

216.2 Definitions.

When used in this chapter, unless the context otherwise requires:

1. "*Commission*" means the Iowa state civil rights commission created by this chapter.
2. "*Commissioner*" means a member of the commission.
3. "*Court*" means the district court in and for any judicial district of the state of Iowa or any judge of the court if the court is not in session at that time.
4. "*Covered multifamily dwelling*" means any of the following:
 - a. A building consisting of four or more dwelling units if the building has one or more elevators.
 - b. The ground floor units of a building consisting of four or more dwelling units.
5. "*Disability*" means the physical or mental condition of a person which constitutes a substantial disability, and the condition of a person with a positive human immunodeficiency virus test result, a diagnosis of acquired immune deficiency syndrome, a diagnosis of acquired immune deficiency syndrome-related complex, or any other condition related to acquired immune deficiency syndrome. The inclusion of a condition related to a positive human immunodeficiency virus test result in the meaning of "*disability*" under the provisions of this chapter does not preclude the application of the provisions of this chapter to conditions resulting from other contagious or infectious diseases.
6. "*Employee*" means any person employed by an employer.
7. "*Employer*" means the state of Iowa or any political subdivision, board, commission, department, institution, or school district thereof, and every other person employing employees within the state.
8. "*Employment agency*" means any person undertaking to procure employees or opportunities to work for any other person or any person holding itself to be equipped to do so.
9. "*Familial status*" means one or more individuals under the age of eighteen domiciled with one of the following:
 - a. A parent or another person having legal custody of the individual or individuals.
 - b. The designee of the parent or the other person having custody of the individual or individuals, with the written permission of the parent or other person.
 - c. A person who is pregnant or is in the process of securing legal custody of the individual or individuals.

"*Familial status*" also means a person who is pregnant or who is in the process of securing legal custody of an individual who has not attained the age of eighteen years.
10. "*Gender identity*" means a gender-related identity of a person, regardless of the person's assigned sex at birth.
11. "*Labor organization*" means any organization which exists for the purpose in whole or in part of collective bargaining, of dealing with employers concerning grievances, terms, or conditions of employment, or of other mutual aid or protection in connection with employment.

12. "*Person*" means one or more individuals, partnerships, associations, corporations, legal representatives, trustees, receivers, and the state of Iowa and all political subdivisions and agencies thereof.

13. "*Public accommodation*" means each and every place, establishment, or facility of whatever kind, nature, or class that caters or offers services, facilities, or goods for a fee or charge to nonmembers of any organization or association utilizing the place, establishment, or facility, provided that any place, establishment, or facility that caters or offers services, facilities, or goods to the nonmembers gratuitously shall be deemed a public accommodation if the accommodation receives governmental support or subsidy. Public accommodation shall not mean any bona fide private club or other place, establishment, or facility which is by its nature distinctly private, except when such distinctly private place, establishment, or facility caters or offers services, facilities, or goods to the nonmembers for fee or charge or gratuitously, it shall be deemed a public accommodation during such period.

"*Public accommodation*" includes each state and local government unit or tax-supported district of whatever kind, nature, or class that offers services, facilities, benefits, grants or goods to the public, gratuitously or otherwise. This paragraph shall not be construed by negative implication or otherwise to restrict any part or portion of the preexisting definition of the term "*public accommodation*".

14. "*Sexual orientation*" means actual or perceived heterosexuality, homosexuality, or bisexuality.

15. "*Unfair practice*" or "*discriminatory practice*" means those practices specified as unfair or discriminatory in sections 216.6, 216.7, 216.8, 216.8A, 216.9, 216.10, 216.11, and 216.11A.

[C66, 71, § 105A.2; C73, 75, 77, 79, 81, § 601A.2]

84 Acts, ch 1096, § 1; 88 Acts, ch 1236, §1; 89 Acts, ch 205, §1; 91 Acts, ch 184, §1; 92 Acts, ch 1129, §13
C93, § 216.2

94 Acts, ch 1023, §42; 95 Acts, ch 129, §2; 96 Acts, ch 1129, § 113; 2007 Acts, ch 191, §1