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"Christie signs nine bills sponsored by Oroho, Phoebus and Space," NJHerald, August 8, 2017.

RWH/JA

P.L.2017, CHAPTER 184, *approved August 7, 2017*  
Senate, No. 726 (*First Reprint*)

1 AN ACT extending full protection of the Law Against  
2 Discrimination to persons having liability for service in the  
3 Armed Forces of United States, guaranteeing equal employment  
4 opportunity in State contracting to all veterans, and amending  
5 various parts of the statutory law.

6

7 **BE IT ENACTED** by the Senate and General Assembly of the State  
8 of New Jersey:

9

10 1. Section 4 of P.L.1945, c.169 (C.10:5-4) is amended to read  
11 as follows:

12 4. All persons shall have the opportunity to obtain  
13 employment, and to obtain all the accommodations, advantages,  
14 facilities, and privileges of any place of public accommodation,  
15 publicly assisted housing accommodation, and other real property  
16 without discrimination because of race, creed, color, national origin,  
17 ancestry, age, marital status, affectional or sexual orientation,  
18 familial status, disability, liability for service in the Armed Forces  
19 of the United States, nationality, sex, gender identity or expression  
20 or source of lawful income used for rental or mortgage payments,  
21 subject only to conditions and limitations applicable alike to all  
22 persons. This opportunity is recognized as and declared to be a  
23 civil right.

24 (cf: P.L.2006, c.100, s.3)

25

26 2. Section 1 of P.L.1954, c.198 (C.10:5-9.1) is amended to read  
27 as follows:

28 1. The Division on Civil Rights in the Department of Law and  
29 Public Safety shall enforce the laws of this State against  
30 discrimination in housing built with, or leased with the assistance  
31 of, public funds or public assistance, pursuant to any law, and in  
32 real property, as defined in the law hereby supplemented, because  
33 of race, religious principles, color, national origin, ancestry, marital  
34 status, affectional or sexual orientation, familial status, disability,  
35 liability for service in the Armed Forces of the United States,  
36 nationality, sex, gender identity or expression or source of lawful  
37 income used for rental or mortgage payments. The said laws shall  
38 be so enforced in the manner prescribed in the act to which this act  
39 is a supplement.

40 (cf: P.L.2006, c.100, s.7)

41

42 3. Section 11 of P.L.1945, c.169 (C.10:5-12) is amended to  
43 read as follows:

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly AMV committee amendments adopted March 6, 2017.

1       11. It shall be an unlawful employment practice, or, as the case  
2 may be, an unlawful discrimination:

3       a. For an employer, because of the race, creed, color, national  
4 origin, ancestry, age, marital status, civil union status, domestic  
5 partnership status, affectional or sexual orientation, genetic  
6 information, pregnancy, sex, gender identity or expression,  
7 disability or atypical hereditary cellular or blood trait of any  
8 individual, or because of the liability for service in the Armed  
9 Forces of the United States or the nationality of any individual, or  
10 because of the refusal to submit to a genetic test or make available  
11 the results of a genetic test to an employer, to refuse to hire or  
12 employ or to bar or to discharge or require to retire, unless justified  
13 by lawful considerations other than age, from employment such  
14 individual or to discriminate against such individual in  
15 compensation or in terms, conditions or privileges of employment;  
16 provided, however, it shall not be an unlawful employment practice  
17 to refuse to accept for employment an applicant who has received a  
18 notice of induction or orders to report for active duty in the armed  
19 forces; provided further that nothing herein contained shall be  
20 construed to bar an employer from refusing to accept for  
21 employment any person on the basis of sex in those certain  
22 circumstances where sex is a bona fide occupational qualification,  
23 reasonably necessary to the normal operation of the particular  
24 business or enterprise; provided further that nothing herein  
25 contained shall be construed to bar an employer from refusing to  
26 accept for employment or to promote any person over 70 years of  
27 age; provided further that it shall not be an unlawful employment  
28 practice for a club exclusively social or fraternal to use club  
29 membership as a uniform qualification for employment, or for a  
30 religious association or organization to utilize religious affiliation  
31 as a uniform qualification in the employment of clergy, religious  
32 teachers or other employees engaged in the religious activities of  
33 the association or organization, or in following the tenets of its  
34 religion in establishing and utilizing criteria for employment of an  
35 employee; provided further, that it shall not be an unlawful  
36 employment practice to require the retirement of any employee  
37 who, for the two-year period immediately before retirement, is  
38 employed in a bona fide executive or a high policy-making position,  
39 if that employee is entitled to an immediate non-forfeitable annual  
40 retirement benefit from a pension, profit sharing, savings or  
41 deferred retirement plan, or any combination of those plans, of the  
42 employer of that employee which equals in the aggregate at least  
43 \$27,000.00; and provided further that an employer may restrict  
44 employment to citizens of the United States where such restriction  
45 is required by federal law or is otherwise necessary to protect the  
46 national interest.

47       The provisions of subsections a. and b. of section 57 of  
48 P.L.2003, c.246 (C.34:11A-20), and the provisions of section 58 of

1 P.L.2003, c.246 (C.26:8A-11), shall not be deemed to be an  
2 unlawful discrimination under P.L.1945, c.169 (C.10:5-1 et seq.).

3 For the purposes of this subsection, a "bona fide executive" is a  
4 top level employee who exercises substantial executive authority  
5 over a significant number of employees and a large volume of  
6 business. A "high policy-making position" is a position in which a  
7 person plays a significant role in developing policy and in  
8 recommending the implementation thereof.

9 b. For a labor organization, because of the race, creed, color,  
10 national origin, ancestry, age, marital status, civil union status,  
11 domestic partnership status, affectional or sexual orientation,  
12 gender identity or expression, disability, pregnancy, or sex of any  
13 individual, or because of the liability for service in the Armed  
14 Forces of the United States or nationality of any individual, to  
15 exclude or to expel from its membership such individual or to  
16 discriminate in any way against any of its members, against any  
17 applicant for, or individual included in, any apprentice or other  
18 training program or against any employer or any individual  
19 employed by an employer; provided, however, that nothing herein  
20 contained shall be construed to bar a labor organization from  
21 excluding from its apprentice or other training programs any person  
22 on the basis of sex in those certain circumstances where sex is a  
23 bona fide occupational qualification reasonably necessary to the  
24 normal operation of the particular apprentice or other training  
25 program.

26 c. For any employer or employment agency to print or circulate  
27 or cause to be printed or circulated any statement, advertisement or  
28 publication, or to use any form of application for employment, or to  
29 make an inquiry in connection with prospective employment, which  
30 expresses, directly or indirectly, any limitation, specification or  
31 discrimination as to race, creed, color, national origin, ancestry,  
32 age, marital status, civil union status, domestic partnership status,  
33 affectional or sexual orientation, gender identity or expression,  
34 disability, nationality, pregnancy, or sex or liability of any applicant  
35 for employment for service in the Armed Forces of the United  
36 States, or any intent to make any such limitation, specification or  
37 discrimination, unless based upon a bona fide occupational  
38 qualification.

39 d. For any person to take reprisals against any person because  
40 that person has opposed any practices or acts forbidden under this  
41 act or because that person has filed a complaint, testified or assisted  
42 in any proceeding under this act or to coerce, intimidate, threaten or  
43 interfere with any person in the exercise or enjoyment of, or on  
44 account of that person having aided or encouraged any other person  
45 in the exercise or enjoyment of, any right granted or protected by  
46 this act.

47 e. For any person, whether an employer or an employee or not,  
48 to aid, abet, incite, compel or coerce the doing of any of the acts  
49 forbidden under this act, or to attempt to do so.

1 f. (1) For any owner, lessee, proprietor, manager,  
2 superintendent, agent, or employee of any place of public  
3 accommodation directly or indirectly to refuse, withhold from or  
4 deny to any person any of the accommodations, advantages,  
5 facilities or privileges thereof, or to discriminate against any person  
6 in the furnishing thereof, or directly or indirectly to publish,  
7 circulate, issue, display, post or mail any written or printed  
8 communication, notice, or advertisement to the effect that any of  
9 the accommodations, advantages, facilities, or privileges of any  
10 such place will be refused, withheld from, or denied to any person  
11 on account of the race, creed, color, national origin, ancestry,  
12 marital status, civil union status, domestic partnership status,  
13 pregnancy, sex, gender identity or expression, affectional or sexual  
14 orientation, disability, liability for service in the Armed Forces of  
15 the United States or nationality of such person, or that the patronage  
16 or custom thereof of any person of any particular race, creed, color,  
17 national origin, ancestry, marital status, civil union status, domestic  
18 partnership status, pregnancy status, sex, gender identity or  
19 expression, affectional or sexual orientation, disability, liability for  
20 service in the Armed Forces of the United States or nationality is  
21 unwelcome, objectionable or not acceptable, desired or solicited,  
22 and the production of any such written or printed communication,  
23 notice or advertisement, purporting to relate to any such place and  
24 to be made by any owner, lessee, proprietor, superintendent or  
25 manager thereof, shall be presumptive evidence in any action that  
26 the same was authorized by such person; provided, however, that  
27 nothing contained herein shall be construed to bar any place of  
28 public accommodation which is in its nature reasonably restricted  
29 exclusively to individuals of one sex, and which shall include but  
30 not be limited to any summer camp, day camp, or resort camp,  
31 bathhouse, dressing room, swimming pool, gymnasium, comfort  
32 station, dispensary, clinic or hospital, or school or educational  
33 institution which is restricted exclusively to individuals of one sex,  
34 provided individuals shall be admitted based on their gender  
35 identity or expression, from refusing, withholding from or denying  
36 to any individual of the opposite sex any of the accommodations,  
37 advantages, facilities or privileges thereof on the basis of sex;  
38 provided further, that the foregoing limitation shall not apply to any  
39 restaurant as defined in R.S.33:1-1 or place where alcoholic  
40 beverages are served.

41 (2) Notwithstanding the definition of "a place of public  
42 accommodation" as set forth in subsection 1. of section 5 of  
43 P.L.1945, c.169 (C.10:5-5), for any owner, lessee, proprietor,  
44 manager, superintendent, agent, or employee of any private club or  
45 association to directly or indirectly refuse, withhold from or deny to  
46 any individual who has been accepted as a club member and has  
47 contracted for or is otherwise entitled to full club membership any  
48 of the accommodations, advantages, facilities or privileges thereof,  
49 or to discriminate against any member in the furnishing thereof on

1 account of the race, creed, color, national origin, ancestry, marital  
2 status, civil union status, domestic partnership status, pregnancy,  
3 sex, gender identity, or expression, affectional or sexual orientation,  
4 disability, liability for service in the Armed Forces of the United  
5 States or nationality of such person.

6 In addition to the penalties otherwise provided for a violation of  
7 P.L.1945, c.169 (C.10:5-1 et seq.), if the violator of paragraph (2)  
8 of subsection f. of this section is the holder of an alcoholic beverage  
9 license issued under the provisions of R.S.33:1-12 for that private  
10 club or association, the matter shall be referred to the Director of  
11 the Division of Alcoholic Beverage Control who shall impose an  
12 appropriate penalty in accordance with the procedures set forth in  
13 R.S.33:1-31.

14 g. For any person, including but not limited to, any owner,  
15 lessee, sublessee, assignee or managing agent of, or other person  
16 having the right of ownership or possession of or the right to sell,  
17 rent, lease, assign, or sublease any real property or part or portion  
18 thereof, or any agent or employee of any of these:

19 (1) To refuse to sell, rent, lease, assign, or sublease or otherwise  
20 to deny to or withhold from any person or group of persons any real  
21 property or part or portion thereof because of race, creed, color,  
22 national origin, ancestry, marital status, civil union status, domestic  
23 partnership status, pregnancy, sex, gender identity or expression,  
24 affectional or sexual orientation, familial status, disability, <sup>1</sup>liability  
25 for service in the Armed Forces of the United States,<sup>1</sup> nationality,  
26 or source of lawful income used for rental or mortgage payments;

27 (2) To discriminate against any person or group of persons  
28 because of race, creed, color, national origin, ancestry, marital  
29 status, civil union status, domestic partnership status, pregnancy,  
30 sex, gender identity or expression, affectional or sexual orientation,  
31 familial status, disability, liability for service in the Armed Forces  
32 of the United States, nationality or source of lawful income used for  
33 rental or mortgage payments in the terms, conditions or privileges  
34 of the sale, rental or lease of any real property or part or portion  
35 thereof or in the furnishing of facilities or services in connection  
36 therewith;

37 (3) To print, publish, circulate, issue, display, post or mail, or  
38 cause to be printed, published, circulated, issued, displayed, posted  
39 or mailed any statement, advertisement, publication or sign, or to  
40 use any form of application for the purchase, rental, lease,  
41 assignment or sublease of any real property or part or portion  
42 thereof, or to make any record or inquiry in connection with the  
43 prospective purchase, rental, lease, assignment, or sublease of any  
44 real property, or part or portion thereof which expresses, directly or  
45 indirectly, any limitation, specification or discrimination as to race,  
46 creed, color, national origin, ancestry, marital status, civil union  
47 status, domestic partnership status, pregnancy, sex, gender identity,  
48 or expression, affectional or sexual orientation, familial status,

1 disability, liability for service in the Armed Forces of the United  
2 States, nationality, or source of lawful income used for rental or  
3 mortgage payments, or any intent to make any such limitation,  
4 specification or discrimination, and the production of any such  
5 statement, advertisement, publicity, sign, form of application,  
6 record, or inquiry purporting to be made by any such person shall  
7 be presumptive evidence in any action that the same was authorized  
8 by such person; provided, however, that nothing contained in this  
9 subsection shall be construed to bar any person from refusing to  
10 sell, rent, lease, assign or sublease or from advertising or recording  
11 a qualification as to sex for any room, apartment, flat in a dwelling  
12 or residential facility which is planned exclusively for and occupied  
13 by individuals of one sex to any individual of the exclusively  
14 opposite sex on the basis of sex provided individuals shall be  
15 qualified based on their gender identity or expression;

16 (4) To refuse to sell, rent, lease, assign, or sublease or otherwise  
17 to deny to or withhold from any person or group of persons any real  
18 property or part or portion thereof because of the source of any  
19 lawful income received by the person or the source of any lawful  
20 rent payment to be paid for the real property; or

21 (5) To refuse to rent or lease any real property to another person  
22 because that person's family includes children under 18 years of  
23 age, or to make an agreement, rental or lease of any real property  
24 which provides that the agreement, rental or lease shall be rendered  
25 null and void upon the birth of a child. This paragraph shall not  
26 apply to housing for older persons as defined in subsection mm. of  
27 section 5 of P.L.1945, c.169 (C.10:5-5).

28 h. For any person, including but not limited to, any real estate  
29 broker, real estate salesperson, or employee or agent thereof:

30 (1) To refuse to sell, rent, assign, lease or sublease, or offer for  
31 sale, rental, lease, assignment, or sublease any real property or part  
32 or portion thereof to any person or group of persons or to refuse to  
33 negotiate for the sale, rental, lease, assignment, or sublease of any  
34 real property or part or portion thereof to any person or group of  
35 persons because of race, creed, color, national origin, ancestry,  
36 marital status, civil union status, domestic partnership status,  
37 familial status, pregnancy, sex, gender identity or expression,  
38 affectional or sexual orientation, disability, liability for service in  
39 the Armed Forces of the United States, nationality, or source of  
40 lawful income used for rental or mortgage payments, or to represent  
41 that any real property or portion thereof is not available for  
42 inspection, sale, rental, lease, assignment, or sublease when in fact  
43 it is so available, or otherwise to deny or withhold any real property  
44 or any part or portion of facilities thereof to or from any person or  
45 group of persons because of race, creed, color, national origin,  
46 ancestry, marital status, civil union status, domestic partnership  
47 status, familial status, pregnancy, sex, gender identity or expression,  
48 affectional or sexual orientation, disability, liability for service in  
49 the Armed Forces of the United States or nationality;

1 (2) To discriminate against any person because of race, creed,  
2 color, national origin, ancestry, marital status, civil union status,  
3 domestic partnership status, familial status, pregnancy, sex, gender  
4 identity or expression, affectional or sexual orientation, disability,  
5 liability for service in the Armed Forces of the United States,  
6 nationality, or source of lawful income used for rental or mortgage  
7 payments in the terms, conditions or privileges of the sale, rental,  
8 lease, assignment or sublease of any real property or part or portion  
9 thereof or in the furnishing of facilities or services in connection  
10 therewith;

11 (3) To print, publish, circulate, issue, display, post, or mail, or  
12 cause to be printed, published, circulated, issued, displayed, posted  
13 or mailed any statement, advertisement, publication or sign, or to  
14 use any form of application for the purchase, rental, lease,  
15 assignment, or sublease of any real property or part or portion  
16 thereof or to make any record or inquiry in connection with the  
17 prospective purchase, rental, lease, assignment, or sublease of any  
18 real property or part or portion thereof which expresses, directly or  
19 indirectly, any limitation, specification or discrimination as to race,  
20 creed, color, national origin, ancestry, marital status, civil union  
21 status, domestic partnership status, familial status, pregnancy, sex,  
22 gender identity or expression, affectional or sexual orientation,  
23 disability, liability for service in the Armed Forces of the United  
24 States, nationality, or source of lawful income used for rental or  
25 mortgage payments or any intent to make any such limitation,  
26 specification or discrimination, and the production of any such  
27 statement, advertisement, publicity, sign, form of application,  
28 record, or inquiry purporting to be made by any such person shall  
29 be presumptive evidence in any action that the same was authorized  
30 by such person; provided, however, that nothing contained in this  
31 subsection h., shall be construed to bar any person from refusing to  
32 sell, rent, lease, assign or sublease or from advertising or recording  
33 a qualification as to sex for any room, apartment, flat in a dwelling  
34 or residential facility which is planned exclusively for and occupied  
35 exclusively by individuals of one sex to any individual of the  
36 opposite sex on the basis of sex, provided individuals shall be  
37 qualified based on their gender identity or expression;

38 (4) To refuse to sell, rent, lease, assign, or sublease or otherwise  
39 to deny to or withhold from any person or group of persons any real  
40 property or part or portion thereof because of the source of any  
41 lawful income received by the person or the source of any lawful  
42 rent payment to be paid for the real property; or

43 (5) To refuse to rent or lease any real property to another person  
44 because that person's family includes children under 18 years of  
45 age, or to make an agreement, rental or lease of any real property  
46 which provides that the agreement, rental or lease shall be rendered  
47 null and void upon the birth of a child. This paragraph shall not  
48 apply to housing for older persons as defined in subsection mm. of  
49 section 5 of P.L.1945, c.169 (C.10:5-5).

1 i. For any person, bank, banking organization, mortgage  
2 company, insurance company or other financial institution, lender  
3 or credit institution involved in the making or purchasing of any  
4 loan or extension of credit, for whatever purpose, whether secured  
5 by residential real estate or not, including but not limited to  
6 financial assistance for the purchase, acquisition, construction,  
7 rehabilitation, repair or maintenance of any real property or part or  
8 portion thereof or any agent or employee thereof:

9 (1) To discriminate against any person or group of persons  
10 because of race, creed, color, national origin, ancestry, marital  
11 status, civil union status, domestic partnership status, pregnancy,  
12 sex, gender identity or expression, affectional or sexual orientation,  
13 disability, liability for service in the Armed Forces of the United  
14 States, familial status or nationality, in the granting, withholding,  
15 extending, modifying, renewing, or purchasing, or in the fixing of  
16 the rates, terms, conditions or provisions of any such loan,  
17 extension of credit or financial assistance or purchase thereof or in  
18 the extension of services in connection therewith;

19 (2) To use any form of application for such loan, extension of  
20 credit or financial assistance or to make record or inquiry in  
21 connection with applications for any such loan, extension of credit  
22 or financial assistance which expresses, directly or indirectly, any  
23 limitation, specification or discrimination as to race, creed, color,  
24 national origin, ancestry, marital status, civil union status, domestic  
25 partnership status, pregnancy, sex, gender identity or expression,  
26 affectional or sexual orientation, disability, liability for service in  
27 the Armed Forces of the United States, familial status or nationality  
28 or any intent to make any such limitation, specification or  
29 discrimination; unless otherwise required by law or regulation to  
30 retain or use such information;

31 (3) (Deleted by amendment, P.L.2003, c.180).

32 (4) To discriminate against any person or group of persons  
33 because of the source of any lawful income received by the person  
34 or the source of any lawful rent payment to be paid for the real  
35 property; or

36 (5) To discriminate against any person or group of persons  
37 because that person's family includes children under 18 years of  
38 age, or to make an agreement or mortgage which provides that the  
39 agreement or mortgage shall be rendered null and void upon the  
40 birth of a child. This paragraph shall not apply to housing for older  
41 persons as defined in subsection mm. of section 5 of P.L.1945,  
42 c.169 (C.10:5-5).

43 j. For any person whose activities are included within the  
44 scope of this act to refuse to post or display such notices concerning  
45 the rights or responsibilities of persons affected by this act as the  
46 Attorney General may by regulation require.

47 k. For any real estate broker, real estate salesperson or  
48 employee or agent thereof or any other individual, corporation,  
49 partnership, or organization, for the purpose of inducing a

1 transaction for the sale or rental of real property from which  
2 transaction such person or any of its members may benefit  
3 financially, to represent that a change has occurred or will or may  
4 occur in the composition with respect to race, creed, color, national  
5 origin, ancestry, marital status, civil union status, domestic  
6 partnership status, familial status, pregnancy, sex, gender identity or  
7 expression, affectional or sexual orientation, disability, liability for  
8 service in the Armed Forces of the United States, nationality, or  
9 source of lawful income used for rental or mortgage payments of  
10 the owners or occupants in the block, neighborhood or area in  
11 which the real property is located, and to represent, directly or  
12 indirectly, that this change will or may result in undesirable  
13 consequences in the block, neighborhood or area in which the real  
14 property is located, including, but not limited to the lowering of  
15 property values, an increase in criminal or anti-social behavior, or a  
16 decline in the quality of schools or other facilities.

17 1. For any person to refuse to buy from, sell to, lease from or  
18 to, license, contract with, or trade with, provide goods, services or  
19 information to, or otherwise do business with any other person on  
20 the basis of the race, creed, color, national origin, ancestry, age,  
21 pregnancy, sex, gender identity or expression, affectional or sexual  
22 orientation, marital status, civil union status, domestic partnership  
23 status, liability for service in the Armed Forces of the United States,  
24 disability, nationality, or source of lawful income used for rental or  
25 mortgage payments of such other person or of such other person's  
26 spouse, partners, members, stockholders, directors, officers,  
27 managers, superintendents, agents, employees, business associates,  
28 suppliers, or customers. This subsection shall not prohibit refusals  
29 or other actions (1) pertaining to employee-employer collective  
30 bargaining, labor disputes, or unfair labor practices, or (2) made or  
31 taken in connection with a protest of unlawful discrimination or  
32 unlawful employment practices.

33 m. For any person to:

34 (1) Grant or accept any letter of credit or other document which  
35 evidences the transfer of funds or credit, or enter into any contract  
36 for the exchange of goods or services, where the letter of credit,  
37 contract, or other document contains any provisions requiring any  
38 person to discriminate against or to certify that he, she or it has not  
39 dealt with any other person on the basis of the race, creed, color,  
40 national origin, ancestry, age, pregnancy, sex, gender identity or  
41 expression, affectional or sexual orientation, marital status, civil  
42 union status, domestic partnership status, disability, liability for  
43 service in the Armed Forces of the United States, or nationality of  
44 such other person or of such other person's spouse, partners,  
45 members, stockholders, directors, officers, managers,  
46 superintendents, agents, employees, business associates, suppliers,  
47 or customers.

48 (2) Refuse to grant or accept any letter of credit or other  
49 document which evidences the transfer of funds or credit, or refuse

1 to enter into any contract for the exchange of goods or services, on  
2 the ground that it does not contain such a discriminatory provision  
3 or certification.

4 The provisions of this subsection shall not apply to any letter of  
5 credit, contract, or other document which contains any provision  
6 pertaining to employee-employer collective bargaining, a labor  
7 dispute or an unfair labor practice, or made in connection with the  
8 protest of unlawful discrimination or an unlawful employment  
9 practice, if the other provisions of such letter of credit, contract, or  
10 other document do not otherwise violate the provisions of this  
11 subsection.

12 n. For any person to aid, abet, incite, compel, coerce, or induce  
13 the doing of any act forbidden by subsections l. and m. of section  
14 11 of P.L.1945, c.169 (C.10:5-12), or to attempt, or to conspire to  
15 do so. Such prohibited conduct shall include, but not be limited to:

16 (1) Buying from, selling to, leasing from or to, licensing,  
17 contracting with, trading with, providing goods, services, or  
18 information to, or otherwise doing business with any person  
19 because that person does, or agrees or attempts to do, any such act  
20 or any act prohibited by this subsection; or

21 (2) Boycotting, commercially blacklisting or refusing to buy  
22 from, sell to, lease from or to, license, contract with, provide goods,  
23 services or information to, or otherwise do business with any person  
24 because that person has not done or refuses to do any such act or  
25 any act prohibited by this subsection; provided that this subsection  
26 shall not prohibit refusals or other actions either pertaining to  
27 employee-employer collective bargaining, labor disputes, or unfair  
28 labor practices, or made or taken in connection with a protest of  
29 unlawful discrimination or unlawful employment practices.

30 o. For any multiple listing service, real estate brokers'  
31 organization or other service, organization or facility related to the  
32 business of selling or renting dwellings to deny any person access  
33 to or membership or participation in such organization, or to  
34 discriminate against such person in the terms or conditions of such  
35 access, membership, or participation, on account of race, creed,  
36 color, national origin, ancestry, age, marital status, civil union  
37 status, domestic partnership status, familial status, pregnancy, sex,  
38 gender identity or expression, affectional or sexual orientation,  
39 disability, liability for service in the Armed Forces of the United  
40 States or nationality.

41 p. Nothing in the provisions of this section shall affect the  
42 ability of an employer to require employees to adhere to reasonable  
43 workplace appearance, grooming and dress standards not precluded  
44 by other provisions of State or federal law, except that an employer  
45 shall allow an employee to appear, groom and dress consistent with  
46 the employee's gender identity or expression.

47 q. (1) For any employer to impose upon a person as a  
48 condition of obtaining or retaining employment, including  
49 opportunities for promotion, advancement or transfers, any terms or

1 conditions that would require a person to violate or forego a  
2 sincerely held religious practice or religious observance, including  
3 but not limited to the observance of any particular day or days or  
4 any portion thereof as a Sabbath or other holy day in accordance  
5 with the requirements of the religion or religious belief, unless,  
6 after engaging in a bona fide effort, the employer demonstrates that  
7 it is unable to reasonably accommodate the employee's religious  
8 observance or practice without undue hardship on the conduct of the  
9 employer's business. Notwithstanding any other provision of law to  
10 the contrary, an employee shall not be entitled to premium wages or  
11 premium benefits for work performed during hours to which those  
12 premium wages or premium benefits would ordinarily be  
13 applicable, if the employee is working during those hours only as an  
14 accommodation to his religious requirements. Nothing in this  
15 subsection q. shall be construed as reducing:

16 (a) The number of the hours worked by the employee which are  
17 counted towards the accruing of seniority, pension or other benefits;  
18 or

19 (b) Any premium wages or benefits provided to an employee  
20 pursuant to a collective bargaining agreement.

21 (2) For an employer to refuse to permit an employee to utilize  
22 leave, as provided for in this subsection q., which is solely used to  
23 accommodate the employee's sincerely held religious observance or  
24 practice. Except where it would cause an employer to incur an  
25 undue hardship, no person shall be required to remain at his place  
26 of employment during any day or days or portion thereof that, as a  
27 requirement of his religion, he observes as his Sabbath or other holy  
28 day, including a reasonable time prior and subsequent thereto for  
29 travel between his place of employment and his home; provided that  
30 any such absence from work shall, wherever practicable in the  
31 reasonable judgment of the employer, be made up by an equivalent  
32 amount of time and work at some other mutually convenient time,  
33 or shall be charged against any leave with pay ordinarily granted,  
34 other than sick leave, and any such absence not so made up or  
35 charged, may be treated by the employer of that person as leave  
36 taken without pay.

37 (3) (a) For purposes of this subsection q., "undue hardship"  
38 means an accommodation requiring unreasonable expense or  
39 difficulty, unreasonable interference with the safe or efficient  
40 operation of the workplace or a violation of a bona fide seniority  
41 system or a violation of any provision of a bona fide collective  
42 bargaining agreement.

43 (b) In determining whether the accommodation constitutes an  
44 undue hardship, the factors considered shall include:

45 (i) The identifiable cost of the accommodation, including the  
46 costs of loss of productivity and of retaining or hiring employees or  
47 transferring employees from one facility to another, in relation to  
48 the size and operating cost of the employer.

- 1 (ii) The number of individuals who will need the particular  
2 accommodation for a sincerely held religious observance or  
3 practice.
- 4 (iii) For an employer with multiple facilities, the degree to which  
5 the geographic separateness or administrative or fiscal relationship  
6 of the facilities will make the accommodation more difficult or  
7 expensive.
- 8 (c) An accommodation shall be considered to constitute an  
9 undue hardship if it will result in the inability of an employee to  
10 perform the essential functions of the position in which he or she is  
11 employed.
- 12 (d) (i) The provisions of this subsection q. shall be applicable  
13 only to reasonable accommodations of religious observances and  
14 shall not supersede any definition of undue hardship or standards  
15 for reasonable accommodation of the disabilities of employees.
- 16 (ii) This subsection q. shall not apply where the uniform  
17 application of terms and conditions of attendance to employees is  
18 essential to prevent undue hardship to the employer. The burden of  
19 proof regarding the applicability of this subparagraph (d) shall be  
20 upon the employer.
- 21 r. For any employer to take reprisals against any employee for  
22 requesting from any other employee or former employee of the  
23 employer information regarding the job title, occupational category,  
24 and rate of compensation, including benefits, of any employee or  
25 former employee of the employer, or the gender, race, ethnicity,  
26 military status, or national origin of any employee or former  
27 employee of the employer, regardless of whether the request was  
28 responded to, if the purpose of the request for the information was  
29 to assist in investigating the possibility of the occurrence of, or in  
30 taking of legal action regarding, potential discriminatory treatment  
31 concerning pay, compensation, bonuses, other compensation, or  
32 benefits. Nothing in this subsection shall be construed to require an  
33 employee to disclose such information about the employee herself  
34 to any other employee or former employee of the employer or to  
35 any authorized representative of the other employee or former  
36 employee.
- 37 s. For an employer to treat, for employment-related purposes, a  
38 woman employee that the employer knows, or should know, is  
39 affected by pregnancy in a manner less favorable than the treatment  
40 of other persons not affected by pregnancy but similar in their  
41 ability or inability to work. In addition, an employer of an  
42 employee who is a woman affected by pregnancy shall make  
43 available to the employee reasonable accommodation in the  
44 workplace, such as bathroom breaks, breaks for increased water  
45 intake, periodic rest, assistance with manual labor, job restructuring  
46 or modified work schedules, and temporary transfers to less  
47 strenuous or hazardous work, for needs related to the pregnancy  
48 when the employee, based on the advice of her physician, requests  
49 the accommodation, unless the employer can demonstrate that

1 providing the accommodation would be an undue hardship on the  
2 business operations of the employer. The employer shall not in any  
3 way penalize the employee in terms, conditions or privileges of  
4 employment for requesting or using the accommodation. Workplace  
5 accommodation provided pursuant to this subsection and paid or  
6 unpaid leave provided to an employee affected by pregnancy shall  
7 not be provided in a manner less favorable than accommodations or  
8 leave provided to other employees not affected by pregnancy but  
9 similar in their ability or inability to work. This subsection shall  
10 not be construed as otherwise increasing or decreasing any  
11 employee's rights under law to paid or unpaid leave in connection  
12 with pregnancy.

13 For the purposes of this section "pregnancy" means pregnancy,  
14 childbirth, or medical conditions related to pregnancy or childbirth,  
15 including recovery from childbirth.

16 For the purposes of this subsection, in determining whether an  
17 accommodation would impose undue hardship on the operation of  
18 an employer's business, the factors to be considered include: the  
19 overall size of the employer's business with respect to the number  
20 of employees, number and type of facilities, and size of budget; the  
21 type of the employer's operations, including the composition and  
22 structure of the employer's workforce; the nature and cost of the  
23 accommodation needed, taking into consideration the availability of  
24 tax credits, tax deductions, and outside funding; and the extent to  
25 which the accommodation would involve waiver of an essential  
26 requirement of a job as opposed to a tangential or non-business  
27 necessity requirement.

28 (cf: P.L.2013, c.220, s.2)

29

30 4. Section 12 of P.L.1992, c.146 (C.10:5-12.5) is amend to read  
31 as follows:

32 12. a. It shall be an unlawful discrimination for a municipality,  
33 county or other local civil or political subdivision of the State of  
34 New Jersey, or an officer, employee, or agent thereof, to exercise  
35 the power to regulate land use or housing in a manner that  
36 discriminates on the basis of race, creed, color, national origin,  
37 ancestry, marital status, familial status, sex, gender identity or  
38 expression, liability for service in the Armed Forces of the United  
39 States, nationality or disability.

40 b. Notwithstanding the provisions of section 12 of P.L.1945,  
41 c.169 (C.10:5-13) any person claiming to be aggrieved by an  
42 unlawful discrimination under this section shall enforce this section  
43 by private right of action in Superior Court. This section shall not  
44 apply to discrimination in housing owned or managed by a  
45 municipality, county or other local civil or political subdivision of  
46 the State of New Jersey where such discrimination is otherwise  
47 prohibited by section 11 of P.L.1945, c.169 (C.10:5-12).

48 (cf: P.L.2006, c.100, s.10)

1       5. Section 1 of P.L.1983, c.197 (C.10:5-39) is amended to read  
2 as follows:

3       1. As used in this act:

4       a. "Affirmative action program for veterans [of the Vietnam  
5 era]" means a plan guaranteeing to veterans [of the Vietnam era]  
6 an equal employment opportunity, which includes but is not limited  
7 to the following areas: recruitment, selection, hiring, training,  
8 promotion, transfer, layoff, return from layoff, compensation, and  
9 fringe benefits.

10       b. "Public works contract" means any contract exceeding  
11 \$250,000.00 in price to be performed for or on behalf of the State  
12 for the construction, alteration, or repair of any building or public  
13 work.

14       c. "Veteran [of the Vietnam era]" means any soldier, sailor,  
15 marine, airman, nurse or army field clerk, who has served at least  
16 90 days in the active military, naval or air service of the United  
17 States [, commencing in the period between the dates of January 1,  
18 1960 and August 1, 1974,] and has been discharged or released  
19 therefrom under conditions other than dishonorable, and who has  
20 presented to the Civil Service Commission of New Jersey full and  
21 convincing evidence of such record of service on or before the date  
22 of making application for a position governed by this act. The 90  
23 day requirement for active service is exclusive of any time such  
24 veteran was assigned: (1) for a course of education or training under  
25 the Army Specialized Training Program or the Navy College  
26 Training Program, which course was a continuation of his civilian  
27 course and was pursued to completion; or (2) as a cadet or  
28 midshipman at one of the service academies[, any part of which 90  
29 days was served between said dates]; and exclusive of any service  
30 performed pursuant to the provisions of section 511(d) of Title 10,  
31 United States Code, pursuant to an enlistment in the Army or Air  
32 Force National Guard or as a reserve for service in the Army  
33 Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve,  
34 or Coast Guard Reserve; provided, that any person receiving an  
35 actual, service-incurred injury or disability shall be classed as a  
36 veteran, whether or not he has completed the 90 days' service as  
37 herein provided.

38 (cf: P.L.1983, c.197, s.1)

39

40       6. Section 2 of P.L.1983, c.197 (C.10:5-40) is amended to read  
41 as follows:

42       2. Each public works contract shall contain appropriate  
43 provisions in which contractors, subcontractors, or their assignees  
44 shall guarantee an equal employment opportunity to veterans [of  
45 the Vietnam era]. If any veteran believes any contractor of the  
46 State has failed to comply or refuses to comply with the provisions  
47 of the contractor's contract relating to the employment of [Vietnam

1 era] veterans, such veteran may file a complaint with the State  
2 Treasurer, who shall promptly investigate such complaint and take  
3 appropriate action.

4 (cf: P.L.1983, c.197, s.2)

5

6 7. Section 3 of P.L.1983, c.197 (C.10:5-41) is amended to read  
7 as follows:

8 3. The State Treasurer shall prescribe an affirmative action  
9 program for veterans [of the Vietnam era]. The Treasurer shall  
10 designate an appropriate official in the Department of the Treasury  
11 to receive and investigate any complaints charging discriminatory  
12 employment practices toward such veterans.

13 (cf: P.L.1983, c.197, s.3)

14

15 8. This act shall take effect immediately.

16

17

18

19

20 Extends full protection of Law Against Discrimination to persons  
21 having liability for service in Armed Forces of United States;  
22 guarantees equal employment opportunity in State contracting to all  
23 veterans.

**SENATE, No. 726**

**STATE OF NEW JERSEY**  
**217th LEGISLATURE**

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

**Sponsored by:**

**Senator NILSA CRUZ-PEREZ**

**District 5 (Camden and Gloucester)**

**Senator STEVEN V. OROHO**

**District 24 (Morris, Sussex and Warren)**

**SYNOPSIS**

Extends full protection of Law Against Discrimination to persons having liability for service in Armed Forces of United States; guarantees equal employment opportunity in State contracting to all veterans.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT extending full protection of the Law Against  
2 Discrimination to persons having liability for service in the  
3 Armed Forces of United States, guaranteeing equal employment  
4 opportunity in State contracting to all veterans, and amending  
5 various parts of the statutory law.

6  
7 **BE IT ENACTED** by the Senate and General Assembly of the State  
8 of New Jersey:

9  
10 1. Section 4 of P.L.1945, c.169 (C.10:5-4) is amended to read  
11 as follows:

12 4. All persons shall have the opportunity to obtain  
13 employment, and to obtain all the accommodations, advantages,  
14 facilities, and privileges of any place of public accommodation,  
15 publicly assisted housing accommodation, and other real property  
16 without discrimination because of race, creed, color, national origin,  
17 ancestry, age, marital status, affectional or sexual orientation,  
18 familial status, disability, liability for service in the Armed Forces  
19 of the United States, nationality, sex, gender identity or expression  
20 or source of lawful income used for rental or mortgage payments,  
21 subject only to conditions and limitations applicable alike to all  
22 persons. This opportunity is recognized as and declared to be a  
23 civil right.

24 (cf: P.L.2006, c.100, s.3)

25

26 2. Section 1 of P.L.1954, c.198 (C.10:5-9.1) is amended to read  
27 as follows:

28 1. The Division on Civil Rights in the Department of Law and  
29 Public Safety shall enforce the laws of this State against  
30 discrimination in housing built with, or leased with the assistance  
31 of, public funds or public assistance, pursuant to any law, and in  
32 real property, as defined in the law hereby supplemented, because  
33 of race, religious principles, color, national origin, ancestry, marital  
34 status, affectional or sexual orientation, familial status, disability,  
35 liability for service in the Armed Forces of the United States,  
36 nationality, sex, gender identity or expression or source of lawful  
37 income used for rental or mortgage payments. The said laws shall  
38 be so enforced in the manner prescribed in the act to which this act  
39 is a supplement.

40 (cf: P.L.2006, c.100, s.7)

41

42 3. Section 11 of P.L.1945, c.169 (C.10:5-12) is amended to  
43 read as follows:

44 11. It shall be an unlawful employment practice, or, as the case  
45 may be, an unlawful discrimination:

46 a. For an employer, because of the race, creed, color, national

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 origin, ancestry, age, marital status, civil union status, domestic  
2 partnership status, affectional or sexual orientation, genetic  
3 information, pregnancy, sex, gender identity or expression,  
4 disability or atypical hereditary cellular or blood trait of any  
5 individual, or because of the liability for service in the Armed  
6 Forces of the United States or the nationality of any individual, or  
7 because of the refusal to submit to a genetic test or make available  
8 the results of a genetic test to an employer, to refuse to hire or  
9 employ or to bar or to discharge or require to retire, unless justified  
10 by lawful considerations other than age, from employment such  
11 individual or to discriminate against such individual in  
12 compensation or in terms, conditions or privileges of employment;  
13 provided, however, it shall not be an unlawful employment practice  
14 to refuse to accept for employment an applicant who has received a  
15 notice of induction or orders to report for active duty in the armed  
16 forces; provided further that nothing herein contained shall be  
17 construed to bar an employer from refusing to accept for  
18 employment any person on the basis of sex in those certain  
19 circumstances where sex is a bona fide occupational qualification,  
20 reasonably necessary to the normal operation of the particular  
21 business or enterprise; provided further that nothing herein  
22 contained shall be construed to bar an employer from refusing to  
23 accept for employment or to promote any person over 70 years of  
24 age; provided further that it shall not be an unlawful employment  
25 practice for a club exclusively social or fraternal to use club  
26 membership as a uniform qualification for employment, or for a  
27 religious association or organization to utilize religious affiliation  
28 as a uniform qualification in the employment of clergy, religious  
29 teachers or other employees engaged in the religious activities of  
30 the association or organization, or in following the tenets of its  
31 religion in establishing and utilizing criteria for employment of an  
32 employee; provided further, that it shall not be an unlawful  
33 employment practice to require the retirement of any employee  
34 who, for the two-year period immediately before retirement, is  
35 employed in a bona fide executive or a high policy-making position,  
36 if that employee is entitled to an immediate non-forfeitable annual  
37 retirement benefit from a pension, profit sharing, savings or  
38 deferred retirement plan, or any combination of those plans, of the  
39 employer of that employee which equals in the aggregate at least  
40 \$27,000.00; and provided further that an employer may restrict  
41 employment to citizens of the United States where such restriction  
42 is required by federal law or is otherwise necessary to protect the  
43 national interest.

44 The provisions of subsections a. and b. of section 57 of  
45 P.L.2003, c.246 (C.34:11A-20), and the provisions of section 58 of  
46 P.L.2003, c.246 (C.26:8A-11), shall not be deemed to be an  
47 unlawful discrimination under P.L.1945, c.169 (C.10:5-1 et seq.).

48 For the purposes of this subsection, a "bona fide executive" is a  
49 top level employee who exercises substantial executive authority

1 over a significant number of employees and a large volume of  
2 business. A "high policy-making position" is a position in which a  
3 person plays a significant role in developing policy and in  
4 recommending the implementation thereof.

5 b. For a labor organization, because of the race, creed, color,  
6 national origin, ancestry, age, marital status, civil union status,  
7 domestic partnership status, affectional or sexual orientation,  
8 gender identity or expression, disability, pregnancy, or sex of any  
9 individual, or because of the liability for service in the Armed  
10 Forces of the United States or nationality of any individual, to  
11 exclude or to expel from its membership such individual or to  
12 discriminate in any way against any of its members, against any  
13 applicant for, or individual included in, any apprentice or other  
14 training program or against any employer or any individual  
15 employed by an employer; provided, however, that nothing herein  
16 contained shall be construed to bar a labor organization from  
17 excluding from its apprentice or other training programs any person  
18 on the basis of sex in those certain circumstances where sex is a  
19 bona fide occupational qualification reasonably necessary to the  
20 normal operation of the particular apprentice or other training  
21 program.

22 c. For any employer or employment agency to print or circulate  
23 or cause to be printed or circulated any statement, advertisement or  
24 publication, or to use any form of application for employment, or to  
25 make an inquiry in connection with prospective employment, which  
26 expresses, directly or indirectly, any limitation, specification or  
27 discrimination as to race, creed, color, national origin, ancestry,  
28 age, marital status, civil union status, domestic partnership status,  
29 affectional or sexual orientation, gender identity or expression,  
30 disability, nationality, pregnancy, or sex or liability of any applicant  
31 for employment for service in the Armed Forces of the United  
32 States, or any intent to make any such limitation, specification or  
33 discrimination, unless based upon a bona fide occupational  
34 qualification.

35 d. For any person to take reprisals against any person because  
36 that person has opposed any practices or acts forbidden under this  
37 act or because that person has filed a complaint, testified or assisted  
38 in any proceeding under this act or to coerce, intimidate, threaten or  
39 interfere with any person in the exercise or enjoyment of, or on  
40 account of that person having aided or encouraged any other person  
41 in the exercise or enjoyment of, any right granted or protected by  
42 this act.

43 e. For any person, whether an employer or an employee or not,  
44 to aid, abet, incite, compel or coerce the doing of any of the acts  
45 forbidden under this act, or to attempt to do so.

46 f. (1) For any owner, lessee, proprietor, manager,  
47 superintendent, agent, or employee of any place of public  
48 accommodation directly or indirectly to refuse, withhold from or  
49 deny to any person any of the accommodations, advantages,

1 facilities or privileges thereof, or to discriminate against any person  
2 in the furnishing thereof, or directly or indirectly to publish,  
3 circulate, issue, display, post or mail any written or printed  
4 communication, notice, or advertisement to the effect that any of  
5 the accommodations, advantages, facilities, or privileges of any  
6 such place will be refused, withheld from, or denied to any person  
7 on account of the race, creed, color, national origin, ancestry,  
8 marital status, civil union status, domestic partnership status,  
9 pregnancy, sex, gender identity or expression, affectional or sexual  
10 orientation, disability, liability for service in the Armed Forces of  
11 the United States or nationality of such person, or that the patronage  
12 or custom thereof of any person of any particular race, creed, color,  
13 national origin, ancestry, marital status, civil union status, domestic  
14 partnership status, pregnancy status, sex, gender identity or  
15 expression, affectional or sexual orientation, disability, liability for  
16 service in the Armed Forces of the United States or nationality is  
17 unwelcome, objectionable or not acceptable, desired or solicited,  
18 and the production of any such written or printed communication,  
19 notice or advertisement, purporting to relate to any such place and  
20 to be made by any owner, lessee, proprietor, superintendent or  
21 manager thereof, shall be presumptive evidence in any action that  
22 the same was authorized by such person; provided, however, that  
23 nothing contained herein shall be construed to bar any place of  
24 public accommodation which is in its nature reasonably restricted  
25 exclusively to individuals of one sex, and which shall include but  
26 not be limited to any summer camp, day camp, or resort camp,  
27 bathhouse, dressing room, swimming pool, gymnasium, comfort  
28 station, dispensary, clinic or hospital, or school or educational  
29 institution which is restricted exclusively to individuals of one sex,  
30 provided individuals shall be admitted based on their gender  
31 identity or expression, from refusing, withholding from or denying  
32 to any individual of the opposite sex any of the accommodations,  
33 advantages, facilities or privileges thereof on the basis of sex;  
34 provided further, that the foregoing limitation shall not apply to any  
35 restaurant as defined in R.S.33:1-1 or place where alcoholic  
36 beverages are served.

37 (2) Notwithstanding the definition of "a place of public  
38 accommodation" as set forth in subsection 1. of section 5 of  
39 P.L.1945, c.169 (C.10:5-5), for any owner, lessee, proprietor,  
40 manager, superintendent, agent, or employee of any private club or  
41 association to directly or indirectly refuse, withhold from or deny to  
42 any individual who has been accepted as a club member and has  
43 contracted for or is otherwise entitled to full club membership any  
44 of the accommodations, advantages, facilities or privileges thereof,  
45 or to discriminate against any member in the furnishing thereof on  
46 account of the race, creed, color, national origin, ancestry, marital  
47 status, civil union status, domestic partnership status, pregnancy,  
48 sex, gender identity, or expression, affectional or sexual orientation,

1 disability, liability for service in the Armed Forces of the United  
2 States or nationality of such person.

3 In addition to the penalties otherwise provided for a violation of  
4 P.L.1945, c.169 (C.10:5-1 et seq.), if the violator of paragraph (2)  
5 of subsection f. of this section is the holder of an alcoholic beverage  
6 license issued under the provisions of R.S.33:1-12 for that private  
7 club or association, the matter shall be referred to the Director of  
8 the Division of Alcoholic Beverage Control who shall impose an  
9 appropriate penalty in accordance with the procedures set forth in  
10 R.S.33:1-31.

11 g. For any person, including but not limited to, any owner,  
12 lessee, sublessee, assignee or managing agent of, or other person  
13 having the right of ownership or possession of or the right to sell,  
14 rent, lease, assign, or sublease any real property or part or portion  
15 thereof, or any agent or employee of any of these:

16 (1) To refuse to sell, rent, lease, assign, or sublease or otherwise  
17 to deny to or withhold from any person or group of persons any real  
18 property or part or portion thereof because of race, creed, color,  
19 national origin, ancestry, marital status, civil union status, domestic  
20 partnership status, pregnancy, sex, gender identity or expression,  
21 affectional or sexual orientation, familial status, disability,  
22 nationality, or source of lawful income used for rental or mortgage  
23 payments;

24 (2) To discriminate against any person or group of persons  
25 because of race, creed, color, national origin, ancestry, marital  
26 status, civil union status, domestic partnership status, pregnancy,  
27 sex, gender identity or expression, affectional or sexual orientation,  
28 familial status, disability, liability for service in the Armed Forces  
29 of the United States, nationality or source of lawful income used for  
30 rental or mortgage payments in the terms, conditions or privileges  
31 of the sale, rental or lease of any real property or part or portion  
32 thereof or in the furnishing of facilities or services in connection  
33 therewith;

34 (3) To print, publish, circulate, issue, display, post or mail, or  
35 cause to be printed, published, circulated, issued, displayed, posted  
36 or mailed any statement, advertisement, publication or sign, or to  
37 use any form of application for the purchase, rental, lease,  
38 assignment or sublease of any real property or part or portion  
39 thereof, or to make any record or inquiry in connection with the  
40 prospective purchase, rental, lease, assignment, or sublease of any  
41 real property, or part or portion thereof which expresses, directly or  
42 indirectly, any limitation, specification or discrimination as to race,  
43 creed, color, national origin, ancestry, marital status, civil union  
44 status, domestic partnership status, pregnancy, sex, gender identity,  
45 or expression, affectional or sexual orientation, familial status,  
46 disability, liability for service in the Armed Forces of the United  
47 States, nationality, or source of lawful income used for rental or  
48 mortgage payments, or any intent to make any such limitation,  
49 specification or discrimination, and the production of any such

1 statement, advertisement, publicity, sign, form of application,  
2 record, or inquiry purporting to be made by any such person shall  
3 be presumptive evidence in any action that the same was authorized  
4 by such person; provided, however, that nothing contained in this  
5 subsection shall be construed to bar any person from refusing to  
6 sell, rent, lease, assign or sublease or from advertising or recording  
7 a qualification as to sex for any room, apartment, flat in a dwelling  
8 or residential facility which is planned exclusively for and occupied  
9 by individuals of one sex to any individual of the exclusively  
10 opposite sex on the basis of sex provided individuals shall be  
11 qualified based on their gender identity or expression;

12 (4) To refuse to sell, rent, lease, assign, or sublease or otherwise  
13 to deny to or withhold from any person or group of persons any real  
14 property or part or portion thereof because of the source of any  
15 lawful income received by the person or the source of any lawful  
16 rent payment to be paid for the real property; or

17 (5) To refuse to rent or lease any real property to another person  
18 because that person's family includes children under 18 years of  
19 age, or to make an agreement, rental or lease of any real property  
20 which provides that the agreement, rental or lease shall be rendered  
21 null and void upon the birth of a child. This paragraph shall not  
22 apply to housing for older persons as defined in subsection mm. of  
23 section 5 of P.L.1945, c.169 (C.10:5-5).

24 h. For any person, including but not limited to, any real estate  
25 broker, real estate salesperson, or employee or agent thereof:

26 (1) To refuse to sell, rent, assign, lease or sublease, or offer for  
27 sale, rental, lease, assignment, or sublease any real property or part  
28 or portion thereof to any person or group of persons or to refuse to  
29 negotiate for the sale, rental, lease, assignment, or sublease of any  
30 real property or part or portion thereof to any person or group of  
31 persons because of race, creed, color, national origin, ancestry,  
32 marital status, civil union status, domestic partnership status,  
33 familial status, pregnancy, sex, gender identity or expression,  
34 affectional or sexual orientation, disability, liability for service in  
35 the Armed Forces of the United States, nationality, or source of  
36 lawful income used for rental or mortgage payments, or to represent  
37 that any real property or portion thereof is not available for  
38 inspection, sale, rental, lease, assignment, or sublease when in fact  
39 it is so available, or otherwise to deny or withhold any real property  
40 or any part or portion of facilities thereof to or from any person or  
41 group of persons because of race, creed, color, national origin,  
42 ancestry, marital status, civil union status, domestic partnership  
43 status, familial status, pregnancy, sex, gender identity or expression,  
44 affectional or sexual orientation, disability, liability for service in  
45 the Armed Forces of the United States or nationality;

46 (2) To discriminate against any person because of race, creed,  
47 color, national origin, ancestry, marital status, civil union status,  
48 domestic partnership status, familial status, pregnancy, sex, gender  
49 identity or expression, affectional or sexual orientation, disability,

1 liability for service in the Armed Forces of the United States,  
2 nationality, or source of lawful income used for rental or mortgage  
3 payments in the terms, conditions or privileges of the sale, rental,  
4 lease, assignment or sublease of any real property or part or portion  
5 thereof or in the furnishing of facilities or services in connection  
6 therewith;

7 (3) To print, publish, circulate, issue, display, post, or mail, or  
8 cause to be printed, published, circulated, issued, displayed, posted  
9 or mailed any statement, advertisement, publication or sign, or to  
10 use any form of application for the purchase, rental, lease,  
11 assignment, or sublease of any real property or part or portion  
12 thereof or to make any record or inquiry in connection with the  
13 prospective purchase, rental, lease, assignment, or sublease of any  
14 real property or part or portion thereof which expresses, directly or  
15 indirectly, any limitation, specification or discrimination as to race,  
16 creed, color, national origin, ancestry, marital status, civil union  
17 status, domestic partnership status, familial status, pregnancy, sex,  
18 gender identity or expression, affectional or sexual orientation,  
19 disability, liability for service in the Armed Forces of the United  
20 States, nationality, or source of lawful income used for rental or  
21 mortgage payments or any intent to make any such limitation,  
22 specification or discrimination, and the production of any such  
23 statement, advertisement, publicity, sign, form of application,  
24 record, or inquiry purporting to be made by any such person shall  
25 be presumptive evidence in any action that the same was authorized  
26 by such person; provided, however, that nothing contained in this  
27 subsection h., shall be construed to bar any person from refusing to  
28 sell, rent, lease, assign or sublease or from advertising or recording  
29 a qualification as to sex for any room, apartment, flat in a dwelling  
30 or residential facility which is planned exclusively for and occupied  
31 exclusively by individuals of one sex to any individual of the  
32 opposite sex on the basis of sex, provided individuals shall be  
33 qualified based on their gender identity or expression;

34 (4) To refuse to sell, rent, lease, assign, or sublease or otherwise  
35 to deny to or withhold from any person or group of persons any real  
36 property or part or portion thereof because of the source of any  
37 lawful income received by the person or the source of any lawful  
38 rent payment to be paid for the real property; or

39 (5) To refuse to rent or lease any real property to another person  
40 because that person's family includes children under 18 years of  
41 age, or to make an agreement, rental or lease of any real property  
42 which provides that the agreement, rental or lease shall be rendered  
43 null and void upon the birth of a child. This paragraph shall not  
44 apply to housing for older persons as defined in subsection mm. of  
45 section 5 of P.L.1945, c.169 (C.10:5-5).

46 i. For any person, bank, banking organization, mortgage  
47 company, insurance company or other financial institution, lender  
48 or credit institution involved in the making or purchasing of any  
49 loan or extension of credit, for whatever purpose, whether secured

1 by residential real estate or not, including but not limited to  
2 financial assistance for the purchase, acquisition, construction,  
3 rehabilitation, repair or maintenance of any real property or part or  
4 portion thereof or any agent or employee thereof:

5 (1) To discriminate against any person or group of persons  
6 because of race, creed, color, national origin, ancestry, marital  
7 status, civil union status, domestic partnership status, pregnancy,  
8 sex, gender identity or expression, affectional or sexual orientation,  
9 disability, liability for service in the Armed Forces of the United  
10 States, familial status or nationality, in the granting, withholding,  
11 extending, modifying, renewing, or purchasing, or in the fixing of  
12 the rates, terms, conditions or provisions of any such loan,  
13 extension of credit or financial assistance or purchase thereof or in  
14 the extension of services in connection therewith;

15 (2) To use any form of application for such loan, extension of  
16 credit or financial assistance or to make record or inquiry in  
17 connection with applications for any such loan, extension of credit  
18 or financial assistance which expresses, directly or indirectly, any  
19 limitation, specification or discrimination as to race, creed, color,  
20 national origin, ancestry, marital status, civil union status, domestic  
21 partnership status, pregnancy, sex, gender identity or expression,  
22 affectional or sexual orientation, disability, liability for service in  
23 the Armed Forces of the United States, familial status or nationality  
24 or any intent to make any such limitation, specification or  
25 discrimination; unless otherwise required by law or regulation to  
26 retain or use such information;

27 (3) (Deleted by amendment, P.L.2003, c.180).

28 (4) To discriminate against any person or group of persons  
29 because of the source of any lawful income received by the person  
30 or the source of any lawful rent payment to be paid for the real  
31 property; or

32 (5) To discriminate against any person or group of persons  
33 because that person's family includes children under 18 years of  
34 age, or to make an agreement or mortgage which provides that the  
35 agreement or mortgage shall be rendered null and void upon the  
36 birth of a child. This paragraph shall not apply to housing for older  
37 persons as defined in subsection mm. of section 5 of P.L.1945,  
38 c.169 (C.10:5-5).

39 j. For any person whose activities are included within the  
40 scope of this act to refuse to post or display such notices concerning  
41 the rights or responsibilities of persons affected by this act as the  
42 Attorney General may by regulation require.

43 k. For any real estate broker, real estate salesperson or  
44 employee or agent thereof or any other individual, corporation,  
45 partnership, or organization, for the purpose of inducing a  
46 transaction for the sale or rental of real property from which  
47 transaction such person or any of its members may benefit  
48 financially, to represent that a change has occurred or will or may  
49 occur in the composition with respect to race, creed, color, national

1 origin, ancestry, marital status, civil union status, domestic  
2 partnership status, familial status, pregnancy, sex, gender identity or  
3 expression, affectional or sexual orientation, disability, liability for  
4 service in the Armed Forces of the United States, nationality, or  
5 source of lawful income used for rental or mortgage payments of  
6 the owners or occupants in the block, neighborhood or area in  
7 which the real property is located, and to represent, directly or  
8 indirectly, that this change will or may result in undesirable  
9 consequences in the block, neighborhood or area in which the real  
10 property is located, including, but not limited to the lowering of  
11 property values, an increase in criminal or anti-social behavior, or a  
12 decline in the quality of schools or other facilities.

13 1. For any person to refuse to buy from, sell to, lease from or  
14 to, license, contract with, or trade with, provide goods, services or  
15 information to, or otherwise do business with any other person on  
16 the basis of the race, creed, color, national origin, ancestry, age,  
17 pregnancy, sex, gender identity or expression, affectional or sexual  
18 orientation, marital status, civil union status, domestic partnership  
19 status, liability for service in the Armed Forces of the United States,  
20 disability, nationality, or source of lawful income used for rental or  
21 mortgage payments of such other person or of such other person's  
22 spouse, partners, members, stockholders, directors, officers,  
23 managers, superintendents, agents, employees, business associates,  
24 suppliers, or customers. This subsection shall not prohibit refusals  
25 or other actions (1) pertaining to employee-employer collective  
26 bargaining, labor disputes, or unfair labor practices, or (2) made or  
27 taken in connection with a protest of unlawful discrimination or  
28 unlawful employment practices.

29 m. For any person to:

30 (1) Grant or accept any letter of credit or other document which  
31 evidences the transfer of funds or credit, or enter into any contract  
32 for the exchange of goods or services, where the letter of credit,  
33 contract, or other document contains any provisions requiring any  
34 person to discriminate against or to certify that he, she or it has not  
35 dealt with any other person on the basis of the race, creed, color,  
36 national origin, ancestry, age, pregnancy, sex, gender identity or  
37 expression, affectional or sexual orientation, marital status, civil  
38 union status, domestic partnership status, disability, liability for  
39 service in the Armed Forces of the United States, or nationality of  
40 such other person or of such other person's spouse, partners,  
41 members, stockholders, directors, officers, managers,  
42 superintendents, agents, employees, business associates, suppliers,  
43 or customers.

44 (2) Refuse to grant or accept any letter of credit or other  
45 document which evidences the transfer of funds or credit, or refuse  
46 to enter into any contract for the exchange of goods or services, on  
47 the ground that it does not contain such a discriminatory provision  
48 or certification.

1       The provisions of this subsection shall not apply to any letter of  
2 credit, contract, or other document which contains any provision  
3 pertaining to employee-employer collective bargaining, a labor  
4 dispute or an unfair labor practice, or made in connection with the  
5 protest of unlawful discrimination or an unlawful employment  
6 practice, if the other provisions of such letter of credit, contract, or  
7 other document do not otherwise violate the provisions of this  
8 subsection.

9       n. For any person to aid, abet, incite, compel, coerce, or induce  
10 the doing of any act forbidden by subsections l. and m. of section  
11 11 of P.L.1945, c.169 (C.10:5-12), or to attempt, or to conspire to  
12 do so. Such prohibited conduct shall include, but not be limited to:

13       (1) Buying from, selling to, leasing from or to, licensing,  
14 contracting with, trading with, providing goods, services, or  
15 information to, or otherwise doing business with any person  
16 because that person does, or agrees or attempts to do, any such act  
17 or any act prohibited by this subsection; or

18       (2) Boycotting, commercially blacklisting or refusing to buy  
19 from, sell to, lease from or to, license, contract with, provide goods,  
20 services or information to, or otherwise do business with any person  
21 because that person has not done or refuses to do any such act or  
22 any act prohibited by this subsection; provided that this subsection  
23 shall not prohibit refusals or other actions either pertaining to  
24 employee-employer collective bargaining, labor disputes, or unfair  
25 labor practices, or made or taken in connection with a protest of  
26 unlawful discrimination or unlawful employment practices.

27       o. For any multiple listing service, real estate brokers'  
28 organization or other service, organization or facility related to the  
29 business of selling or renting dwellings to deny any person access  
30 to or membership or participation in such organization, or to  
31 discriminate against such person in the terms or conditions of such  
32 access, membership, or participation, on account of race, creed,  
33 color, national origin, ancestry, age, marital status, civil union  
34 status, domestic partnership status, familial status, pregnancy, sex,  
35 gender identity or expression, affectional or sexual orientation,  
36 disability, liability for service in the Armed Forces of the United  
37 States or nationality.

38       p. Nothing in the provisions of this section shall affect the  
39 ability of an employer to require employees to adhere to reasonable  
40 workplace appearance, grooming and dress standards not precluded  
41 by other provisions of State or federal law, except that an employer  
42 shall allow an employee to appear, groom and dress consistent with  
43 the employee's gender identity or expression.

44       q. (1) For any employer to impose upon a person as a  
45 condition of obtaining or retaining employment, including  
46 opportunities for promotion, advancement or transfers, any terms or  
47 conditions that would require a person to violate or forego a  
48 sincerely held religious practice or religious observance, including  
49 but not limited to the observance of any particular day or days or

1 any portion thereof as a Sabbath or other holy day in accordance  
2 with the requirements of the religion or religious belief, unless,  
3 after engaging in a bona fide effort, the employer demonstrates that  
4 it is unable to reasonably accommodate the employee's religious  
5 observance or practice without undue hardship on the conduct of the  
6 employer's business. Notwithstanding any other provision of law to  
7 the contrary, an employee shall not be entitled to premium wages or  
8 premium benefits for work performed during hours to which those  
9 premium wages or premium benefits would ordinarily be  
10 applicable, if the employee is working during those hours only as an  
11 accommodation to his religious requirements. Nothing in this  
12 subsection q. shall be construed as reducing:

13 (a) The number of the hours worked by the employee which are  
14 counted towards the accruing of seniority, pension or other benefits;  
15 or

16 (b) Any premium wages or benefits provided to an employee  
17 pursuant to a collective bargaining agreement.

18 (2) For an employer to refuse to permit an employee to utilize  
19 leave, as provided for in this subsection q., which is solely used to  
20 accommodate the employee's sincerely held religious observance or  
21 practice. Except where it would cause an employer to incur an  
22 undue hardship, no person shall be required to remain at his place  
23 of employment during any day or days or portion thereof that, as a  
24 requirement of his religion, he observes as his Sabbath or other holy  
25 day, including a reasonable time prior and subsequent thereto for  
26 travel between his place of employment and his home; provided that  
27 any such absence from work shall, wherever practicable in the  
28 reasonable judgment of the employer, be made up by an equivalent  
29 amount of time and work at some other mutually convenient time,  
30 or shall be charged against any leave with pay ordinarily granted,  
31 other than sick leave, and any such absence not so made up or  
32 charged, may be treated by the employer of that person as leave  
33 taken without pay.

34 (3) (a) For purposes of this subsection q., "undue hardship"  
35 means an accommodation requiring unreasonable expense or  
36 difficulty, unreasonable interference with the safe or efficient  
37 operation of the workplace or a violation of a bona fide seniority  
38 system or a violation of any provision of a bona fide collective  
39 bargaining agreement.

40 (b) In determining whether the accommodation constitutes an  
41 undue hardship, the factors considered shall include:

42 (i) The identifiable cost of the accommodation, including the  
43 costs of loss of productivity and of retaining or hiring employees or  
44 transferring employees from one facility to another, in relation to  
45 the size and operating cost of the employer.

46 (ii) The number of individuals who will need the particular  
47 accommodation for a sincerely held religious observance or  
48 practice.

1 (iii) For an employer with multiple facilities, the degree to which  
2 the geographic separateness or administrative or fiscal relationship  
3 of the facilities will make the accommodation more difficult or  
4 expensive.

5 (c) An accommodation shall be considered to constitute an  
6 undue hardship if it will result in the inability of an employee to  
7 perform the essential functions of the position in which he or she is  
8 employed.

9 (d) (i) The provisions of this subsection q. shall be applicable  
10 only to reasonable accommodations of religious observances and  
11 shall not supersede any definition of undue hardship or standards  
12 for reasonable accommodation of the disabilities of employees.

13 (ii) This subsection q. shall not apply where the uniform  
14 application of terms and conditions of attendance to employees is  
15 essential to prevent undue hardship to the employer. The burden of  
16 proof regarding the applicability of this subparagraph (d) shall be  
17 upon the employer.

18 r. For any employer to take reprisals against any employee for  
19 requesting from any other employee or former employee of the  
20 employer information regarding the job title, occupational category,  
21 and rate of compensation, including benefits, of any employee or  
22 former employee of the employer, or the gender, race, ethnicity,  
23 military status, or national origin of any employee or former  
24 employee of the employer, regardless of whether the request was  
25 responded to, if the purpose of the request for the information was  
26 to assist in investigating the possibility of the occurrence of, or in  
27 taking of legal action regarding, potential discriminatory treatment  
28 concerning pay, compensation, bonuses, other compensation, or  
29 benefits. Nothing in this subsection shall be construed to require an  
30 employee to disclose such information about the employee herself  
31 to any other employee or former employee of the employer or to  
32 any authorized representative of the other employee or former  
33 employee.

34 s. For an employer to treat, for employment-related purposes, a  
35 woman employee that the employer knows, or should know, is  
36 affected by pregnancy in a manner less favorable than the treatment  
37 of other persons not affected by pregnancy but similar in their  
38 ability or inability to work. In addition, an employer of an  
39 employee who is a woman affected by pregnancy shall make  
40 available to the employee reasonable accommodation in the  
41 workplace, such as bathroom breaks, breaks for increased water  
42 intake, periodic rest, assistance with manual labor, job restructuring  
43 or modified work schedules, and temporary transfers to less  
44 strenuous or hazardous work, for needs related to the pregnancy  
45 when the employee, based on the advice of her physician, requests  
46 the accommodation, unless the employer can demonstrate that  
47 providing the accommodation would be an undue hardship on the  
48 business operations of the employer. The employer shall not in any  
49 way penalize the employee in terms, conditions or privileges of

1 employment for requesting or using the accommodation. Workplace  
2 accommodation provided pursuant to this subsection and paid or  
3 unpaid leave provided to an employee affected by pregnancy shall  
4 not be provided in a manner less favorable than accommodations or  
5 leave provided to other employees not affected by pregnancy but  
6 similar in their ability or inability to work. This subsection shall  
7 not be construed as otherwise increasing or decreasing any  
8 employee's rights under law to paid or unpaid leave in connection  
9 with pregnancy.

10 For the purposes of this section "pregnancy" means pregnancy,  
11 childbirth, or medical conditions related to pregnancy or childbirth,  
12 including recovery from childbirth.

13 For the purposes of this subsection, in determining whether an  
14 accommodation would impose undue hardship on the operation of  
15 an employer's business, the factors to be considered include: the  
16 overall size of the employer's business with respect to the number  
17 of employees, number and type of facilities, and size of budget; the  
18 type of the employer's operations, including the composition and  
19 structure of the employer's workforce; the nature and cost of the  
20 accommodation needed, taking into consideration the availability of  
21 tax credits, tax deductions, and outside funding; and the extent to  
22 which the accommodation would involve waiver of an essential  
23 requirement of a job as opposed to a tangential or non-business  
24 necessity requirement.

25 (cf: P.L.2013, c.220, s.2)

26

27 4. Section 12 of P.L.1992, c.146 (C.10:5-12.5) is amend to read  
28 as follows:

29 12. a. It shall be an unlawful discrimination for a municipality,  
30 county or other local civil or political subdivision of the State of  
31 New Jersey, or an officer, employee, or agent thereof, to exercise  
32 the power to regulate land use or housing in a manner that  
33 discriminates on the basis of race, creed, color, national origin,  
34 ancestry, marital status, familial status, sex, gender identity or  
35 expression, liability for service in the Armed Forces of the United  
36 States, nationality or disability.

37 b. Notwithstanding the provisions of section 12 of P.L.1945,  
38 c.169 (C.10:5-13) any person claiming to be aggrieved by an  
39 unlawful discrimination under this section shall enforce this section  
40 by private right of action in Superior Court. This section shall not  
41 apply to discrimination in housing owned or managed by a  
42 municipality, county or other local civil or political subdivision of  
43 the State of New Jersey where such discrimination is otherwise  
44 prohibited by section 11 of P.L.1945, c.169 (C.10:5-12).

45 (cf: P.L.2006, c.100, s.10)

46

47 5. Section 1 of P.L.1983, c.197 (C.10:5-39) is amended to read  
48 as follows:

1 1. As used in this act:

2 a. "Affirmative action program for veterans **【of the Vietnam**  
3 **era】**" means a plan guaranteeing to veterans **【of the Vietnam era】**  
4 an equal employment opportunity, which includes but is not limited  
5 to the following areas: recruitment, selection, hiring, training,  
6 promotion, transfer, layoff, return from layoff, compensation, and  
7 fringe benefits.

8 b. "Public works contract" means any contract exceeding  
9 \$250,000.00 in price to be performed for or on behalf of the State  
10 for the construction, alteration, or repair of any building or public  
11 work.

12 c. "Veteran **【of the Vietnam era】**" means any soldier, sailor,  
13 marine, airman, nurse or army field clerk, who has served at least  
14 90 days in the active military, naval or air service of the United  
15 States **【**, commencing in the period between the dates of January 1,  
16 1960 and August 1, 1974,**】** and has been discharged or released  
17 therefrom under conditions other than dishonorable, and who has  
18 presented to the Civil Service Commission of New Jersey full and  
19 convincing evidence of such record of service on or before the date  
20 of making application for a position governed by this act. The 90  
21 day requirement for active service is exclusive of any time such  
22 veteran was assigned: (1) for a course of education or training under  
23 the Army Specialized Training Program or the Navy College  
24 Training Program, which course was a continuation of his civilian  
25 course and was pursued to completion; or (2) as a cadet or  
26 midshipman at one of the service academies**【**, any part of which 90  
27 days was served between said dates**】**; and exclusive of any service  
28 performed pursuant to the provisions of section 511(d) of Title 10,  
29 United States Code, pursuant to an enlistment in the Army or Air  
30 Force National Guard or as a reserve for service in the Army  
31 Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve,  
32 or Coast Guard Reserve; provided, that any person receiving an  
33 actual, service-incurred injury or disability shall be classed as a  
34 veteran, whether or not he has completed the 90 days' service as  
35 herein provided.

36 (cf: P.L.1983, c.197, s.1)

37

38 6. Section 2 of P.L.1983, c.197 (C.10:5-40) is amended to read  
39 as follows:

40 2. Each public works contract shall contain appropriate  
41 provisions in which contractors, subcontractors, or their assignees  
42 shall guarantee an equal employment opportunity to veterans **【of**  
43 **the Vietnam era】**. If any veteran believes any contractor of the  
44 State has failed to comply or refuses to comply with the provisions  
45 of the contractor's contract relating to the employment of **【Vietnam**  
46 **era】** veterans, such veteran may file a complaint with the State

1 Treasurer, who shall promptly investigate such complaint and take  
2 appropriate action.

3 (cf: P.L.1983, c.197, s.2)

4

5 7. Section 3 of P.L.1983, c.197 (C.10:5-41) is amended to read  
6 as follows:

7 3. The State Treasurer shall prescribe an affirmative action  
8 program for veterans [of the Vietnam era]. The Treasurer shall  
9 designate an appropriate official in the Department of the Treasury  
10 to receive and investigate any complaints charging discriminatory  
11 employment practices toward such veterans.

12 (cf: P.L.1983, c.197, s.3)

13

14 8. This act shall take effect immediately.

15

16

17

#### STATEMENT

18

19 This bill would extend full protection under the Law Against  
20 Discrimination (LAD) to persons having liability for service in the  
21 Armed Forces of the United States. Under current law, such  
22 persons are listed as a protected class in some provisions of the  
23 LAD, but not in others. This bill would make it clear that these  
24 persons are entitled to the same protection under the LAD as other  
25 protected classes, including protection against discrimination in  
26 employment, public accommodations, housing, land use, lending,  
27 and association membership.

28 The bill would also extend to all veterans an existing law that  
29 requires contractors and subcontractors on State construction  
30 contracts to guarantee equal employment opportunity to Vietnam  
31 veterans.

ASSEMBLY MILITARY AND VETERANS' AFFAIRS  
COMMITTEE

STATEMENT TO

**SENATE, No. 726**

with committee amendments

**STATE OF NEW JERSEY**

DATED: MARCH 6, 2017

The Assembly Military and Veterans' Affairs Committee reports favorably and with committee amendments Senate, No. 726.

As amended, this bill would extend full protection under the Law Against Discrimination (LAD) to persons having liability for service in the Armed Forces of the United States. Under current law, such persons are listed as a protected class in some provisions of the LAD, but not in others. This bill would make it clear that these persons are entitled to the same protection under the LAD as other protected classes, including protection against discrimination in employment, public accommodations, housing, land use, lending, and association membership.

The bill would also extend to all veterans an existing law that requires contractors and subcontractors on State construction contracts to guarantee equal employment opportunity to Vietnam veterans.

Senate Bill No. 726 (1R) is identical to Assembly Bill No. 4460 (1R) of 2016-2017.

COMMITTEE AMENDMENTS

The committee amended the bill to add a phrase regarding persons entitled to protection under the Law Against Discrimination that was inadvertently omitted.

SENATE MILITARY AND VETERANS' AFFAIRS  
COMMITTEE

STATEMENT TO

**SENATE, No. 726**

**STATE OF NEW JERSEY**

DATED: JUNE 9, 2016

The Senate Military and Veterans Affairs Committee reports favorably Senate Bill No. 726.

This bill would extend full protection under the Law Against Discrimination (LAD) to persons having liability for service in the Armed Forces of the United States. Under current law, such persons are listed as a protected class in some provisions of the LAD, but not in others. This bill would make it clear that these persons are entitled to the same protection under the LAD as other protected classes, including protection against discrimination in employment, public accommodations, housing, land use, lending, and association membership.

The bill would also extend to all veterans an existing law that requires contractors and subcontractors on State construction contracts to guarantee equal employment opportunity to Vietnam veterans.

This bill was prefiled for introduction in the 2016-2017 session pending technical review. As reported the bill includes the changes required by technical review, which has been performed.

# ASSEMBLY, No. 4460

## STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED JANUARY 10, 2017

**Sponsored by:**

**Assemblywoman PATRICIA EGAN JONES**

**District 5 (Camden and Gloucester)**

**Assemblywoman GABRIELA M. MOSQUERA**

**District 4 (Camden and Gloucester)**

**Assemblywoman JOANN DOWNEY**

**District 11 (Monmouth)**

**SYNOPSIS**

Extends full protection of Law Against Discrimination to persons having liability for service in Armed Forces of United States; guarantees equal employment opportunity in State contracting to all veterans.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 3/7/2017)

A4460 JONES, MOSQUERA

2

1 AN ACT extending full protection of the Law Against  
2 Discrimination to persons having liability for service in the  
3 Armed Forces of United States, guaranteeing equal employment  
4 opportunity in State contracting to all veterans, and amending  
5 various parts of the statutory law.

6

7 **BE IT ENACTED** by the Senate and General Assembly of the State  
8 of New Jersey:

9

10 1. Section 4 of P.L.1945, c.169 (C.10:5-4) is amended to read  
11 as follows:

12 4. All persons shall have the opportunity to obtain  
13 employment, and to obtain all the accommodations, advantages,  
14 facilities, and privileges of any place of public accommodation,  
15 publicly assisted housing accommodation, and other real property  
16 without discrimination because of race, creed, color, national origin,  
17 ancestry, age, marital status, affectional or sexual orientation,  
18 familial status, disability, liability for service in the Armed Forces  
19 of the United States, nationality, sex, gender identity or expression  
20 or source of lawful income used for rental or mortgage payments,  
21 subject only to conditions and limitations applicable alike to all  
22 persons. This opportunity is recognized as and declared to be a  
23 civil right.

24 (cf: P.L.2006, c.100, s.3)

25

26 2. Section 1 of P.L.1954, c.198 (C.10:5-9.1) is amended to read  
27 as follows:

28 1. The Division on Civil Rights in the Department of Law and  
29 Public Safety shall enforce the laws of this State against  
30 discrimination in housing built with, or leased with the assistance  
31 of, public funds or public assistance, pursuant to any law, and in  
32 real property, as defined in the law hereby supplemented, because  
33 of race, religious principles, color, national origin, ancestry, marital  
34 status, affectional or sexual orientation, familial status, disability,  
35 liability for service in the Armed Forces of the United States,  
36 nationality, sex, gender identity or expression or source of lawful  
37 income used for rental or mortgage payments. The said laws shall  
38 be so enforced in the manner prescribed in the act to which this act  
39 is a supplement.

40 (cf: P.L.2006, c.100, s.7)

41

42 3. Section 11 of P.L.1945, c.169 (C.10:5-12) is amended to  
43 read as follows:

44 11. It shall be an unlawful employment practice, or, as the case  
45 may be, an unlawful discrimination:

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 a. For an employer, because of the race, creed, color, national  
2 origin, ancestry, age, marital status, civil union status, domestic  
3 partnership status, affectional or sexual orientation, genetic  
4 information, pregnancy, sex, gender identity or expression,  
5 disability or atypical hereditary cellular or blood trait of any  
6 individual, or because of the liability for service in the Armed  
7 Forces of the United States or the nationality of any individual, or  
8 because of the refusal to submit to a genetic test or make available  
9 the results of a genetic test to an employer, to refuse to hire or  
10 employ or to bar or to discharge or require to retire, unless justified  
11 by lawful considerations other than age, from employment such  
12 individual or to discriminate against such individual in  
13 compensation or in terms, conditions or privileges of employment;  
14 provided, however, it shall not be an unlawful employment practice  
15 to refuse to accept for employment an applicant who has received a  
16 notice of induction or orders to report for active duty in the armed  
17 forces; provided further that nothing herein contained shall be  
18 construed to bar an employer from refusing to accept for  
19 employment any person on the basis of sex in those certain  
20 circumstances where sex is a bona fide occupational qualification,  
21 reasonably necessary to the normal operation of the particular  
22 business or enterprise; provided further that nothing herein  
23 contained shall be construed to bar an employer from refusing to  
24 accept for employment or to promote any person over 70 years of  
25 age; provided further that it shall not be an unlawful employment  
26 practice for a club exclusively social or fraternal to use club  
27 membership as a uniform qualification for employment, or for a  
28 religious association or organization to utilize religious affiliation  
29 as a uniform qualification in the employment of clergy, religious  
30 teachers or other employees engaged in the religious activities of  
31 the association or organization, or in following the tenets of its  
32 religion in establishing and utilizing criteria for employment of an  
33 employee; provided further, that it shall not be an unlawful  
34 employment practice to require the retirement of any employee  
35 who, for the two-year period immediately before retirement, is  
36 employed in a bona fide executive or a high policy-making position,  
37 if that employee is entitled to an immediate non-forfeitable annual  
38 retirement benefit from a pension, profit sharing, savings or  
39 deferred retirement plan, or any combination of those plans, of the  
40 employer of that employee which equals in the aggregate at least  
41 \$27,000.00; and provided further that an employer may restrict  
42 employment to citizens of the United States where such restriction  
43 is required by federal law or is otherwise necessary to protect the  
44 national interest.

45 The provisions of subsections a. and b. of section 57 of  
46 P.L.2003, c.246 (C.34:11A-20), and the provisions of section 58 of  
47 P.L.2003, c.246 (C.26:8A-11), shall not be deemed to be an  
48 unlawful discrimination under P.L.1945, c.169 (C.10:5-1 et seq.).

1 For the purposes of this subsection, a "bona fide executive" is a  
2 top level employee who exercises substantial executive authority  
3 over a significant number of employees and a large volume of  
4 business. A "high policy-making position" is a position in which a  
5 person plays a significant role in developing policy and in  
6 recommending the implementation thereof.

7 b. For a labor organization, because of the race, creed, color,  
8 national origin, ancestry, age, marital status, civil union status,  
9 domestic partnership status, affectional or sexual orientation,  
10 gender identity or expression, disability, pregnancy, or sex of any  
11 individual, or because of the liability for service in the Armed  
12 Forces of the United States or nationality of any individual, to  
13 exclude or to expel from its membership such individual or to  
14 discriminate in any way against any of its members, against any  
15 applicant for, or individual included in, any apprentice or other  
16 training program or against any employer or any individual  
17 employed by an employer; provided, however, that nothing herein  
18 contained shall be construed to bar a labor organization from  
19 excluding from its apprentice or other training programs any person  
20 on the basis of sex in those certain circumstances where sex is a  
21 bona fide occupational qualification reasonably necessary to the  
22 normal operation of the particular apprentice or other training  
23 program.

24 c. For any employer or employment agency to print or circulate  
25 or cause to be printed or circulated any statement, advertisement or  
26 publication, or to use any form of application for employment, or to  
27 make an inquiry in connection with prospective employment, which  
28 expresses, directly or indirectly, any limitation, specification or  
29 discrimination as to race, creed, color, national origin, ancestry,  
30 age, marital status, civil union status, domestic partnership status,  
31 affectional or sexual orientation, gender identity or expression,  
32 disability, nationality, pregnancy, or sex or liability of any applicant  
33 for employment for service in the Armed Forces of the United  
34 States, or any intent to make any such limitation, specification or  
35 discrimination, unless based upon a bona fide occupational  
36 qualification.

37 d. For any person to take reprisals against any person because  
38 that person has opposed any practices or acts forbidden under this  
39 act or because that person has filed a complaint, testified or assisted  
40 in any proceeding under this act or to coerce, intimidate, threaten or  
41 interfere with any person in the exercise or enjoyment of, or on  
42 account of that person having aided or encouraged any other person  
43 in the exercise or enjoyment of, any right granted or protected by  
44 this act.

45 e. For any person, whether an employer or an employee or not,  
46 to aid, abet, incite, compel or coerce the doing of any of the acts  
47 forbidden under this act, or to attempt to do so.

1 f. (1) For any owner, lessee, proprietor, manager,  
2 superintendent, agent, or employee of any place of public  
3 accommodation directly or indirectly to refuse, withhold from or  
4 deny to any person any of the accommodations, advantages,  
5 facilities or privileges thereof, or to discriminate against any person  
6 in the furnishing thereof, or directly or indirectly to publish,  
7 circulate, issue, display, post or mail any written or printed  
8 communication, notice, or advertisement to the effect that any of  
9 the accommodations, advantages, facilities, or privileges of any  
10 such place will be refused, withheld from, or denied to any person  
11 on account of the race, creed, color, national origin, ancestry,  
12 marital status, civil union status, domestic partnership status,  
13 pregnancy, sex, gender identity or expression, affectional or sexual  
14 orientation, disability, liability for service in the Armed Forces of  
15 the United States or nationality of such person, or that the patronage  
16 or custom thereat of any person of any particular race, creed, color,  
17 national origin, ancestry, marital status, civil union status, domestic  
18 partnership status, pregnancy status, sex, gender identity or  
19 expression, affectional or sexual orientation, disability, liability for  
20 service in the Armed Forces of the United States or nationality is  
21 unwelcome, objectionable or not acceptable, desired or solicited,  
22 and the production of any such written or printed communication,  
23 notice or advertisement, purporting to relate to any such place and  
24 to be made by any owner, lessee, proprietor, superintendent or  
25 manager thereof, shall be presumptive evidence in any action that  
26 the same was authorized by such person; provided, however, that  
27 nothing contained herein shall be construed to bar any place of  
28 public accommodation which is in its nature reasonably restricted  
29 exclusively to individuals of one sex, and which shall include but  
30 not be limited to any summer camp, day camp, or resort camp,  
31 bathhouse, dressing room, swimming pool, gymnasium, comfort  
32 station, dispensary, clinic or hospital, or school or educational  
33 institution which is restricted exclusively to individuals of one sex,  
34 provided individuals shall be admitted based on their gender  
35 identity or expression, from refusing, withholding from or denying  
36 to any individual of the opposite sex any of the accommodations,  
37 advantages, facilities or privileges thereof on the basis of sex;  
38 provided further, that the foregoing limitation shall not apply to any  
39 restaurant as defined in R.S.33:1-1 or place where alcoholic  
40 beverages are served.

41 (2) Notwithstanding the definition of "a place of public  
42 accommodation" as set forth in subsection 1. of section 5 of  
43 P.L.1945, c.169 (C.10:5-5), for any owner, lessee, proprietor,  
44 manager, superintendent, agent, or employee of any private club or  
45 association to directly or indirectly refuse, withhold from or deny to  
46 any individual who has been accepted as a club member and has  
47 contracted for or is otherwise entitled to full club membership any  
48 of the accommodations, advantages, facilities or privileges thereof,

1 or to discriminate against any member in the furnishing thereof on  
2 account of the race, creed, color, national origin, ancestry, marital  
3 status, civil union status, domestic partnership status, pregnancy,  
4 sex, gender identity, or expression, affectional or sexual orientation,  
5 disability, liability for service in the Armed Forces of the United  
6 States or nationality of such person.

7 In addition to the penalties otherwise provided for a violation of  
8 P.L.1945, c.169 (C.10:5-1 et seq.), if the violator of paragraph (2)  
9 of subsection f. of this section is the holder of an alcoholic beverage  
10 license issued under the provisions of R.S.33:1-12 for that private  
11 club or association, the matter shall be referred to the Director of  
12 the Division of Alcoholic Beverage Control who shall impose an  
13 appropriate penalty in accordance with the procedures set forth in  
14 R.S.33:1-31.

15 g. For any person, including but not limited to, any owner,  
16 lessee, sublessee, assignee or managing agent of, or other person  
17 having the right of ownership or possession of or the right to sell,  
18 rent, lease, assign, or sublease any real property or part or portion  
19 thereof, or any agent or employee of any of these:

20 (1) To refuse to sell, rent, lease, assign, or sublease or otherwise  
21 to deny to or withhold from any person or group of persons any real  
22 property or part or portion thereof because of race, creed, color,  
23 national origin, ancestry, marital status, civil union status, domestic  
24 partnership status, pregnancy, sex, gender identity or expression,  
25 affectional or sexual orientation, familial status, disability,  
26 nationality, or source of lawful income used for rental or mortgage  
27 payments;

28 (2) To discriminate against any person or group of persons  
29 because of race, creed, color, national origin, ancestry, marital  
30 status, civil union status, domestic partnership status, pregnancy,  
31 sex, gender identity or expression, affectional or sexual orientation,  
32 familial status, disability, liability for service in the Armed Forces  
33 of the United States, nationality or source of lawful income used for  
34 rental or mortgage payments in the terms, conditions or privileges  
35 of the sale, rental or lease of any real property or part or portion  
36 thereof or in the furnishing of facilities or services in connection  
37 therewith;

38 (3) To print, publish, circulate, issue, display, post or mail, or  
39 cause to be printed, published, circulated, issued, displayed, posted  
40 or mailed any statement, advertisement, publication or sign, or to  
41 use any form of application for the purchase, rental, lease,  
42 assignment or sublease of any real property or part or portion  
43 thereof, or to make any record or inquiry in connection with the  
44 prospective purchase, rental, lease, assignment, or sublease of any  
45 real property, or part or portion thereof which expresses, directly or  
46 indirectly, any limitation, specification or discrimination as to race,  
47 creed, color, national origin, ancestry, marital status, civil union  
48 status, domestic partnership status, pregnancy, sex, gender identity,

1 or expression, affectional or sexual orientation, familial status,  
2 disability, liability for service in the Armed Forces of the United  
3 States, nationality, or source of lawful income used for rental or  
4 mortgage payments, or any intent to make any such limitation,  
5 specification or discrimination, and the production of any such  
6 statement, advertisement, publicity, sign, form of application,  
7 record, or inquiry purporting to be made by any such person shall  
8 be presumptive evidence in any action that the same was authorized  
9 by such person; provided, however, that nothing contained in this  
10 subsection shall be construed to bar any person from refusing to  
11 sell, rent, lease, assign or sublease or from advertising or recording  
12 a qualification as to sex for any room, apartment, flat in a dwelling  
13 or residential facility which is planned exclusively for and occupied  
14 by individuals of one sex to any individual of the exclusively  
15 opposite sex on the basis of sex provided individuals shall be  
16 qualified based on their gender identity or expression;

17 (4) To refuse to sell, rent, lease, assign, or sublease or otherwise  
18 to deny to or withhold from any person or group of persons any real  
19 property or part or portion thereof because of the source of any  
20 lawful income received by the person or the source of any lawful  
21 rent payment to be paid for the real property; or

22 (5) To refuse to rent or lease any real property to another person  
23 because that person's family includes children under 18 years of  
24 age, or to make an agreement, rental or lease of any real property  
25 which provides that the agreement, rental or lease shall be rendered  
26 null and void upon the birth of a child. This paragraph shall not  
27 apply to housing for older persons as defined in subsection mm. of  
28 section 5 of P.L.1945, c.169 (C.10:5-5).

29 h. For any person, including but not limited to, any real estate  
30 broker, real estate salesperson, or employee or agent thereof:

31 (1) To refuse to sell, rent, assign, lease or sublease, or offer for  
32 sale, rental, lease, assignment, or sublease any real property or part  
33 or portion thereof to any person or group of persons or to refuse to  
34 negotiate for the sale, rental, lease, assignment, or sublease of any  
35 real property or part or portion thereof to any person or group of  
36 persons because of race, creed, color, national origin, ancestry,  
37 marital status, civil union status, domestic partnership status,  
38 familial status, pregnancy, sex, gender identity or expression,  
39 affectional or sexual orientation, disability, liability for service in  
40 the Armed Forces of the United States, nationality, or source of  
41 lawful income used for rental or mortgage payments, or to represent  
42 that any real property or portion thereof is not available for  
43 inspection, sale, rental, lease, assignment, or sublease when in fact  
44 it is so available, or otherwise to deny or withhold any real property  
45 or any part or portion of facilities thereof to or from any person or  
46 group of persons because of race, creed, color, national origin,  
47 ancestry, marital status, civil union status, domestic partnership  
48 status, familial status, pregnancy, sex, gender identity or expression,

1 affectional or sexual orientation, disability, liability for service in  
2 the Armed Forces of the United States or nationality;

3 (2) To discriminate against any person because of race, creed,  
4 color, national origin, ancestry, marital status, civil union status,  
5 domestic partnership status, familial status, pregnancy, sex, gender  
6 identity or expression, affectional or sexual orientation, disability,  
7 liability for service in the Armed Forces of the United States,  
8 nationality, or source of lawful income used for rental or mortgage  
9 payments in the terms, conditions or privileges of the sale, rental,  
10 lease, assignment or sublease of any real property or part or portion  
11 thereof or in the furnishing of facilities or services in connection  
12 therewith;

13 (3) To print, publish, circulate, issue, display, post, or mail, or  
14 cause to be printed, published, circulated, issued, displayed, posted  
15 or mailed any statement, advertisement, publication or sign, or to  
16 use any form of application for the purchase, rental, lease,  
17 assignment, or sublease of any real property or part or portion  
18 thereof or to make any record or inquiry in connection with the  
19 prospective purchase, rental, lease, assignment, or sublease of any  
20 real property or part or portion thereof which expresses, directly or  
21 indirectly, any limitation, specification or discrimination as to race,  
22 creed, color, national origin, ancestry, marital status, civil union  
23 status, domestic partnership status, familial status, pregnancy, sex,  
24 gender identity or expression, affectional or sexual orientation,  
25 disability, liability for service in the Armed Forces of the United  
26 States, nationality, or source of lawful income used for rental or  
27 mortgage payments or any intent to make any such limitation,  
28 specification or discrimination, and the production of any such  
29 statement, advertisement, publicity, sign, form of application,  
30 record, or inquiry purporting to be made by any such person shall  
31 be presumptive evidence in any action that the same was authorized  
32 by such person; provided, however, that nothing contained in this  
33 subsection h., shall be construed to bar any person from refusing to  
34 sell, rent, lease, assign or sublease or from advertising or recording  
35 a qualification as to sex for any room, apartment, flat in a dwelling  
36 or residential facility which is planned exclusively for and occupied  
37 exclusively by individuals of one sex to any individual of the  
38 opposite sex on the basis of sex, provided individuals shall be  
39 qualified based on their gender identity or expression;

40 (4) To refuse to sell, rent, lease, assign, or sublease or otherwise  
41 to deny to or withhold from any person or group of persons any real  
42 property or part or portion thereof because of the source of any  
43 lawful income received by the person or the source of any lawful  
44 rent payment to be paid for the real property; or

45 (5) To refuse to rent or lease any real property to another person  
46 because that person's family includes children under 18 years of  
47 age, or to make an agreement, rental or lease of any real property  
48 which provides that the agreement, rental or lease shall be rendered

1 null and void upon the birth of a child. This paragraph shall not  
2 apply to housing for older persons as defined in subsection mm. of  
3 section 5 of P.L.1945, c.169 (C.10:5-5).

4 i. For any person, bank, banking organization, mortgage  
5 company, insurance company or other financial institution, lender  
6 or credit institution involved in the making or purchasing of any  
7 loan or extension of credit, for whatever purpose, whether secured  
8 by residential real estate or not, including but not limited to  
9 financial assistance for the purchase, acquisition, construction,  
10 rehabilitation, repair or maintenance of any real property or part or  
11 portion thereof or any agent or employee thereof:

12 (1) To discriminate against any person or group of persons  
13 because of race, creed, color, national origin, ancestry, marital  
14 status, civil union status, domestic partnership status, pregnancy,  
15 sex, gender identity or expression, affectional or sexual orientation,  
16 disability, liability for service in the Armed Forces of the United  
17 States, familial status or nationality, in the granting, withholding,  
18 extending, modifying, renewing, or purchasing, or in the fixing of  
19 the rates, terms, conditions or provisions of any such loan,  
20 extension of credit or financial assistance or purchase thereof or in  
21 the extension of services in connection therewith;

22 (2) To use any form of application for such loan, extension of  
23 credit or financial assistance or to make record or inquiry in  
24 connection with applications for any such loan, extension of credit  
25 or financial assistance which expresses, directly or indirectly, any  
26 limitation, specification or discrimination as to race, creed, color,  
27 national origin, ancestry, marital status, civil union status, domestic  
28 partnership status, pregnancy, sex, gender identity or expression,  
29 affectional or sexual orientation, disability, liability for service in  
30 the Armed Forces of the United States, familial status or nationality  
31 or any intent to make any such limitation, specification or  
32 discrimination; unless otherwise required by law or regulation to  
33 retain or use such information;

34 (3) (Deleted by amendment, P.L.2003, c.180).

35 (4) To discriminate against any person or group of persons  
36 because of the source of any lawful income received by the person  
37 or the source of any lawful rent payment to be paid for the real  
38 property; or

39 (5) To discriminate against any person or group of persons  
40 because that person's family includes children under 18 years of  
41 age, or to make an agreement or mortgage which provides that the  
42 agreement or mortgage shall be rendered null and void upon the  
43 birth of a child. This paragraph shall not apply to housing for older  
44 persons as defined in subsection mm. of section 5 of P.L.1945,  
45 c.169 (C.10:5-5).

46 j. For any person whose activities are included within the  
47 scope of this act to refuse to post or display such notices concerning

1 the rights or responsibilities of persons affected by this act as the  
2 Attorney General may by regulation require.

3 k. For any real estate broker, real estate salesperson or  
4 employee or agent thereof or any other individual, corporation,  
5 partnership, or organization, for the purpose of inducing a  
6 transaction for the sale or rental of real property from which  
7 transaction such person or any of its members may benefit  
8 financially, to represent that a change has occurred or will or may  
9 occur in the composition with respect to race, creed, color, national  
10 origin, ancestry, marital status, civil union status, domestic  
11 partnership status, familial status, pregnancy, sex, gender identity or  
12 expression, affectional or sexual orientation, disability, liability for  
13 service in the Armed Forces of the United States, nationality, or  
14 source of lawful income used for rental or mortgage payments of  
15 the owners or occupants in the block, neighborhood or area in  
16 which the real property is located, and to represent, directly or  
17 indirectly, that this change will or may result in undesirable  
18 consequences in the block, neighborhood or area in which the real  
19 property is located, including, but not limited to the lowering of  
20 property values, an increase in criminal or anti-social behavior, or a  
21 decline in the quality of schools or other facilities.

22 l. For any person to refuse to buy from, sell to, lease from or  
23 to, license, contract with, or trade with, provide goods, services or  
24 information to, or otherwise do business with any other person on  
25 the basis of the race, creed, color, national origin, ancestry, age,  
26 pregnancy, sex, gender identity or expression, affectional or sexual  
27 orientation, marital status, civil union status, domestic partnership  
28 status, liability for service in the Armed Forces of the United States,  
29 disability, nationality, or source of lawful income used for rental or  
30 mortgage payments of such other person or of such other person's  
31 spouse, partners, members, stockholders, directors, officers,  
32 managers, superintendents, agents, employees, business associates,  
33 suppliers, or customers. This subsection shall not prohibit refusals  
34 or other actions (1) pertaining to employee-employer collective  
35 bargaining, labor disputes, or unfair labor practices, or (2) made or  
36 taken in connection with a protest of unlawful discrimination or  
37 unlawful employment practices.

38 m. For any person to:

39 (1) Grant or accept any letter of credit or other document which  
40 evidences the transfer of funds or credit, or enter into any contract  
41 for the exchange of goods or services, where the letter of credit,  
42 contract, or other document contains any provisions requiring any  
43 person to discriminate against or to certify that he, she or it has not  
44 dealt with any other person on the basis of the race, creed, color,  
45 national origin, ancestry, age, pregnancy, sex, gender identity or  
46 expression, affectional or sexual orientation, marital status, civil  
47 union status, domestic partnership status, disability, liability for  
48 service in the Armed Forces of the United States, or nationality of

1 such other person or of such other person's spouse, partners,  
2 members, stockholders, directors, officers, managers,  
3 superintendents, agents, employees, business associates, suppliers,  
4 or customers.

5 (2) Refuse to grant or accept any letter of credit or other  
6 document which evidences the transfer of funds or credit, or refuse  
7 to enter into any contract for the exchange of goods or services, on  
8 the ground that it does not contain such a discriminatory provision  
9 or certification.

10 The provisions of this subsection shall not apply to any letter of  
11 credit, contract, or other document which contains any provision  
12 pertaining to employee-employer collective bargaining, a labor  
13 dispute or an unfair labor practice, or made in connection with the  
14 protest of unlawful discrimination or an unlawful employment  
15 practice, if the other provisions of such letter of credit, contract, or  
16 other document do not otherwise violate the provisions of this  
17 subsection.

18 n. For any person to aid, abet, incite, compel, coerce, or induce  
19 the doing of any act forbidden by subsections l. and m. of section  
20 11 of P.L.1945, c.169 (C.10:5-12), or to attempt, or to conspire to  
21 do so. Such prohibited conduct shall include, but not be limited to:

22 (1) Buying from, selling to, leasing from or to, licensing,  
23 contracting with, trading with, providing goods, services, or  
24 information to, or otherwise doing business with any person  
25 because that person does, or agrees or attempts to do, any such act  
26 or any act prohibited by this subsection; or

27 (2) Boycotting, commercially blacklisting or refusing to buy  
28 from, sell to, lease from or to, license, contract with, provide goods,  
29 services or information to, or otherwise do business with any person  
30 because that person has not done or refuses to do any such act or  
31 any act prohibited by this subsection; provided that this subsection  
32 shall not prohibit refusals or other actions either pertaining to  
33 employee-employer collective bargaining, labor disputes, or unfair  
34 labor practices, or made or taken in connection with a protest of  
35 unlawful discrimination or unlawful employment practices.

36 o. For any multiple listing service, real estate brokers'  
37 organization or other service, organization or facility related to the  
38 business of selling or renting dwellings to deny any person access  
39 to or membership or participation in such organization, or to  
40 discriminate against such person in the terms or conditions of such  
41 access, membership, or participation, on account of race, creed,  
42 color, national origin, ancestry, age, marital status, civil union  
43 status, domestic partnership status, familial status, pregnancy, sex,  
44 gender identity or expression, affectional or sexual orientation,  
45 disability, liability for service in the Armed Forces of the United  
46 States or nationality.

47 p. Nothing in the provisions of this section shall affect the  
48 ability of an employer to require employees to adhere to reasonable

1 workplace appearance, grooming and dress standards not precluded  
2 by other provisions of State or federal law, except that an employer  
3 shall allow an employee to appear, groom and dress consistent with  
4 the employee's gender identity or expression.

5 q. (1) For any employer to impose upon a person as a  
6 condition of obtaining or retaining employment, including  
7 opportunities for promotion, advancement or transfers, any terms or  
8 conditions that would require a person to violate or forego a  
9 sincerely held religious practice or religious observance, including  
10 but not limited to the observance of any particular day or days or  
11 any portion thereof as a Sabbath or other holy day in accordance  
12 with the requirements of the religion or religious belief, unless,  
13 after engaging in a bona fide effort, the employer demonstrates that  
14 it is unable to reasonably accommodate the employee's religious  
15 observance or practice without undue hardship on the conduct of the  
16 employer's business. Notwithstanding any other provision of law to  
17 the contrary, an employee shall not be entitled to premium wages or  
18 premium benefits for work performed during hours to which those  
19 premium wages or premium benefits would ordinarily be  
20 applicable, if the employee is working during those hours only as an  
21 accommodation to his religious requirements. Nothing in this  
22 subsection q. shall be construed as reducing:

23 (a) The number of the hours worked by the employee which are  
24 counted towards the accruing of seniority, pension or other benefits;  
25 or

26 (b) Any premium wages or benefits provided to an employee  
27 pursuant to a collective bargaining agreement.

28 (2) For an employer to refuse to permit an employee to utilize  
29 leave, as provided for in this subsection q., which is solely used to  
30 accommodate the employee's sincerely held religious observance or  
31 practice. Except where it would cause an employer to incur an  
32 undue hardship, no person shall be required to remain at his place  
33 of employment during any day or days or portion thereof that, as a  
34 requirement of his religion, he observes as his Sabbath or other holy  
35 day, including a reasonable time prior and subsequent thereto for  
36 travel between his place of employment and his home; provided that  
37 any such absence from work shall, wherever practicable in the  
38 reasonable judgment of the employer, be made up by an equivalent  
39 amount of time and work at some other mutually convenient time,  
40 or shall be charged against any leave with pay ordinarily granted,  
41 other than sick leave, and any such absence not so made up or  
42 charged, may be treated by the employer of that person as leave  
43 taken without pay.

44 (3) (a) For purposes of this subsection q., "undue hardship"  
45 means an accommodation requiring unreasonable expense or  
46 difficulty, unreasonable interference with the safe or efficient  
47 operation of the workplace or a violation of a bona fide seniority

1 system or a violation of any provision of a bona fide collective  
2 bargaining agreement.

3 (b) In determining whether the accommodation constitutes an  
4 undue hardship, the factors considered shall include:

5 (i) The identifiable cost of the accommodation, including the  
6 costs of loss of productivity and of retaining or hiring employees or  
7 transferring employees from one facility to another, in relation to  
8 the size and operating cost of the employer.

9 (ii) The number of individuals who will need the particular  
10 accommodation for a sincerely held religious observance or  
11 practice.

12 (iii) For an employer with multiple facilities, the degree to which  
13 the geographic separateness or administrative or fiscal relationship  
14 of the facilities will make the accommodation more difficult or  
15 expensive.

16 (c) An accommodation shall be considered to constitute an  
17 undue hardship if it will result in the inability of an employee to  
18 perform the essential functions of the position in which he or she is  
19 employed.

20 (d) (i) The provisions of this subsection q. shall be applicable  
21 only to reasonable accommodations of religious observances and  
22 shall not supersede any definition of undue hardship or standards  
23 for reasonable accommodation of the disabilities of employees.

24 (ii) This subsection q. shall not apply where the uniform  
25 application of terms and conditions of attendance to employees is  
26 essential to prevent undue hardship to the employer. The burden of  
27 proof regarding the applicability of this subparagraph (d) shall be  
28 upon the employer.

29 r. For any employer to take reprisals against any employee for  
30 requesting from any other employee or former employee of the  
31 employer information regarding the job title, occupational category,  
32 and rate of compensation, including benefits, of any employee or  
33 former employee of the employer, or the gender, race, ethnicity,  
34 military status, or national origin of any employee or former  
35 employee of the employer, regardless of whether the request was  
36 responded to, if the purpose of the request for the information was  
37 to assist in investigating the possibility of the occurrence of, or in  
38 taking of legal action regarding, potential discriminatory treatment  
39 concerning pay, compensation, bonuses, other compensation, or  
40 benefits. Nothing in this subsection shall be construed to require an  
41 employee to disclose such information about the employee herself  
42 to any other employee or former employee of the employer or to  
43 any authorized representative of the other employee or former  
44 employee.

45 s. For an employer to treat, for employment-related purposes, a  
46 woman employee that the employer knows, or should know, is  
47 affected by pregnancy in a manner less favorable than the treatment  
48 of other persons not affected by pregnancy but similar in their

1 ability or inability to work. In addition, an employer of an  
2 employee who is a woman affected by pregnancy shall make  
3 available to the employee reasonable accommodation in the  
4 workplace, such as bathroom breaks, breaks for increased water  
5 intake, periodic rest, assistance with manual labor, job restructuring  
6 or modified work schedules, and temporary transfers to less  
7 strenuous or hazardous work, for needs related to the pregnancy  
8 when the employee, based on the advice of her physician, requests  
9 the accommodation, unless the employer can demonstrate that  
10 providing the accommodation would be an undue hardship on the  
11 business operations of the employer. The employer shall not in any  
12 way penalize the employee in terms, conditions or privileges of  
13 employment for requesting or using the accommodation. Workplace  
14 accommodation provided pursuant to this subsection and paid or  
15 unpaid leave provided to an employee affected by pregnancy shall  
16 not be provided in a manner less favorable than accommodations or  
17 leave provided to other employees not affected by pregnancy but  
18 similar in their ability or inability to work. This subsection shall  
19 not be construed as otherwise increasing or decreasing any  
20 employee's rights under law to paid or unpaid leave in connection  
21 with pregnancy.

22 For the purposes of this section "pregnancy" means pregnancy,  
23 childbirth, or medical conditions related to pregnancy or childbirth,  
24 including recovery from childbirth.

25 For the purposes of this subsection, in determining whether an  
26 accommodation would impose undue hardship on the operation of  
27 an employer's business, the factors to be considered include: the  
28 overall size of the employer's business with respect to the number  
29 of employees, number and type of facilities, and size of budget; the  
30 type of the employer's operations, including the composition and  
31 structure of the employer's workforce; the nature and cost of the  
32 accommodation needed, taking into consideration the availability of  
33 tax credits, tax deductions, and outside funding; and the extent to  
34 which the accommodation would involve waiver of an essential  
35 requirement of a job as opposed to a tangential or non-business  
36 necessity requirement.

37 (cf: P.L.2013, c.220, s.2)

38

39 4. Section 12 of P.L.1992, c.146 (C.10:5-12.5) is amend to read  
40 as follows:

41 12. a. It shall be an unlawful discrimination for a municipality,  
42 county or other local civil or political subdivision of the State of  
43 New Jersey, or an officer, employee, or agent thereof, to exercise  
44 the power to regulate land use or housing in a manner that  
45 discriminates on the basis of race, creed, color, national origin,  
46 ancestry, marital status, familial status, sex, gender identity or  
47 expression, liability for service in the Armed Forces of the United  
48 States, nationality or disability.

1       b. Notwithstanding the provisions of section 12 of P.L.1945,  
2 c.169 (C.10:5-13) any person claiming to be aggrieved by an  
3 unlawful discrimination under this section shall enforce this section  
4 by private right of action in Superior Court. This section shall not  
5 apply to discrimination in housing owned or managed by a  
6 municipality, county or other local civil or political subdivision of  
7 the State of New Jersey where such discrimination is otherwise  
8 prohibited by section 11 of P.L.1945, c.169 (C.10:5-12).

9 (cf: P.L.2006, c.100, s.10)

10

11       5. Section 1 of P.L.1983, c.197 (C.10:5-39) is amended to read  
12 as follows:

13       1. As used in this act:

14       a. "Affirmative action program for veterans **【of the Vietnam**  
15 **era】**" means a plan guaranteeing to veterans **【of the Vietnam era】**  
16 an equal employment opportunity, which includes but is not limited  
17 to the following areas: recruitment, selection, hiring, training,  
18 promotion, transfer, layoff, return from layoff, compensation, and  
19 fringe benefits.

20       b. "Public works contract" means any contract exceeding  
21 \$250,000.00 in price to be performed for or on behalf of the State  
22 for the construction, alteration, or repair of any building or public  
23 work.

24       c. "Veteran **【of the Vietnam era】**" means any soldier, sailor,  
25 marine, airman, nurse or army field clerk, who has served at least  
26 90 days in the active military, naval or air service of the United  
27 States **【, commencing in the period between the dates of January 1,**  
28 **1960 and August 1, 1974,】** and has been discharged or released  
29 therefrom under conditions other than dishonorable, and who has  
30 presented to the Civil Service Commission of New Jersey full and  
31 convincing evidence of such record of service on or before the date  
32 of making application for a position governed by this act. The 90  
33 day requirement for active service is exclusive of any time such  
34 veteran was assigned: (1) for a course of education or training under  
35 the Army Specialized Training Program or the Navy College  
36 Training Program, which course was a continuation of his civilian  
37 course and was pursued to completion; or (2) as a cadet or  
38 midshipman at one of the service academies**【, any part of which 90**  
39 **days was served between said dates】**; and exclusive of any service  
40 performed pursuant to the provisions of section 511(d) of Title 10,  
41 United States Code, pursuant to an enlistment in the Army or Air  
42 Force National Guard or as a reserve for service in the Army  
43 Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve,  
44 or Coast Guard Reserve; provided, that any person receiving an  
45 actual, service-incurred injury or disability shall be classed as a

1 veteran, whether or not he has completed the 90 days' service as  
2 herein provided.

3 (cf: P.L.1983, c.197, s.1)

4

5 6. Section 2 of P.L.1983, c.197 (C.10:5-40) is amended to read  
6 as follows:

7 2. Each public works contract shall contain appropriate  
8 provisions in which contractors, subcontractors, or their assignees  
9 shall guarantee an equal employment opportunity to veterans [of  
10 the Vietnam era]. If any veteran believes any contractor of the  
11 State has failed to comply or refuses to comply with the provisions  
12 of the contractor's contract relating to the employment of [Vietnam  
13 era] veterans, such veteran may file a complaint with the State  
14 Treasurer, who shall promptly investigate such complaint and take  
15 appropriate action.

16 (cf: P.L.1983, c.197, s.2)

17

18 7. Section 3 of P.L.1983, c.197 (C.10:5-41) is amended to read  
19 as follows:

20 3. The State Treasurer shall prescribe an affirmative action  
21 program for veterans [of the Vietnam era]. The Treasurer shall  
22 designate an appropriate official in the Department of the Treasury  
23 to receive and investigate any complaints charging discriminatory  
24 employment practices toward such veterans.

25 (cf: P.L.1983, c.197, s.3)

26

27 8. This act shall take effect immediately.

28

29

30

#### STATEMENT

31

32 This bill would extend full protection under the Law Against  
33 Discrimination (LAD) to persons having liability for service in the  
34 Armed Forces of the United States. Under current law, such persons  
35 are listed as a protected class in some provisions of the LAD, but  
36 not in others. This bill would make it clear that these persons are  
37 entitled to the same protection under the LAD as other protected  
38 classes, including protection against discrimination in employment,  
39 public accommodations, housing, land use, lending, and association  
40 membership.

41 The bill would also extend to all veterans an existing law that  
42 requires contractors and subcontractors on State construction  
43 contracts to guarantee equal employment opportunity to Vietnam  
44 veterans.

ASSEMBLY MILITARY AND VETERANS' AFFAIRS  
COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 4460**

with committee amendments

**STATE OF NEW JERSEY**

DATED: MARCH 6, 2017

The Assembly Military and Veterans' Affairs Committee reports favorably and with committee amendments Assembly, No. 4460.

As amended, this bill would extend full protection under the Law Against Discrimination (LAD) to persons having liability for service in the Armed Forces of the United States. Under current law, such persons are listed as a protected class in some provisions of the LAD, but not in others. This bill would make it clear that these persons are entitled to the same protection under the LAD as other protected classes, including protection against discrimination in employment, public accommodations, housing, land use, lending, and association membership.

The bill would also extend to all veterans an existing law that requires contractors and subcontractors on State construction contracts to guarantee equal employment opportunity to Vietnam veterans.

Assembly Bill No. 4460 (1R) is identical to Senate Bill No. 726 (1R) of 2016-2017.

COMMITTEE AMENDMENTS

The committee amended the bill to add a phrase regarding persons entitled to protection under the Law Against Discrimination that was inadvertently omitted.

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## Governor Christie Takes Action On Pending Legislation

Monday, August 7, 2017

Tags: [Bill Action](#)

Trenton, NJ - Governor Chris Christie today announced that he has taken action on the following pending legislation:

### **BILL SIGNINGS:**

**S-169/A-4329 (Bateman/McKeon, Zwicker)** - Allows certain emergency squad volunteers holding municipal elective office to vote on emergency squad concerns

**S-452/A-838 (Sacco, Greenstein/Jimenez, Moriarty)** - Requires waiver of dealer obligation regarding necessary repairs impacting vehicle inspection to include description of known defects

**S-678/A-4967 (Rice/Watson, Tucker, Caputo)** - Requires local government units to certify compliance with certain federal hiring requirements when filing annual budgets

**S-726/A-4460 (Cruz-Perez, Oroho/Jones, Mosquera, Downey, Johnson)** – Extends full protection of Law Against Discrimination to persons having liability for service in Armed Forces of United States; guarantees equal employment opportunity in State contracting to all veterans

**S-996wGR/A-1378 (Rice, Van Drew, Turner/Muoio, Benson, Pintor Marin, Quijano, Schaer)** – Requires report on status of lead-safe program in DCA

**S-1219/A-936 (Holzapfel, Allen/Wolfe, McGuckin, Oliver, Giblin, Wimberly)** - Requires reporting of suspected abuse of institutionalized elderly to police and that facility employees receive notice of reporting requirement annually; designated as "Peggy's Law"

**S-1359/A-4096 (A.R. Bucco, Stack/A.M. Bucco, Vainieri Huttie, McKnight, Mazzeo)** - Guarantees full and equal access to all housing to disabled persons who retain their retired service or guide dog as a pet, and who also obtain a new service or guide dog

**S-1497/A-3225 (A.R. Bucco, Pennacchio/Dancer, Clifton, Munoz, A.M. Bucco)** - Designates Killed in Action flag as an official State flag; mandates it be displayed at certain public buildings

**SCS for S-1640, 1642, 1013/AS AS ACS for A-3152, 3154, 2426 (Van Drew, Holzapfel, Singer, Turner/Andrzejczak, McGuckin, Land, Wolfe, Vainieri Huttie, Taliaferro, Benson)** - Establishes requirements concerning necessary care of dogs, domestic companion animals, and service animals, and for tethering of dogs

**S-1660/A-770 (Van Drew, Cruz-Perez/Andrzejczak, Land, Houghtaling, DeAngelo, Johnson)** - Provides for voluntary contributions by taxpayers on gross income tax returns for maintenance of certain State memorials honoring war veterans

**S-1731/A-2368 (Gordon, Allen/Vainieri Huttie)** - Permits municipality to establish civil penalty for smoking in public places

**S-1739/A-2167 (Turner, Diegnan/Johnson, Vainieri Huttie, Wimberly)** - Establishes sexual assault training requirements for law enforcement officers

**S-1750/A-2729 (Madden, Cruz-Perez/A.M. Bucco, DeAngelo, Space, Mosquera, Wisniewski, DeCroce, Mukherji, Jones)** - Establishes special motorcycle license plates for veterans

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### More Information

[Letter Regarding S3074 \[pdf 45kB\]](#)

**S-1808/A-3342 (Van Drew, Diegnan/Karabinchak)** - Designates striped bass as NJ State Saltwater Fish; redesignates brook trout as NJ Freshwater Fish

**S-2153/A-3520 (Gordon/Eustace, Sumter, Wimberly, Vainieri Huttie, Johnson)** – Requires NJTA to study impact of constructing rail stations at certain park and ride facilities

**S-2369/A-4152 (Whelan, Van Drew, Connors/Andrzejczak, Mazzeo, Land, Burzichelli)** - Limits application of DEP shellfish habitat rules for certain dredging activities

**S-2457/A-3999 (Van Drew, Oroho/Houghtaling, Andrzejczak, Mazzeo, Space, Downey)** - Enables collection of voluntary contributions for Jersey Fresh Program through gross income tax returns

**S-2578/A-4239 (Cunningham, Pou, Gordon/Sumter, Jasey, Benson, Muoio, Downey, Mukherji)** - Revises New Jersey College Loans to Assist State Students Loan Program to require applicants first exhaust federal student loans, require income verification, and limit total student loan amounts

**S-2884/A-4484 (Whelan, Greenstein/Eustace, Quijano, Chiaravalloti, Caride)** - Declares that deed restrictions or agreements that prevent raising or constructing of a structure to certain flood elevation standards are unenforceable

**S-2892/A-5042 (Sweeney/Giblin)** - Exempts certain real estate brokers, broker-salespersons and salespersons from continuing education requirement

**S-3074/A-4586 (Lesniak, Turner/Johnson, Oliver, Holley, Chiaravalloti)** - Establishes gubernatorial veto power over Waterfront Commission of New York Harbor's meeting minutes; expands gubernatorial oversight powers over commission

**S-3244/A-4854 (Sweeney, Allen/Singleton, Burzichelli, Taliaferro)** - Designates portion of Interstate Highway Route 295 in West Deptford Township as "State Trooper Sean E. Cullen Memorial Highway"

**A-445/S-1661 (Mazzeo, Pinkin, DeAngelo, Chiaravalloti/Van Drew, A.R. Bucco)** - Provides for voluntary contributions by taxpayers on gross income tax returns for the NJ World War II Veterans' Memorial Fund

**A-1185/S-2771 (Mosquera, Holley, Moriarty, Quijano/Cruz-Perez, Van Drew)** - Requires State Comptroller to report findings of audit compliance reviews

**A-1199/S-1326 (Mosquera, Moriarty, Lagana, Zwicker, Downey/Turner, Oroho)** - Permits a victim or witness of any age to testify by closed circuit television under certain circumstances in prosecutions for domestic violence, sexual assault, and certain other crimes

**ACS for A-1690/SCS SCS for S-660, 2002 (Dancer, Singleton, Andrzejczak, Land, Benson, Moriarty, Houghtaling/Turner, Beach, Van Drew)** - Allows fire district elections to be moved to November; eliminates certain fire district budget referenda; and eliminates certain fire district capital purchase referenda

**A-1953/S-2448 (Coughlin, Lagana, Muoio, Benson, Houghtaling, Danielsen, Mukherji/Vitale, Whelan)** - Allows installment payments for senior and disabled property taxpayers to repay overpayments of homestead credits and homestead property tax reimbursements

**A-1955/SCS for S-1795 (Jones, Lampitt, Phoebus, Space/A.R. Bucco, Oroho)** - Provides for voluntary discharge of personal representatives overseeing administration of estates by application to the Surrogate's Court

**A-2176/S-156 (Taliaferro, Eustace, Benson, Mazzeo, Chiaravalloti/Madden, Ruiz)** - Criminalizes possession and sale of alpha-pyrrolidinopentophenone (alpha-PVP), commonly known as "flakka" or "flocka"

**A-3056/SCS for S-2360, 3030 (Taliaferro, Dancer, Houghtaling, Space, Andrzejczak, Webber/Allen, Greenstein, Bateman, Smith, Wimberly)** – Requires DEP to establish voluntary guidelines for K-12 schools and institutions of higher education to reduce, recover, and recycle food waste; extends "Food Bank Good Samaritan Act" immunity protections to public and nonpublic schools.

**A-3058/S-2366 (Space, Taliaferro, Dancer, Houghtaling, Andrzejczak/Oroho, Ruiz)** - Establishes Farm to School Coordinating Council

**A-3381 (McKnight, Holley, Vainieri Huttie, Houghtaling, Chiaravalloti, Quijano, Gordon)** – Authorizes municipal volunteer programs for free removal of snow from certain residential properties occupied by seniors or disabled persons.

**A-3386/S-2711 (Schaer, Vainieri Huttie, Chiaravalloti, Caride, Mukherji, Wimberly/Vitale, Rice)** - Provides protections for children under the age of 18 with developmental disabilities and individuals with developmental disabilities ages 18-21 receiving services from Division of Children's System of Care

**A-3437/S-1076 (DeAngelo, Gusciora, Land, Andrzejczak/Turner)** - Designates "Garden State" as State Slogan

**A-3896/S-2790 (Sumter, Mukherji, Pintor Marin/Scutari, Turner)** - Concerns sale of certain tires

**A-3908/S-3021 (Mazzeo, DeAngelo, Mukherji, Houghtaling, Quijano/Whelan, T. Kean)** - Establishes 9/11 Memorial Registry

**A-3911/S-2863 (Wisniewski, Vainieri Huttie, Mukherji/Cardinale, Pennacchio)** - Provides that motor vehicle registration expires on registrant's numerical calendar day of birth

**A-4164/S-2588 (Houghtaling, Downey, Holley, Muoio, Webber/Van Drew, Cruz-Perez)** - Requires State Auditor to annually report on unspent State account balances

**A-4206/S-2676 (Karabinchak, Prieto, Webber, Holley/Diegnan, A.R. Bucco)** - Requires candidates for election to school board to file with their nominating petitions specific affirmation that they have not been convicted of crimes that would disqualify them from office

**A-4230/S-3141 (Conaway, O'Scanlon, Mukherji, Pintor Marin/Codey)** - Requires health insurance carriers; SHBP, and SEHBP to inform covered persons about organ and tissue donation

**ACS for A-4432/SCS for S-2841 (Schaer, Lampitt, Benson, Singleton, Chiaravalloti, Wimberly/Cunningham)** - Provides increased tax credit amounts under Grow New Jersey Assistance Program for certain businesses that have collaborative research relationships with colleges or universities

**A-4542/S-2986 (Mazzeo, Johnson, Land, Andrzejczak, DeCrocce/Van Drew)** - Designates portion of State Highway Route 55 as "State Trooper Frankie L. Williams Memorial Highway"

**A-4580/S-2989 (Taliaferro, Burzichelli, Quijano, Houghtaling/Lesniak, Oroho)** - Appropriates \$2,900,000 from "2009 Farmland Preservation Fund" for grants to certain nonprofit organizations for farmland preservation purposes

**A-4581/S-2987 (Houghtaling, Andrzejczak, Singleton, Downey/Cruz-Perez, Oroho)** - Appropriates \$22,385,743 to State Agriculture Development Committee for farmland preservation purposes

**A-4582/S-2990 (Andrzejczak, Mazzeo, Taliaferro, Zwicker, Houghtaling/Whelan, Van Drew)** - Appropriates \$32.5 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for county planning incentive grants

**A-4584/S-2988 (Zwicker, Taliaferro, Burzichelli, Houghtaling/Sweeney)** - Appropriates \$7,500,000 from constitutionally dedicated CBT revenues for planning incentive grants to municipalities for farmland preservation purposes

**A-4630/S-1938 (Jones/Cruz-Perez)** - Repeals law regulating charges assessed by a miller for grinding grain

**A-4673/S-3095 (Houghtaling, Downey/Van Drew)** - Concerns assessment of buildings or structures on real property located in certain counties following material depreciation thereof

**A-4713/S-3235 (Burzichelli, Prieto, Gusciora, DeAngelo, Benson/Kyrillos, Whelan)** - Designates building where NJEDA is located in memory of Caren Franzini to commemorate her outstanding service to State

**A-4895/S-3056 (Egan, Sumter, Pinkin/Cunningham)** - Eliminates UI exemption for interns employed by hospitals

#### **BILL VETOED:**

**S-2214/A-3847 (Turner, Cunningham/Lampitt, Mukherji, Johnson, Eustace) - CONDITIONAL** - Requires institutions of higher education and proprietary degree-granting institutions to improve transparency of tuition and fees

###

Press Contact:  
Brian Murray  
609-777-2600



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Office of the Governor  
PO Box 001  
Trenton, NJ 08625  
609-292-6000