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SENATE BILL NO. 797

Offered January 12, 2011

Prefiled December 29, 2010

A BILL to amend and reenact §§ 2.2-3900 and 2.2-3901 of the Code of Virginia, relating to the Virginia Human Rights Act; unlawful discriminatory practice; sexual orientation.

Patrons—Locke; Delegates: Englin and Kory

Referred to Committee on General Laws and Technology

Be it enacted by the General Assembly of Virginia:**1. That §§ 2.2-3900 and 2.2-3901 of the Code of Virginia are amended and reenacted as follows:**

§ 2.2-3900. Short title; declaration of policy.

A. This chapter shall be known and cited as the Virginia Human Rights Act.

B. It is the policy of the Commonwealth to:

1. Safeguard all individuals within the Commonwealth from unlawful discrimination because of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, *sexual orientation*, age, marital status, or disability, in places of public accommodation, including educational institutions and in real estate transactions; in employment; preserve the public safety, health and general welfare; and further the interests, rights and privileges of individuals within the Commonwealth; and

2. Protect citizens of the Commonwealth against unfounded charges of unlawful discrimination.

§ 2.2-3901. Definitions.

~~Conduct~~ A. As used in this chapter, unless the context requires a different meaning:

"Sexual orientation" means a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. Sexual orientation shall not include any person's attraction toward persons with whom sexual conduct would be illegal due to the age of the parties.

"Unlawful discriminatory practice" means conduct that violates any Virginia or federal statute or regulation governing discrimination on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, *sexual orientation*, age, marital status, or disability ~~shall be an~~ "unlawful discriminatory practice" for the purposes of this chapter.

B. The terms "because of sex or gender" or "on the basis of sex or gender" or terms of similar import when used in reference to discrimination in the Code and acts of the General Assembly include because of or on the basis of pregnancy, childbirth or related medical conditions. Women affected by pregnancy, childbirth or related medical conditions shall be treated the same for all purposes as persons not so affected but similar in their abilities or disabilities.

INTRODUCED

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