

1 AN ACT relating to discriminatory practices against a person.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 344.010 is amended to read as follows:

4 In this chapter:

5 (1) "Person" includes one (1) or more individuals, labor organizations, joint  
6 apprenticeship committees, partnerships, associations, corporations, legal  
7 representatives, mutual companies, joint-stock companies, trusts, unincorporated  
8 organizations, trustees, trustees in bankruptcy, fiduciaries, receivers, or other legal  
9 or commercial entity; the state, any of its political or civil subdivisions or agencies.

10 (2) "Commission" means the Kentucky Commission on Human Rights.

11 (3) "Commissioner" means a member of the commission.

12 (4) "Disability" means, with respect to an individual:

13 (a) A physical or mental impairment that substantially limits one (1) or more of  
14 the major life activities of the individual;

15 (b) A record of such an impairment; or

16 (c) Being regarded as having such an impairment.

17 Persons with current or past controlled substances abuse or alcohol abuse problems  
18 and persons excluded from coverage by the Americans with Disabilities Act of  
19 1990 (P.L. 101-336) shall be excluded from this section.

20 (5) "Discrimination" means any direct or indirect act or practice of exclusion,  
21 distinction, restriction, segregation, limitation, refusal, denial, or any other act or  
22 practice of differentiation or preference in the treatment of a person or persons, or  
23 the aiding, abetting, inciting, coercing, or compelling thereof made unlawful under  
24 this chapter.

25 (6) **"Protective hairstyles" includes but is not limited to such hairstyles as braids,**  
26 **locks, and twists.**

27 **(Z)** "Real property" includes buildings, structures, real estate, lands, tenements,

1 leaseholds, cooperatives, condominiums, and hereditaments, corporeal and  
2 incorporeal, or any interest in the above.

3 ~~(8)~~~~(7)~~ "Housing accommodations" includes improved and unimproved property and  
4 means any building, structure, lot or portion thereof, which is used or occupied, or  
5 is intended, arranged, or designed to be used or occupied as the home or residence  
6 of one (1) or more families, and any vacant land which is offered for sale or lease  
7 for the construction or location thereon of any such building or structure.

8 ~~(9)~~~~(8)~~ "Race" includes ancestry, color, ethnic group identification, ethnic  
9 background, and traits historically associated with race, including but not limited  
10 to hair texture and protective hairstyles.

11 ~~(10)~~ "Real estate operator" means any individual or combination of individuals, labor  
12 organizations, joint apprenticeship committees, partnerships, associations,  
13 corporations, legal representatives, mutual companies, joint-stock companies, trusts,  
14 unincorporated organizations, trustees in bankruptcy, receivers, or other legal or  
15 commercial entity, the county, or any of its agencies, that is engaged in the business  
16 of selling, purchasing, exchanging, renting, or leasing real estate, or the  
17 improvements thereon, including options, or that derives income, in whole or in  
18 part, from the sale, purchase, exchange, rental, or lease of real estate; or an  
19 individual employed by or acting on behalf of any of these.

20 ~~(11)~~~~(9)~~ "Real estate broker" or "real estate salesman" means any individual, whether  
21 licensed or not, who, on behalf of others, for a fee, commission, salary, or other  
22 valuable consideration, or who with the intention or expectation of receiving or  
23 collecting the same, lists, sells, purchases, exchanges, rents, or leases real estate, or  
24 the improvements thereon, including options, or who negotiates or attempts to  
25 negotiate on behalf of others such an activity; or who advertises or holds himself  
26 out as engaged in these activities; or who negotiates or attempts to negotiate on  
27 behalf of others a loan secured by mortgage or other encumbrance upon a transfer of

1 real estate, or who is engaged in the business of charging an advance fee or  
2 contracting for collection of a fee in connection with a contract whereby he  
3 undertakes to promote the sale, purchase, exchange, rental, or lease of real estate  
4 through its listing in a publication issued primarily for this purpose; or any person  
5 employed by or acting on behalf of any of these.

6 (12)~~(10)~~ "Financial institution" means bank, banking organization, mortgage company,  
7 insurance company, or other lender to whom application is made for financial  
8 assistance for the purchase, lease, acquisition, construction, rehabilitation, repair,  
9 maintenance, or improvement of real property, or an individual employed by or  
10 acting on behalf of any of these.

11 (13)~~(11)~~ "Licensing agency" means any public or private organization which has as one  
12 (1) of its duties the issuing of licenses or the setting of standards which an  
13 individual must hold or must meet as a condition to practicing a particular trade or  
14 profession or to obtaining certain employment within the state or as a condition to  
15 competing effectively with an individual who does hold a license or meet the  
16 standards.

17 (14)~~(12)~~ "Credit transaction" shall mean any open or closed end credit transaction  
18 whether in the nature of a loan, retail installment transaction, credit card issue or  
19 charge, or otherwise, and whether for personal or for business purposes, in which a  
20 service, finance, or interest charge is imposed, or which provides for repayment in  
21 scheduled payments, when such credit is extended in the course of the regular  
22 course of any trade or commerce, including but not limited to transactions by banks,  
23 savings and loan associations, or other financial lending institutions of whatever  
24 nature, stock brokers, or by a merchant or mercantile establishment which as part of  
25 its ordinary business permits or provides that payment for purchases of property or  
26 services therefrom may be deferred.

27 (15)~~(13)~~ "To rent" means to lease, to sublease, to let, or otherwise to grant for a

1 consideration the right to occupy premises not owned by the occupant.

2 ~~(16)~~~~(14)~~ "Family" includes a single individual.

3 ~~(17)~~~~(15)~~ (a) "Familial status" means one (1) or more individuals who have not  
4 attained the age of eighteen (18) years and are domiciled with:

5 1. A parent or another person having legal custody of the individual or  
6 individuals; or

7 2. The designee of a parent or other person having custody, with the  
8 written permission of the parent or other person.

9 (b) The protection afforded against discrimination on the basis of familial status  
10 shall apply to any person who is pregnant or is in the process of securing legal  
11 custody of any individual who has not attained the age of eighteen (18) years.

12 ~~(18)~~~~(16)~~ "Discriminatory housing practice" means an act that is unlawful under KRS  
13 344.360, 344.367, 344.370, 344.380, or 344.680.