

SENATE FILE 2339
BY COMMITTEE ON JUDICIARY

FILED FEB 15 1990

(SUCCESSOR TO SSB 2065)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act making corrections and removing inconsistencies in Iowa's
2 civil rights laws.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2339

1 Section 1. Section 601A.5, subsections 1, 5, 6, and 8,
2 Code 1989, are amended to read as follows:

3 1. To prescribe the duties of a director and appoint and
4 prescribe the duties of such investigators and other employees
5 and agents as the commission ~~shall-deem~~ deems necessary for
6 the enforcement of this chapter.

7 5. To hold hearings upon any complaint made against a
8 person, an employer, an employment agency, or a labor
9 organization, or the employees or members thereof, to subpoena
10 witnesses and compel their attendance at such hearings, to
11 administer oaths and take the testimony of any person under
12 oath, and to compel such person, employer, employment agency,
13 or labor organization, or employees or members thereof to
14 produce for examination any books and papers relating to any
15 matter involved in such complaint. The commission shall issue
16 subpoenas for witnesses in the same manner and for the same
17 purposes on behalf of the respondent upon the respondent's
18 request. Such hearings may be held by the commission, by any
19 commissioner, or by any hearing examiner appointed by the
20 commission. If a witness either fails or refuses to obey a
21 subpoena issued by the commission, the commission may petition
22 the district court having jurisdiction for issuance of a
23 subpoena and the court shall in a proper case issue the
24 subpoena. Refusal to obey such subpoena ~~shall-be~~ is subject
25 to punishment for contempt.

26 6. To issue such publications and reports of
27 investigations and research as in the judgment of the
28 commission ~~shall~~ will tend to promote good will among-the
29 ~~various-racial, religious, and ethnic groups of the state~~ and
30 ~~which shall tend to~~ minimize or eliminate discrimination in
31 ~~public accommodations, employment, apprenticeship and on the~~
32 ~~job training programs, vocational schools, or housing because~~
33 ~~of race, creed, color, sex, national origin, religion,~~
34 ~~ancestry or disability.~~

35 8. To make recommendations to the general assembly for

1 such further legislation concerning discrimination because of
2 race, creed, color, sex, national origin, religion, ancestry
3 or disability as it may ~~deem~~ deems necessary and desirable.

4 Sec. 2. Section 601A.11, Code 1989, is amended to read as
5 follows:

6 601A.11 AIDING OR ABETTING AND RETALIATION.

7 It shall be an unfair or discriminatory practice for:

8 1. Any person to intentionally aid, abet, compel, or
9 coerce another person to engage in any of the practices
10 declared unfair or discriminatory by this chapter.

11 2. Any person to discriminate against another person in
12 any of the rights protected against discrimination ~~on the~~
13 ~~basis of age, race, creed, color, sex, national origin,~~
14 ~~religion or disability~~ by this chapter because such person has
15 lawfully opposed any practice forbidden under this chapter,
16 obeys the provisions of this chapter, or has filed a
17 complaint, testified, or assisted in any proceeding under this
18 chapter. ~~An employer, employment agency, or their employees,~~
19 ~~servants or agents may offer employment or advertise for~~
20 ~~employment to only the disabled, when other applicants have~~
21 ~~available to them other employment compatible with their~~
22 ~~ability which would not be available to the disabled because~~
23 ~~of their handicap. Any such employment or offer of employment~~
24 ~~shall not discriminate among the disabled on the basis of~~
25 ~~race, color, creed, sex or national origin.~~

26 EXPLANATION

27 This bill eliminates language which specifically delineates
28 age, race, creed, sex, national origin, religion, or
29 disability as a basis upon which discrimination is not
30 allowed.

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MANN, CH.
GRONSTAL
FUHRMAN

SSB 2065
JUDICIARY

SENATE FILE 2339
BY (PROPOSED CIVIL RIGHTS
COMMISSION BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

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8 person, an employer, an employment agency, or a labor
9 organization, or the employees or members thereof, to subpoena
10 witnesses and compel their attendance at such hearings, to
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27 investigations and research as in the judgment of the
28 commission ~~shall~~ will tend to promote good will among-the
29 ~~various-racial,-religious,-and-ethnic-groups-of-the-state~~ and
30 ~~which-shall-tend-to~~ minimize or eliminate discrimination ~~in~~
31 ~~public-accommodations,-employment,-apprenticeship-and-on-the-~~
32 ~~job-training-programs,-vocational-schools,-or-housing-because~~
33 ~~of-race,-creed,-color,-sex,-national-origin,-religion,-~~
34 ~~ancestry-or-disability.~~

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14 religion or disability by this chapter because such person has
15 lawfully opposed any practice forbidden under this chapter,
16 obeys the provisions of this chapter, or has filed a
17 complaint, testified, or assisted in any proceeding under this
18 chapter. An employer, employment agency, or their employees,
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29 disability as a basis upon which discrimination is not
30 allowed.

31 BACKGROUND STATEMENT

32 SUBMITTED BY THE AGENCY

33 This bill includes corrections which are needed to remove
34 inconsistencies in the Iowa civil rights law.

35 The impact on the Civil Rights Commission would be a more

1 workable Iowa civil rights law which would save time in its
2 administration.

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