith.

9           (2) To use a form of application for financial assistance or to make or keep  
 10          a record or inquiry in connection with applications for financial assistance which  
 11          indicates directly or indirectly a limitation, specification, or discrimination, as to  
 12          race, creed, color, religion, disability, ~~as defined in R.S. 51:2232,~~ or national origin,  
 13          vaccination status, or immunity status or an intent to make such a limitation,  
 14          specification, or discrimination.

15   \*           \*           \*

16         §2255. Unlawful practices in connection with credit transactions; exceptions

17           A. It shall be an unlawful practice for any person, whether acting for himself  
 18           or another, in connection with any credit transaction because of race, creed, color,  
 19           religion, national origin, disability, ~~as defined in R.S. 51:2232,~~ or sex, vaccination  
 20           status, or immunity status:

21   \*           \*           \*

22         §2603. Definitions

23           As used in this Chapter:

24   \*           \*           \*

25           (13) "Immunity status" shall have the same meaning as provided in R.S.  
 26           51:2232.

27           (14) "Vaccination status" shall have the same meaning as provided in R.S.  
 28           51:2232.

29   \*           \*           \*

1 §2608. Discrimination in provision of brokerage services

2 It is unlawful to deny any person access to or membership or participation in  
3 any multiple-listing service, real estate brokers' organization or other service,  
4 organization, or facility relating to the business of selling or renting dwellings, or to  
5 discriminate against him in the terms or conditions of such access, membership, or  
6 participation, on account of race, color, religion, sex, disability, familial status, ~~or~~  
7 national origin, vaccination status, or immunity status.

8 Section 13. The Louisiana State Law Institute is hereby authorized and directed to  
9 arrange in alphabetical order and renumber the definitions provided in R.S. 23:302, R.S.  
10 40:2102, and R.S. 51:2232 and 2603.

#### 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)]

HB 253 Engrossed

2022 Regular Session

Edmonston

**Abstract:** Prohibits discrimination on the grounds of a person's immunity status or vaccination status in all contexts in which discrimination is prohibited in present law.

Present law (R.S. 9:3583) provides that it shall be unlawful for any extender of credit to refuse to extend credit to any major or emancipated minor solely because of that person's race, color, religion, national origin, sex, or marital status.

Present law (R.S. 17:7) provides that the award criteria established by the State Board of Elementary and Secondary Education (BESE) for an annual math, science, and speech and debate competition financial assistance awards program for eligible teams and individuals from public and board-approved nonpublic secondary schools representing the state of La. at regional or national competitions shall not discriminate against any student on the basis of race, sex, religious belief, or school attendance at an approved nonpublic school.

Present law (R.S. 17:46 and 1187) provides that a waiver of provisions related to the granting of sabbatical leave shall not favor or discriminate against any employee or applicant because of his job description, age, race, or sex.

Present law (R.S. 17:100.5) provides that students selected for enrollment in alternative schools from an eligibility list shall be selected from volunteers, provided that there shall be no racial, sexual, or ethnic discrimination in either the compilation of the eligibility list or in the operation of the school.

Present law (R.S. 17:111) provides that no person shall be refused admission into or be excluded from any public school in this state on account of race, creed, color, disability, or national origin.

Present law (R.S. 17:158) provides that each city, parish, and other local public school board shall provide free transportation for any student attending a school of suitable grade

approved by BESE within the jurisdictional boundaries of the local board if the student resides more than one mile from such school. Such provision shall not apply to any student or the parent or tutor of any student who attends a school which discriminates on the basis of race, creed, color, or national origin.

Present law (R.S. 17:407.40) requires BESE to promulgate regulations for early learning center licensing which shall prohibit discrimination on the basis of race, color, creed, sex, national origin, handicap, ancestry, or whether the child is being breastfed.

Present law (R.S. 22:1063) provides a group health plan, and a health insurance issuer offering group health insurance coverage in connection with a group health plan, may not establish rules for eligibility of any individual to enroll under the terms of the plan based on various health status-related factors in relation to the individual or a dependent of the individual.

Present law (R.S. 22:1128) requires the commissioner of insurance to ensure that essential health benefit coverage decisions, determination of reimbursement rates, establishment of incentive programs, and designation of benefits are effected in ways that do not discriminate against individuals because of age, disability, or life expectancy.

Present law (R.S. 22:1206) prohibits risk rates of the La. Health Plan from discriminating between covered individuals on the basis of health-related factors.

Present law (R.S. 22:1452 and 1454) prohibits insurance rates for property and casualty insurance to be classified on the basis of race, color, creed, or national origin.

Present law (R.S. 23:332) prohibits intentional discrimination in employment on the basis of an individual's race, color, religion, sex, or national origin.

Present law (R.S. 37:1025) prohibits discrimination in selection of medication attendants to participate in drug administration courses established by the La. Dept. of Health for reason of race, color, creed, religion, disability, or national origin.

Present law (R.S. 37:1360.23) requires the La. State Board of Medical Examiners to ensure that applicants for the program for the education and training of physician assistants shall not be discriminated against due to race, color, creed, age, sex, disability, or national origin.

Present law (R.S. 37:1360.82) prohibits direct primary care practices from declining to accept any person solely on account of race, religion, national origin, the presence of any sensory, mental, or physical disability, education, or economic status.

Present law (R.S. 37:2719) provides that no license, certificate, or registration shall be denied any applicant to the La. State Board of Social Work Examiners based upon the applicant's race, religion, creed, national origin, sex, or physical impairment so long as the physical impairment does not interfere with the performance of professional duties.

Present law (R.S. 38:2315) provides that the selection of persons for professional services in public contracts shall not discriminate against any person because of race, religion, national ancestry, age, sex, or physical condition.

Present law (R.S. 39:1411) provides that no person in this state shall, on the ground of race, color, religion, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving state financial assistance.

Present law (R.S. 40:1133.1) provides that the La. Dept. of Health, bureau of emergency medical services shall affirmatively provide that there is no discrimination toward any

individual in the licensure process for emergency medical personnel on the basis of race, religion, creed, national origin, sex, or age.

Present law (R.S. 40:2113.4) provides that any general hospital licensed by the La. Dept. of Health, which is owned or operated, or both, by a hospital service district, which benefits from being financed by the sale of bonds that are exempt from taxation as provided by La. law, or which receives any other type of financial assistance from the state and which offers emergency room services to the public and is actually offering such services at the time, shall provide emergency services free from unreasonable discrimination based on age, sex, or physical condition and economic status.

Present law (R.S. 40:2113.6) provides that a person needing emergency services shall not be subjected by an officer, employee, or member of the medical staff of a hospital licensed by the La. Dept. of Health to arbitrary, capricious, or unreasonable discrimination based on age, sex, physical condition, or economic status.

Present law (R.S. 40:2120.35) requires the La. Dept. of Health to promulgate minimum standards for adult brain injury facilities that prohibit discrimination by brain injury facilities on the basis of race, color, creed, sex, disability, national origin, or ancestry.

Present law (R.S. 40:2125) provides that assistance to exceptional children funded by the La. Dept. of Health shall not be provided where an institution or provider discriminates against those seeking services on the basis of race, color, creed, disability, or national origin.

Present law (R.S. 46:437.11) requires medical assistance programs that receive payments from the La. Dept. of Health to agree that no person shall be subjected to discrimination under the medical assistance program because of race, creed, ethnic origin, sex, age or physical condition.

Present law (R.S. 46:1104, 1134, and 1154) requires the board of commissioners of each parish hospital or hospital service district to provide an affirmative action program for the selection of recipients of medical, nursing, and allied health professionals scholarships which shall include that no discrimination occur on the basis of race, creed, sex, age, or ethnic origin.

Present law (R.S. 46:1407) prohibits discrimination by child-placing agencies, maternity homes, or residential homes providing full-time care to four or more children on the basis of race, color, sex, national origin, disability, ancestry, or whether the child is being breastfed.

Present law (R.S. 46:1995) provides that no citizen of La. shall on the ground of sex, age, race, color, religion, or national origin be excluded from participating in, or be denied the benefits of, or be subject to discrimination under any activity or multipurpose service program for displaced homemakers funded by the state.

Present law (R.S. 47:37 and 287.755) provides an income tax credit for donations, contributions, or sales below cost of tangible movable property made to educational institutions in this state. Further provides the credit shall not be allowed if the taxpayer arbitrarily, capriciously, or unreasonably discriminates against any person because of race, religion, ideas, beliefs, or affiliations.

Present law (R.S. 49:145) provides that no person shall be denied access to any public meeting in any public building or facility owned by the state because of race, color, creed, or physical or mental disability.

Present law (R.S. 49:146) provides that in access to public areas, public accommodations, and public facilities, every person shall be free from unreasonable discrimination based on age, sex, or physical or mental disability.

Present law (R.S. 49:673) provides that executive agencies that receive federal block grant funds shall prepare a plan for the expenditure of the funds which prohibits discrimination on the basis of race, sex, religion, and age and ensures respect for the civil rights of program recipients.

Present law (R.S. 51:2231, et seq.) establishes the La. Commission on Human Rights ("the commission") to assure that La. has appropriate legislation prohibiting discrimination in public accommodations sufficient to safeguard all individuals within the state from discrimination because of race, creed, color, religion, sex, age, disability, or national origin in connection with employment and in connection with public accommodations.

Present law (R.S. 51:2232) defines "discriminatory practice in connection with public accommodations" as any direct or indirect act or practice of exclusion, distinction, restriction, segregation, limitation, refusal, denial, or any other act or practice of differentiation or preference in the treatment of a person or persons because of race, creed, color, religion, sex, age, disability, or national origin.

Present law (R.S. 51:2235) authorizes the commission to create advisory committees to study and report on problems of discrimination because of race, creed, color, religion, sex, age, disability, or national origin.

Present law (R.S. 51:2236) authorizes parishes and municipalities to adopt and enforce ordinances, orders, and resolutions prohibiting all forms of discrimination, including discrimination on the basis of race, creed, color, religion, national origin, sex, disability, or age and to prescribe penalties for violations thereof.

Present law (R.S. 51:2237) authorizes parishes and municipalities to create local human rights commissions to safeguard all individuals within its jurisdiction from discrimination because of race, creed, color, religion, national origin, sex, disability, or age.

Present law (R.S. 51:2247) provides it is a discriminatory practice for a person to deny an individual the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodation, resort, or amusement on the grounds of race, creed, color, religion, sex, age, disability, or national origin.

Present law (R.S. 51:2248) makes it unlawful to advertise that goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodation, resort, or amusement shall be refused, withheld from, or denied an individual on account of his race, color, religion, disability, or national origin, or that the patronage of or presence of an individual is objectionable, unwelcome, unacceptable, or undesirable on those same grounds.

Present law (R.S. 51:2254) prohibits financial institutions from discriminating against an individual because of their race, creed, color, religion, national origin, sex, disability, or age in the granting, withholding, extending, modifying, or renewing of rates, terms, conditions, privileges, or other provisions of financial assistance.

Present law prohibits financial institutions from using a form of application for financial assistance which indicates a limitation, specification, or discrimination as to race, creed, color, religion, disability, or national origin.

Present law (R.S. 51:2255) makes it unlawful for any person to take certain actions in respect to credit transactions because of a person's race, creed, color, religion, national origin, disability, or sex.

Present law (R.S. 51:2608) prohibits discrimination in the provision of real estate brokerage services on the basis of race, color, religion, sex, familial status, or national origin.

Proposed law further prohibits or otherwise provides for discrimination in each context provided by present law on the basis of a person's vaccination status or immunity status.

Proposed law defines "vaccination status" as a person's status with respect to having been vaccinated.

Proposed law defines "immunity status" as whether or not a person has immunity to an infection or disease.

(Amends R.S. 9:3583, R.S. 17:7(20)(b)(ix), 46(Q), 100.5(C)(2), 111(A), 158(F), 407.40(A)(5), and 1187(B), R.S. 22:1128(D)(2), 1206(7)(a)(i) and (ii), 1452(C)(25), and 1454(A), R.S. 23:332, R.S. 37:1025(B), 1360.23(H), 1360.82, and 2719, R.S. 38:2315, R.S. 39:1411, R.S. 40:1133.1(C), 2113.4(A), 2113.6(A)(1) and (B), 2120.35(B)(5), and 2125(B), R.S. 46:437.11(A), 1104, 1134, 1154, 1407(F), and 1995, R.S. 47:37(C) and 287.755(C), R.S. 49:145, 146(A)(1), and 673, and R.S. 51:2231(A), 2232(5), 2235(16)(a), 2236(A), 2237(2), 2247, 2248, 2254(1) and (2), 2255(A)(intro. para.), and 2608; Adds R.S. 22:1063(A)(1)(i), R.S. 23:302(9) and (10), R.S. 40:2102(5) and (6), and R.S. 51:2232(11) and (12) and 2603(13) and (14))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the engrossed bill:

1. Remove provisions regarding discrimination in the sale or rental of housing and in residential real estate related transactions.