
DIGEST

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HB 40 Original

2023 Regular Session

Boyd

Abstract: Prohibits intentional employment discrimination based on gender identity and sexual orientation.

Present law provides definitions for employee, employer, employment agency, genetic monitoring, genetic services, genetic test, labor organization, and protected genetic information.

Proposed law retains present law and adds definitions for gender identity and sexual orientation.

Present law provides that it shall be unlawful for an employer to discriminate against any individual based on race, color, religion, sex, national origin, or natural, protective, or cultural hairstyle.

Proposed law retains present law and adds that it is unlawful for an employer to also discriminate against any individual based on sexual orientation and gender identity.

Present law provides that it shall be unlawful for a labor organization to discriminate against any member or applicants for membership based on race, color, religion, sex, national origin, or natural, protective, or cultural hairstyle.

Proposed law retains present law and adds that it is unlawful for a labor organization to also discriminate against any individual based on sexual orientation and gender identity.

Present law provides that it shall not be unlawful for an employer to discriminate against any individual based on religion, sex, or national origin in certain instances where religion, sex, or national origin is a bona fide occupational qualification that is reasonably necessary for that particular business or enterprise.

Proposed law retains present law and adds that it is not unlawful under those circumstances for an employer to discriminate against any individual based on sexual orientation and gender identity.

Proposed law provides that no provision of present law or proposed law regarding intentional discrimination in employment shall be interpreted to infringe upon the freedom of expression, association, or the free exercise of religion.

Proposed law exempts religious corporations, associations, educational institutions or institutions of learning, or societies that employ an individual of a particular religion to perform work connected to a religious activity.

(Amends R.S. 23:302(intro. para.) and 332(A)(1) and (2), (B), (C)(1) and (2), (D), (E), (F), (H)(1), (3), and (4), and (I); Adds R.S. 23:302(9) and (10) and 332(J) and (K))