

HB 227 -- Human Rights

Sponsor: Emery

This bill revises the definition of "discrimination" to an adverse action motivated by race, color, religion, national origin, ancestry, sex, age as it relates to employment, disability, or familial status as it relates to housing. The bill also removes any person directly acting in the interest of an employer from the definition of "employer."

The maximum penalty that a person who has been adjudged to have violated one or more of the provisions regarding discrimination as it relates to the rental, sale, or financing of housing or commercial real estate within five years of the date of the filing of the complaint is increased from \$2,000 to \$3,000. The maximum penalty for a person adjudged to have committed one violation within five years of the date on which the complaint is filed is increased from \$5,000 to \$7,000. The maximum penalty for a person adjudged to have committed two or more prior violations within seven years of the date on which the complaint is filed is increased from \$10,000 to \$15,000.

Courts cannot award punitive damages to state governmental agencies or corporations, including public school districts and political subdivisions.

The bill specifies that in applying the provisions of the Human Rights Law it is the intent of the legislature to reject and abrogate *Daugherty v. City of Maryland Heights*, 231 S.W.3d 814 (Mo. 2007), *Cooper v. Albacore Holdings, Inc.*, 204 S.W.3d 238 (Mo. App. E.D. 2006), and *McBryde v. Ritenour School District*, 207 S.W.3d 162 (Mo. App. E.D. 2006), and all cases as they pertain to the discrimination standard defined by Section 213.010, RSMo, unlawful employment practices in Section 213.055, and unlawful discriminatory practices in Section 213.070.