

10:5-12

LEGISLATIVE FACT SHEET

on *Loan credit -- discrim. prohibited.*

N.J.R.S. 10:5-12

(1975 Amendment)

LAWS OF 1975
 SENATE BILL 259 (3rd OCR)
 INTRODUCED *pre-filed*
 SPONSOR'S STATEMENT
 ASSEMBLY COMMITTEE STATEMENT
 SENATE COMMITTEE STATEMENT
 FISCAL NOTE
 AMENDED DURING PASSAGE
 HEARING *None discovered*
 VETO

CHAPTER 35
 ASSEMBLY BILL
 BY *Dodd*
 YES NO
 YES NO
 YES NO
 YES NO
 YES NO

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SENATE JUDICIARY COMMITTEE
 STATEMENT TO
SENATE, No. 259
 with Committee amendments

STATE OF NEW JERSEY

DATED: APRIL 25, 1974

This bill amends the Law Against Discrimination so that it will cover all loans, rather than just those related to real property.

JA/PC
 11/7/75

[THIRD OFFICIAL COPY REPRINT]

SENATE, No. 259

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1974 SESSION

By Senator DODD

AN ACT to amend the "Law Against Discrimination," approved
April 16, 1945 (P. L. 1945, c. 169).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

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

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

5 a. For an employer, because of the race, creed, color, national
6 origin, ancestry, age, marital status or sex of any individual, or
7 because of the liability for service in the Armed Forces of the
8 United States, of any individual, to refuse to hire or employ or to
9 bar or to discharge from employment such individual or to dis-
10 criminate against such individual in compensation or in terms, con-
11 ditions or privileges of employment; provided, however, it shall
12 not be an unlawful employment practice to refuse to accept for
13 employment an applicant who has received a notice of induction or
14 orders to report for active duty in the armed forces; provided
15 further that nothing herein contained shall be construed to bar an
16 employer from refusing to accept for employment any person on
17 the basis of sex in those certain circumstances where sex is a bona
18 fide occupational qualification, reasonably necessary to the normal
19 operation of the particular business or enterprise.

20 b. For a labor organization, because of the race, creed, color,
21 national origin, ancestry, age, marital status or sex of any
22 individual, or because of the liability for service in the Armed
23 Forces of the United States, of any individual, to exclude or to
24 expel from its membership such individual or to discriminate in
25 any way against any of its members, against any applicant for, or

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

26 individual included in, any apprentice or other training program
27 or against any employer or any individual employed by an em-
28 ployer; provided, however, that nothing herein contained shall be
29 construed to bar a labor organization from excluding from its ap-
30 prentice or other training programs any person on the basis of sex
31 in those certain circumstances where sex is a bona fide occupational
32 qualification reasonably necessary to the normal operation of the
33 particular apprentice or other training program.

34 c. For any employer or employment agency to print or circulate
35 or cause to be printed or circulated any statement, advertisement
36 or publication, or to use any form of application for employment,
37 or to make an inquiry in connection with prospective employment,
38 which expresses, directly or indirectly, any limitation, specification
39 or discrimination as to race, creed, color, national origin, ancestry,
40 age, marital status or sex or liability of any applicant for employ-
41 ment for service in the Armed Forces of the United States, or
42 any intent to make any such limitation, specification or discrim-
43 ination, unless based upon a bona fide occupational qualification.

44 d. For any person to take reprisals against any person because
45 he has opposed any practices or acts forbidden under this act or
46 because he has filed a complaint, testified or assisted in any proceed-
47 ing under this act.

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

51 f. For any owner, lessee, proprietor, manager, superintendent,
52 agent, or employee of any place of public accommodation directly
53 or indirectly to refuse, withhold from or deny to any person any
54 of the accommodations, advantages, facilities or privileges thereof,
55 or to discriminate against any person in the furnishing thereof,
56 or directly or indirectly to publish, circulate, issue, display, post or
57 mail any written or printed communication, notice, or advertise-
58 ment to the effect that any of the accommodations, advantages,
59 facilities, or privileges of any such place will be refused, withheld
60 from, or denied to any person on account of the race, creed, color,
61 national origin, ancestry, marital status or sex of such person, or
62 that the patronage or custom thereat of any person of any par-
63 ticular race, creed, color, national origin, ancestry, marital status
64 or sex is unwelcome, objectionable or not acceptable, desired or
65 solicited, and the production of any such written or printed com-
66 munication, notice or advertisement, purporting to relate to any
67 such place and to be made by any owner, lessee, proprietor, super-

68 intendent, or manager thereof, shall be presumptive evidence in
69 any action that the same was authorized by such person; provided,
70 however, that nothing contained herein shall be construed to bar
71 any place of public accommodation which is in its nature reasonably
72 restricted exclusively to individuals of one sex, and which shall
73 include but not be limited to any summer camp, day camp or resort
74 camp, bathhouse, dressing room, swimming pool, gymnasium, com-
75 fort station, dispensary, clinic or hospital, or school or educational
76 institution which is restricted exclusively to individuals of one sex,
77 from refusing, withholding from or denying to any individual of
78 the opposite sex any of the accommodations, advantages, facilities
79 or privileges thereof on the basis of sex; provided further, that the
80 foregoing limitation shall not apply to any restaurant as defined in
81 R. S. 33:1-1 or place where alcoholic beverages are served.

82 g. For the owner, lessee, sublessee, assignee or managing agent
83 of, or other person having the right of ownership or possession of
84 or the right to sell, rent, lease, assign, or sublease any real property
85 or part or portion thereof, or any agent or employee of any of these:
86 (1) to refuse to sell, rent, lease, assign, or sublease or otherwise
87 to deny to or withhold from any person or group of persons any
88 real property or part or portion thereof because of the race, creed,
89 color, national origin, ancestry, marital status or sex of such person
90 or group of persons;

91 (2) to discriminate against any person or group of persons be-
92 cause of the race, creed, color, national origin, marital status
93 or sex of such person or group of persons in the terms, conditions
94 or privileges of the sale, rental or lease of any real property or part
95 or portion thereof or in the furnishing of facilities or services in
96 connection therewith; or

97 (3) to print, publish, circulate, issue, display, post or mail, or
98 cause to be printed, published, circulated, issued, displayed, posted
99 or mailed any statement, advertisement, publication or sign, or to
100 use any form of application for the purchase, rental, lease, assign-
101 ment or sublease of any real property or part or portion thereof,
102 or to make any record or inquiry in connection with the prospective
103 purchase, rental, lease, assignment, or sublease of any real prop-
104 erty, or part or portion thereof which expresses, directly or in-
105 directly, any limitation, specification or discrimination as to race,
106 creed, color, national origin, ancestry, marital status or sex or any
107 intent to make any such limitation, specification or discrimination,
108 and the production of any such statement, advertisement, publicity,
109 sign, form of application, record, or inquiry purporting to be made

110 by any such person shall be presumptive evidence in any action
111 that the same was authorized by such person; provided, however,
112 that nothing contained in this subsection shall be construed to bar
113 any person from refusing to sell, rent, lease, assign or sublease or
114 from advertising or recording a qualification as to sex for any room,
115 apartment, flat in a dwelling or residential facility which is planned
116 exclusively for and occupied by individuals of one sex to any in-
117 dividual of the exclusively opposite sex on the basis of sex.

118 h. For any real estate broker, real estate salesman or employee
119 or agent thereof:

120 (1) to refuse to sell, rent, assign, lease or sublease, or offer for
121 sale, rental, lease, assignment, or sublease any real property or part
122 or portion thereof to any person or group of persons or to refuse
123 to negotiate for the sale, rental, lease, assignment, or sublease of
124 any real property or part or portion thereof to any person or group
125 of persons because of the race, creed, color, national origin, ances-
126 try, marital status or sex of such person or group of persons, or
127 to represent that any real property or portion thereof is not avail-
128 able for inspection, sale, rental, lease, assignment, or sublease when
129 in fact it is so available, or otherwise to deny or withhold any real
129A property or any part or portion or facilities thereof to or from any
130 person or group of persons because of the race, creed, color, national
131 origin, ancestry, marital status or sex of such person or group of
132 persons;

133 (2) to discriminate against any person because of his race, creed,
134 color, national origin, ancestry, marital status or sex in the terms,
135 conditions or privileges of the sale, rental, lease, assignment or
136 sublease of any real property or part or portion thereof or in the
137 furnishing of facilities or services in connection therewith; or

138 (3) to print, publish, circulate, issue, display, post, or mail, or
139 cause to be printed, published, circulated, issued, displayed, posted
140 or mailed, any statement, advertisement, publication or sign, or
141 to use any form of application for the purchase, rental, lease,
142 assignment, or sublease of any real property or part or portion
143 thereof or to make any record or inquiry in connection with the pro-
144 spective purchase, rental, lease, assignment, or sublease of any real
145 property or part or portion thereof which expresses, directly or
146 indirectly, any limitation, specification or discrimination as to
147 race, creed, color, national origin, ancestry, marital status or sex
148 or any intent to make any such limitation, specification or discrim-
149 ination, and the production of any such statement, advertisement,
150 publicity, sign, form of application, record, or inquiry purporting

151 to be made by any such person shall be presumptive evidence in
 152 any action that the same was authorized by such person; provided,
 153 however, that nothing contained in this subsection h., shall be con-
 154 strued to bar any person from refusing to sell, rent, lease, assign
 155 or sublease or from advertising or recording a qualification as to
 156 sex for any room, apartment, flat in a dwelling or residential facility
 157 which is planned exclusively for and occupied exclusively by in-
 158 dividuals of one sex to any individual of the opposite sex on the
 159 basis of sex.

160 i. For any person, bank, banking organization, mortgage com-
 161 pany, insurance company or other financial institution**, [or]**
 162 lender ***or credit institution*** to whom application is made for
 163 *any loan **or extension of credit** including but not limited to an*
 164 *application for financial assistance for the purchase, acquisition,*
 165 *construction, rehabilitation, repair or maintenance of any real prop-*
 166 *erty or part or portion thereof or any agent or employee thereof:*
 167 (1) to discriminate against any person or group of persons
 168 because of the race, creed, color, national origin, ancestry, marital
 169 status or sex of such person or group of persons or of the prospec-
 170 tive occupants or tenants of such real property or part or portion
 171 thereof, in the granting, withholding, extending, modifying or
 172 renewing, or in the fixing of the rates, terms, conditions or
 173 provisions of any such **[.]* loan**, extension of credit** or finan-*
 174 *cial assistance or in the extension of services in connection*
 175 *therewith; or*

176 (2) to use any form of application for such **loan**, extension*
 177 *of credit** or* financial assistance or to make any record or inquiry*
 178 *in connection with applications for any such loan**, extension of*
 179 *credit** or financial assistance which expresses, directly or*
 180 *indirectly, any limitation, specification or discrimination as to race,*
 181 *creed, color, national origin, ancestry, marital status or sex or any*
 182 *intent to make any such limitation, specification or discrimina-*
 183 *tion***; unless otherwise required by law or regulation to retain*
 184 *or use such information***.*

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

189 ****k. For any real estate broker, real estate salesman or em-*
 190 *ployee or agent thereof or any other individual, corporation, part-*
 191 *nership, or organization, for the purpose of inducing a transaction*
 192 *for the sale or rental of real property from which transaction such*

193 *person or any of its members may benefit financially, to represent*
194 *that a change has occurred or will or may occur in the composition*
195 *with respect to race, creed, color, national origin, ancestry, marital*
196 *status or sex of the owners or occupants in the block, neighborhood*
197 *or area in which the real property is located, and to represent,*
198 *directly or indirectly, that this change will or may result in un-*
199 *desirable consequences in the block, neighborhood or area in which*
200 *the real property is located, including, but not limited to the low-*
201 *ering of property values, an increase in criminal or anti-social*
202 *behavior, or a decline in the quality of schools or other facilities.****

1 2. This act shall take effect immediately.

SENATE, No. 259

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1974 SESSION

By Senator DODD

AN ACT to amend the "Law Against Discrimination," approved
April 16, 1945 (P. L. 1945, c. 169).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

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

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

5 a. For an employer, because of the race, creed, color, national
6 origin, ancestry, age, marital status or sex of any individual, or
7 because of the liability for service in the Armed Forces of the
8 United States, of any individual, to refuse to hire or employ or to
9 bar or to discharge from employment such individual or to dis-
10 criminate against such individual in compensation or in terms, con-
11 ditions or privileges of employment; provided, however, it shall
12 not be an unlawful employment practice to refuse to accept for
13 employment an applicant who has received a notice of induction or
14 orders to report for active duty in the armed forces; provided
15 further that nothing herein contained shall be construed to bar an
16 employer from refusing to accept for employment any person on
17 the basis of sex in those certain circumstances where sex is a bona
18 fide occupational qualification, reasonably necessary to the normal
19 operation of the particular business or enterprise.

20 b. For a labor organization, because of the race, creed, color,
21 national origin, ancestry, age, marital status or sex of any
22 individual, or because of the liability for service in the Armed
23 Forces of the United States, of any individual, to exclude or to
24 expel from its membership such individual or to discriminate in
25 any way against any of its members, against any applicant for, or
26 individual included in, any apprentice or other training program
27 or against any employer or any individual employed by an em-

28 ployer; provided, however, that nothing herein contained shall be
29 construed to bar a labor organization from excluding from its ap-
30 prentice or other training programs any person on the basis of sex
31 in those certain circumstances where sex is a bona fide occupational
32 qualification reasonably necessary to the normal operation of the
33 particular apprentice or other training program.

34 c. For any employer or employment agency to print or circulate
35 or cause to be printed or circulated any statement, advertisement
36 or publication, or to use any form of application for employment,
37 or to make an inquiry in connection with prospective employment,
38 which expresses, directly or indirectly, any limitation, specification
39 or discrimination as to race, creed, color, national origin, ancestry,
40 age, marital status or sex or liability of any applicant for employ-
41 ment for service in the Armed Forces of the United States, or
42 any intent to make any such limitation, specification or discrim-
43 ination, unless based upon a bona fide occupational qualification.

44 d. For any person to take reprisals against any person because
45 he has opposed any practices or acts forbidden under this act or
46 because he has filed a complaint, testified or assisted in any proceed-
47 ing under this act.

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

51 f. For any owner, lessee, proprietor, manager, superintendent,
52 agent, or employee of any place of public accommodation directly
53 or indirectly to refuse, withhold from or deny to any person any
54 of the accommodations, advantages, facilities or privileges thereof,
55 or to discriminate against any person in the furnishing thereof,
56 or directly or indirectly to publish, circulate, issue, display, post or
57 mail any written or printed communication, notice, or advertise-
58 ment to the effect that any of the accommodations, advantages,
59 facilities, or privileges of any such place will be refused, withheld
60 from, or denied to any person on account of the race, creed, color,
61 national origin, ancestry, marital status or sex of such person, or
62 that the patronage or custom thereat of any person of any par-
63 ticular race, creed, color, national origin, ancestry, marital status
64 or sex is unwelcome, objectionable or not acceptable, desired or
65 solicited, and the production of any such written or printed com-
66 munication, notice or advertisement, purporting to relate to any
67 such place and to be made by any owner, lessee, proprietor, super-
68 intendent, or manager thereof, shall be presumptive evidence in
69 any action that the same was authorized by such person; provided,

70 however, that nothing contained herein shall be construed to bar
71 any place of public accommodation which is in its nature reasonably
72 restricted exclusively to individuals of one sex, and which shall
73 include but not be limited to any summer camp, day camp or resort
74 camp, bathhouse, dressing room, swimming pool, gymnasium, com-
75 fort station, dispensary, clinic or hospital, or school or educational
76 institution which is restricted exclusively to individuals of one sex,
77 from refusing, withholding from or denying to any individual of
78 the opposite sex any of the accommodations, advantages, facilities
79 or privileges thereof on the basis of sex; provided further, that the
80 foregoing limitation shall not apply to any restaurant as defined in
81 R. S. 33:1-1 or place where alcoholic beverages are served.

82 g. For the owner, lessee, sublessee, assignee or managing agent
83 of, or other person having the right of ownership or possession of
84 or the right to sell, rent, lease, assign, or sublease any real property
85 or part or portion thereof, or any agent or employee of any of these:

86 (1) to refuse to sell, rent, lease, assign, or sublease or otherwise
87 to deny to or withhold from any person or group of persons any
88 real property or part or portion thereof because of the race, creed,
89 color, national origin, ancestry, marital status or sex of such person
90 or group of persons;

91 (2) to discriminate against any person or group of persons be-
92 cause of the race, creed, color, national origin, marital status
93 or sex of such person or group of persons in the terms, conditions
94 or privileges of the sale, rental or lease of any real property or part
95 or portion thereof or in the furnishing of facilities or services in
96 connection therewith; or

97 (3) to print, publish, circulate, issue, display, post or mail, or
98 cause to be printed, published, circulated, issued, displayed, posted
99 or mailed any statement, advertisement, publication or sign, or to
100 use any form of application for the purchase, rental, lease, assign-
101 ment or sublease of any real property or part or portion thereof,
102 or to make any record or inquiry in connection with the prospective
103 purchase, rental, lease, assignment, or sublease of any real prop-
104 erty, or part or portion thereof which expresses, directly or in-
105 directly, any limitation, specification or discrimination as to race,
106 creed, color, national origin, ancestry, marital status or sex or any
107 intent to make any such limitation, specification or discrimination,
108 and the production of any such statement, advertisement, publicity,
109 sign, form of application, record, or inquiry purporting to be made
110 by any such person shall be presumptive evidence in any action
111 that the same was authorized by such person; provided, however,

112 that nothing contained in this subsection shall be construed to bar
113 any person from refusing to sell, rent, lease, assign or sublease or
114 from advertising or recording a qualification as to sex for any room,
115 apartment, flat in a dwelling or residential facility which is planned
116 exclusively for and occupied by individuals of one sex to any in-
117 dividual of the exclusively opposite sex on the basis of sex.

118 h. For any real estate broker, real estate salesman or employee
119 or agent thereof:

120 (1) to refuse to sell, rent, assign, lease or sublease, or offer for
121 sale, rental, lease, assignment, or sublease any real property or part
122 or portion thereof to any person or group of persons or to refuse
123 to negotiate for the sale, rental, lease, assignment, or sublease of
124 any real property or part or portion thereof to any person or group
125 of persons because of the race, creed, color, national origin, ances-
126 try, marital status or sex of such person or group of persons, or
127 to represent that any real property or portion thereof is not avail-
128 able for inspection, sale, rental, lease, assignment, or sublease when
129 in fact it is so available, or otherwise to deny or withhold any real
129A property or any part or portion or facilities thereof to or from any
130 person or group of persons because of the race, creed, color, national
131 origin, ancestry, marital status or sex of such person or group of
132 persons;

133 (2) to discriminate against any person because of his race, creed,
134 color, national origin, ancestry, marital status or sex in the terms,
135 conditions or privileges of the sale, rental, lease, assignment or
136 sublease of any real property or part or portion thereof or in the
137 furnishing of facilities or services in connection therewith; or

138 (3) to print, publish, circulate, issue, display, post, or mail, or
139 cause to be printed, published, circulated, issued, displayed, posted
140 or mailed, any statement, advertisement, publication or sign, or
141 to use any form of application for the purchase, rental, lease,
142 assignment, or sublease of any real property or part or portion
143 thereof or to make any record or inquiry in connection with the pro-
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152 any action that the same was authorized by such person; provided,

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154 strued to bar any person from refusing to sell, rent, lease, assign
155 or sublease or from advertising or recording a qualification as to
156 sex for any room, apartment, flat in a dwelling or residential facility
157 which is planned exclusively for and occupied exclusively by in-
158 dividuals of one sex to any individual of the opposite sex on the
159 basis of sex.

160 i. For any person, bank, banking organization, mortgage com-
161 pany, insurance company or other financial institution or lender to
162 whom application is made for *any loan including but not limited to*
163 *an application for* financial assistance for the purchase, acquisition,
164 construction, rehabilitation, repair or maintenance of any real
165 property or part or portion thereof or any agent or employee
166 thereof:

167 (1) to discriminate against any person or group of persons
168 because of the race, creed, color, national origin, ancestry, marital
169 status or sex of such person or group of persons or of the prospec-
170 tive occupants or tenants of such real property or part or portion
171 thereof, in the granting, withholding, extending, modifying or
172 renewing, or in the fixing of the rates, terms, conditions or
173 provisions of any such, *loan or* financial assistance or in the exten-
174 sion of services in connection therewith; or

175 (2) to use any form of application for such financial assistance
176 or to make any record or inquiry in connection with applications
177 for any such *loan or* financial assistance which expresses, directly
178 or indirectly, any limitation, specification or discrimination as to
179 race, creed, color, national origin, ancestry, marital status or sex
180 or any intent to make any such limitation, specification or dis-
181 crimination.

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

1 2. This act shall take effect immediately.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 259

with Committee amendments

STATE OF NEW JERSEY

DATED: APRIL 25, 1974

This bill amends the Law Against Discrimination so that it will cover all loans, rather than just those related to real property.

SENATE COMMITTEE AMENDMENTS TO

SENATE, No. 259

STATE OF NEW JERSEY

ADOPTED APRIL 25, 1974

Amend page 5, section 1, line 173, omit “,”.

Amend page 5, section 1, line 175, after “such”, insert “loan or”.

[OFFICIAL COPY REPRINT]

SENATE, No. 259

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1974 SESSION

By Senator DODD

AN ACT to amend the "Law Against Discrimination," approved
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2 *of New Jersey:*

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7 because of the liability for service in the Armed Forces of the
8 United States, of any individual, to refuse to hire or employ or to
9 bar or to discharge from employment such individual or to dis-
10 criminate against such individual in compensation or in terms, con-
11 ditions or privileges of employment; provided, however, it shall
12 not be an unlawful employment practice to refuse to accept for
13 employment an applicant who has received a notice of induction or
14 orders to report for active duty in the armed forces; provided
15 further that nothing herein contained shall be construed to bar an
16 employer from refusing to accept for employment any person on
17 the basis of sex in those certain circumstances where sex is a bona
18 fide occupational qualification, reasonably necessary to the normal
19 operation of the particular business or enterprise.

20 b. For a labor organization, because of the race, creed, color,
21 national origin, ancestry, age, marital status or sex of any
22 individual, or because of the liability for service in the Armed
23 Forces of the United States, of any individual, to exclude or to
24 expel from its membership such individual or to discriminate in
25 any way against any of its members, against any applicant for, or

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

26 individual included in, any apprentice or other training program
27 or against any employer or any individual employed by an em-
28 ployer; provided, however, that nothing herein contained shall be
29 construed to bar a labor organization from excluding from its ap-
30 prentice or other training programs any person on the basis of sex
31 in those certain circumstances where sex is a bona fide occupational
32 qualification reasonably necessary to the normal operation of the
33 particular apprentice or other training program.

34 c. For any employer or employment agency to print or circulate
35 or cause to be printed or circulated any statement, advertisement
36 or publication, or to use any form of application for employment,
37 or to make an inquiry in connection with prospective employment,
38 which expresses, directly or indirectly, any limitation, specification
39 or discrimination as to race, creed, color, national origin, ancestry,
40 age, marital status or sex or liability of any applicant for employ-
41 ment for service in the Armed Forces of the United States, or
42 any intent to make any such limitation, specification or discrim-
43 ination, unless based upon a bona fide occupational qualification.

44 d. For any person to take reprisals against any person because
45 he has opposed any practices or acts forbidden under this act or
46 because he has filed a complaint, testified or assisted in any proceed-
47 ing under this act.

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

51 f. For any owner, lessee, proprietor, manager, superintendent,
52 agent, or employee of any place of public accommodation directly
53 or indirectly to refuse, withhold from or deny to any person any
54 of the accommodations, advantages, facilities or privileges thereof,
55 or to discriminate against any person in the furnishing thereof,
56 or directly or indirectly to publish, circulate, issue, display, post or
57 mail any written or printed communication, notice, or advertise-
58 ment to the effect that any of the accommodations, advantages,
59 facilities, or privileges of any such place will be refused, withheld
60 from, or denied to any person on account of the race, creed, color,
61 national origin, ancestry, marital status or sex of such person, or
62 that the patronage or custom thereat of any person of any par-
63 ticular race, creed, color, national origin, ancestry, marital status
64 or sex is unwelcome, objectionable or not acceptable, desired or
65 solicited, and the production of any such written or printed com-
66 munication, notice or advertisement, purporting to relate to any
67 such place and to be made by any owner, lessee, proprietor, super-

68 intendent, or manager thereof, shall be presumptive evidence in
69 any action that the same was authorized by such person; provided,
70 however, that nothing contained herein shall be construed to bar
71 any place of public accommodation which is in its nature reasonably
72 restricted exclusively to individuals of one sex, and which shall
73 include but not be limited to any summer camp, day camp or resort
74 camp, bathhouse, dressing room, swimming pool, gymnasium, com-
75 fort station, dispensary, clinic or hospital, or school or educational
76 institution which is restricted exclusively to individuals of one sex,
77 from refusing, withholding from or denying to any individual of
78 the opposite sex any of the accommodations, advantages, facilities
79 or privileges thereof on the basis of sex; provided further, that the
80 foregoing limitation shall not apply to any restaurant as defined in
81 R. S. 33:1-1 or place where alcoholic beverages are served.

82 g. For the owner, lessee, sublessee, assignee or managing agent
83 of, or other person having the right of ownership or possession of
84 or the right to sell, rent, lease, assign, or sublease any real property
85 or part or portion thereof, or any agent or employee of any of these:

86 (1) to refuse to sell, rent, lease, assign, or sublease or otherwise
87 to deny to or withhold from any person or group of persons any
88 real property or part or portion thereof because of the race, creed,
89 color, national origin, ancestry, marital status or sex of such person
90 or group of persons;

91 (2) to discriminate against any person or group of persons be-
92 cause of the race, creed, color, national origin, marital status
93 or sex of such person or group of persons in the terms, conditions
94 or privileges of the sale, rental or lease of any real property or part
95 or portion thereof or in the furnishing of facilities or services in
96 connection therewith; or

97 (3) to print, publish, circulate, issue, display, post or mail, or
98 cause to be printed, published, circulated, issued, displayed, posted
99 or mailed any statement, advertisement, publication or sign, or to
100 use any form of application for the purchase, rental, lease, assign-
101 ment or sublease of any real property or part or portion thereof,
102 or to make any record or inquiry in connection with the prospective
103 purchase, rental, lease, assignment, or sublease of any real prop-
104 erty, or part or portion thereof which expresses, directly or in-
105 directly, any limitation, specification or discrimination as to race,
106 creed, color, national origin, ancestry, marital status or sex or any
107 intent to make any such limitation, specification or discrimination,
108 and the production of any such statement, advertisement, publicity,
109 sign, form of application, record, or inquiry purporting to be made

110 by any such person shall be presumptive evidence in any action
111 that the same was authorized by such person; provided, however,
112 that nothing contained in this subsection shall be construed to bar
113 any person from refusing to sell, rent, lease, assign or sublease or
114 from advertising or recording a qualification as to sex for any room,
115 apartment, flat in a dwelling or residential facility which is planned
116 exclusively for and occupied by individuals of one sex to any in-
117 dividual of the exclusively opposite sex on the basis of sex.

118 h. For any real estate broker, real estate salesman or employee
119 or agent thereof:

120 (1) to refuse to sell, rent, assign, lease or sublease, or offer for
121 sale, rental, lease, assignment, or sublease any real property or part
122 or portion thereof to any person or group of persons or to refuse
123 to negotiate for the sale, rental, lease, assignment, or sublease of
124 any real property or part or portion thereof to any person or group
125 of persons because of the race, creed, color, national origin, ances-
126 try, marital status or sex of such person or group of persons, or
127 to represent that any real property or portion thereof is not avail-
128 able for inspection, sale, rental, lease, assignment, or sublease when
129 in fact it is so available, or otherwise to deny or withhold any real
129A property or any part or portion or facilities thereof to or from any
130 person or group of persons because of the race, creed, color, national
131 origin, ancestry, marital status or sex of such person or group of
132 persons;

133 (2) to discriminate against any person because of his race, creed,
134 color, national origin, ancestry, marital status or sex in the terms,
135 conditions or privileges of the sale, rental, lease, assignment or
136 sublease of any real property or part or portion thereof or in the
137 furnishing of facilities or services in connection therewith; or

138 (3) to print, publish, circulate, issue, display, post, or mail, or
139 cause to be printed, published, circulated, issued, displayed, posted
140 or mailed, any statement, advertisement, publication or sign, or
141 to use any form of application for the purchase, rental, lease,
142 assignment, or sublease of any real property or part or portion
143 thereof or to make any record or inquiry in connection with the pro-
144 spective purchase, rental, lease, assignment, or sublease of any real
145 property or part or portion thereof which expresses, directly or
146 indirectly, any limitation, specification or discrimination as to
147 race, creed, color, national origin, ancestry, marital status or sex
148 or any intent to make any such limitation, specification or discrim-
149 ination, and the production of any such statement, advertisement,
150 publicity, sign, form of application, record, or inquiry purporting

151 to be made by any such person shall be presumptive evidence in
152 any action that the same was authorized by such person; provided,
153 however, that nothing contained in this subsection h., shall be con-
154 strued to bar any person from refusing to sell, rent, lease, assign
155 or sublease or from advertising or recording a qualification as to
156 sex for any room, apartment, flat in a dwelling or residential facility
157 which is planned exclusively for and occupied exclusively by in-
158 dividuals of one sex to any individual of the opposite sex on the
159 basis of sex.

160 i. For any person, bank, banking organization, mortgage com-
161 pany, insurance company or ~~other financial institution~~ or lender to
162 whom application is made ~~for any loan including but not limited to~~
163 *an application for* financial assistance for the purchase, acquisition,
164 construction, rehabilitation, repair or maintenance of any real
165 property or part or portion thereof or any agent or employee
166 thereof:

167 (1) to discriminate ~~against~~ any person or group of persons
168 because of the race, creed, color, national origin, ancestry, marital
169 status or sex of such person or group of persons or of the prospec-
170 tive occupants or tenants of such real property or part or portion
171 thereof, in the granting, withholding, extending, modifying or
172 renewing, or in the fixing of the rates, terms, conditions or
173 provisions of any such ~~[.]~~ *loan or* financial assistance or in the
174 extension of services in connection therewith; or

175 (2) to use any form of application for such *loan or* financial
176 assistance or to make any record or inquiry in connection with
177 applications for any such *loan or* financial assistance which
178 expresses, directly or indirectly, any limitation, specification or
179 discrimination as to race, creed, color, national origin, ancestry,
180 marital status or sex or any intent to make any such limitation,
181 specification or discrimination.

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

1 2. This act shall take effect immediately.

SENATE AMENDMENTS TO
SENATE, No. 259
[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

ADOPTED MAY 2, 1974

Amend page 5, section 1, line 161, after "institution", add "," and delete "or".

Amend page 5, section 1, line 161, after "lender", insert "or credit institution".

Amend page 5, section 1, line 162, after "loan", insert "or extension of credit".

Amend page 5, section 1, line 173, after "loan", insert ", extension of credit".

Amend page 5, section 1, line 175, after "loan", insert ", extension of credit".

Amend page 5, section 1, line 177, after "loan", insert ", extension of credit".

[SECOND OFFICIAL COPY REPRINT]

SENATE, No. 259

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1974 SESSION

By Senator DODD

AN ACT to amend the "Law Against Discrimination," approved
April 16, 1945 (P. L. 1945, c. 169).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

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

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

5 a. For an employer, because of the race, creed, color, national
6 origin, ancestry, age, marital status or sex of any individual, or
7 because of the liability for service in the Armed Forces of the
8 United States, of any individual, to refuse to hire or employ or to
9 bar or to discharge from employment such individual or to dis-
10 criminate against such individual in compensation or in terms, con-
11 ditions or privileges of employment; provided, however, it shall
12 not be an unlawful employment practice to refuse to accept for
13 employment an applicant who has received a notice of induction or
14 orders to report for active duty in the armed forces; provided
15 further that nothing herein contained shall be construed to bar an
16 employer from refusing to accept for employment any person on
17 the basis of sex in those certain circumstances where sex is a bona
18 fide occupational qualification, reasonably necessary to the normal
19 operation of the particular business or enterprise.

20 b. For a labor organization, because of the race, creed, color,
21 national origin, ancestry, age, marital status or sex of any
22 individual, or because of the liability for service in the Armed
23 Forces of the United States, of any individual, to exclude or to
24 expel from its membership such individual or to discriminate in
25 any way against any of its members, against any applicant for, or

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

26 individual included in, any apprentice or other training program
27 or against any employer or any individual employed by an em-
28 ployer; provided, however, that nothing herein contained shall be
29 construed to bar a labor organization from excluding from its ap-
30 prentice or other training programs any person on the basis of sex
31 in those certain circumstances where sex is a bona fide occupational
32 qualification reasonably necessary to the normal operation of the
33 particular apprentice or other training program.

34 c. For any employer or employment agency to print or circulate
35 or cause to be printed or circulated any statement, advertisement
36 or publication, or to use any form of application for employment,
37 or to make an inquiry in connection with prospective employment,
38 which expresses, directly or indirectly, any limitation, specification
39 or discrimination as to race, creed, color, national origin, ancestry,
40 age, marital status or sex or liability of any applicant for employ-
41 ment for service in the Armed Forces of the United States, or
42 any intent to make any such limitation, specification or discrim-
43 ination, unless based upon a bona fide occupational qualification.

44 d. For any person to take reprisals against any person because
45 he has opposed any practices or acts forbidden under this act or
46 because he has filed a complaint, testified or assisted in any proceed-
47 ing under this act.

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

51 f. For any owner, lessee, proprietor, manager, superintendent,
52 agent, or employee of any place of public accommodation directly
53 or indirectly to refuse, withhold from or deny to any person any
54 of the accommodations, advantages, facilities or privileges thereof,
55 or to discriminate against any person in the furnishing thereof,
56 or directly or indirectly to publish, circulate, issue, display, post or
57 mail any written or printed communication, notice, or advertise-
58 ment to the effect that any of the accommodations, advantages,
59 facilities, or privileges of any such place will be refused, withheld
60 from, or denied to any person on account of the race, creed, color,
61 national origin, ancestry, marital status or sex of such person, or
62 that the patronage or custom thereat of any person of any par-
63 ticular race, creed, color, national origin, ancestry, marital status
64 or sex is unwelcome, objectionable or not acceptable, desired or
65 solicited, and the production of any such written or printed com-
66 munication, notice or advertisement, purporting to relate to any
67 such place and to be made by any owner, lessee, proprietor, super-

68 intendent, or manager thereof, shall be presumptive evidence in
69 any action that the same was authorized by such person; provided,
70 however, that nothing contained herein shall be construed to bar
71 any place of public accommodation which is in its nature reasonably
72 restricted exclusively to individuals of one sex, and which shall
73 include but not be limited to any summer camp, day camp or resort
74 camp, bathhouse, dressing room, swimming pool, gymnasium, com-
75 fort station, dispensary, clinic or hospital, or school or educational
76 institution which is restricted exclusively to individuals of one sex,
77 from refusing, withholding from or denying to any individual of
78 the opposite sex any of the accommodations, advantages, facilities
79 or privileges thereof on the basis of sex; provided further, that the
80 foregoing limitation shall not apply to any restaurant as defined in
81 R. S. 33:1-1 or place where alcoholic beverages are served.

82 g. For the owner, lessee, sublessee, assignee or managing agent
83 of, or other person having the right of ownership or possession of
84 or the right to sell, rent, lease, assign, or sublease any real property
85 or part or portion thereof, or any agent or employee of any of these:

86 (1) to refuse to sell, rent, lease, assign, or sublease or otherwise
87 to deny to or withhold from any person or group of persons any
88 real property or part or portion thereof because of the race, creed,
89 color, national origin, ancestry, marital status or sex of such person
90 or group of persons;

91 (2) to discriminate against any person or group of persons be-
92 cause of the race, creed, color, national origin, marital status
93 or sex of such person or group of persons in the terms, conditions
94 or privileges of the sale, rental or lease of any real property or part
95 or portion thereof or in the furnishing of facilities or services in
96 connection therewith; or

97 (3) to print, publish, circulate, issue, display, post or mail, or
98 cause to be printed, published, circulated, issued, displayed, posted
99 or mailed any statement, advertisement, publication or sign, or to
100 use any form of application for the purchase, rental, lease, assign-
101 ment or sublease of any real property or part or portion thereof,
102 or to make any record or inquiry in connection with the prospective
103 purchase, rental, lease, assignment, or sublease of any real prop-
104 erty, or part or portion thereof which expresses, directly or in-
105 directly, any limitation, specification or discrimination as to race,
106 creed, color, national origin, ancestry, marital status or sex or any
107 intent to make any such limitation, specification or discrimination,
108 and the production of any such statement, advertisement, publicity,
109 sign, form of application, record, or inquiry purporting to be made

110 by any such person shall be presumptive evidence in any action
111 that the same was authorized by such person; provided, however,
112 that nothing contained in this subsection shall be construed to bar
113 any person from refusing to sell, rent, lease, assign or sublease or
114 from advertising or recording a qualification as to sex for any room,
115 apartment, flat in a dwelling or residential facility which is planned
116 exclusively for and occupied by individuals of one sex to any in-
117 dividual of the exclusively opposite sex on the basis of sex.

118 h. For any real estate broker, real estate salesman or employee
119 or agent thereof:

120 (1) to refuse to sell, rent, assign, lease or sublease, or offer for
121 sale, rental, lease, assignment, or sublease any real property or part
122 or portion thereof to any person or group of persons or to refuse
123 to negotiate for the sale, rental, lease, assignment, or sublease of
124 any real property or part or portion thereof to any person or group
125 of persons because of the race, creed, color, national origin, ances-
126 try, marital status or sex of such person or group of persons, or
127 to represent that any real property or portion thereof is not avail-
128 able for inspection, sale, rental, lease, assignment, or sublease when
129 in fact it is so available, or otherwise to deny or withhold any real
129A property or any part or portion or facilities thereof to or from any
130 person or group of persons because of the race, creed, color, national
131 origin, ancestry, marital status or sex of such person or group of
132 persons;

133 (2) to discriminate against any person because of his race, creed,
134 color, national origin, ancestry, marital status or sex in the terms,
135 conditions or privileges of the sale, rental, lease, assignment or
136 sublease of any real property or part or portion thereof or in the
137 furnishing of facilities or services in connection therewith; or

138 (3) to print, publish, circulate, issue, display, post, or mail, or
139 cause to be printed, published, circulated, issued, displayed, posted
140 or mailed, any statement, advertisement, publication or sign, or
141 to use any form of application for the purchase, rental, lease,
142 assignment, or sublease of any real property or part or portion
143 thereof or to make any record or inquiry in connection with the pro-
144 spective purchase, rental, lease, assignment, or sublease of any real
145 property or part or portion thereof which expresses, directly or
146 indirectly, any limitation, specification or discrimination as to
147 race, creed, color, national origin, ancestry, marital status or sex
148 or any intent to make any such limitation, specification or discrim-
149 ination, and the production of any such statement, advertisement,
150 publicity, sign, form of application, record, or inquiry purporting

151 to be made by any such person shall be presumptive evidence in
152 any action that the same was authorized by such person; provided,
153 however, that nothing contained in this subsection h., shall be con-
154 strued to bar any person from refusing to sell, rent, lease, assign
155 or sublease or from advertising or recording a qualification as to
156 sex for any room, apartment, flat in a dwelling or residential facility
157 which is planned exclusively for and occupied exclusively by in-
158 dividuals of one sex to any individual of the opposite sex on the
159 basis of sex.

160 i. For any person, bank, banking organization, mortgage com-
161 pany, insurance company or other financial institution**, [or]**
162 lender **or credit institution** to whom application is made for
163 *any loan** or extension of credit** including but not limited to an*
164 *application for financial assistance for the purchase, acquisition,*
165 *construction, rehabilitation, repair or maintenance of any real prop-*
166 *erty or part or portion thereof or any agent or employee thereof:*

167 (1) to discriminate against any person or group of persons
168 because of the race, creed, color, national origin, ancestry, marital
169 status or sex of such person or group of persons or of the prospec-
170 tive occupants or tenants of such real property or part or portion
171 thereof, in the granting, withholding, extending, modifying or
172 renewing, or in the fixing of the rates, terms, conditions or
173 provisions of any such ***[.]*** *loan***, *extension of credit*** or finan-
174 cial assistance or in the extension of services in connection
175 therewith; or

176 (2) to use any form of application for such *loan***, *extension*
177 *of credit*** or financial assistance or to make any record or inquiry
178 in connection with applications for any such *loan***, *extension of*
179 *credit*** or financial assistance which expresses, directly or
180 indirectly, any limitation, specification or discrimination as to race,
181 creed, color, national origin, ancestry, marital status or sex or any
182 intent to make any such limitation, specification or discrimination.

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

1 2. This act shall take effect immediately.

ASSEMBLY COMMITTEE AMENDMENTS TO
SENATE, No. 259
[SECOND OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

ADOPTED SEPTEMBER 19, 1974

Amend page 5, section 1, line 182, after "discrimination", insert
"; unless otherwise required by law or regulation to retain or use such
information".

Amend page 5, section 1, line 186, after line 186, insert new para-
graph k. as follows:

"k. For any real estate broker, real estate salesman or employee
or agent thereof or any other individual, corporation, partnership,
or organization, for the purpose of inducing a transaction for the sale
or rental of real property from which transaction such person or any
of its members may benefit financially, to represent that a change has
occurred or will or may occur in the composition with respect to race,
creed, color, national origin, ancestry, marital status or sex of the
owners or occupants in the block, neighborhood or area in which the
real property is located, and to represent, directly or indirectly, that
this change will or may result in undesirable consequences in the
block, neighborhood or area in which the real property is located,
including, but not limited to the lowering of property values, an increase
in criminal or anti-social behavior, or a decline in the quality of schools
or other facilities."

ASSEMBLY REPRINT
SENATE, No. 259
[SECOND OFFICIAL COPY REPRINT]

with Assembly committee amendments adopted September 19, 1974

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1974 SESSION

By Senator DODD

AN ACT to amend the "Law Against Discrimination," approved
April 16, 1945 (P. L. 1945, c. 169).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

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

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

5 a. For an employer, because of the race, creed, color, national
6 origin, ancestry, age, marital status or sex of any individual, or
7 because of the liability for service in the Armed Forces of the
8 United States, of any individual, to refuse to hire or employ or to
9 bar or to discharge from employment such individual or to dis-
10 criminate against such individual in compensation or in terms, con-
11 ditions or privileges of employment; provided, however, it shall
12 not be an unlawful employment practice to refuse to accept for
13 employment an applicant who has received a notice of induction or
14 orders to report for active duty in the armed forces; provided
15 further that nothing herein contained shall be construed to bar an
16 employer from refusing to accept for employment any person on
17 the basis of sex in those certain circumstances where sex is a bona
18 fide occupational qualification, reasonably necessary to the normal
19 operation of the particular business or enterprise.

20 b. For a labor organization, because of the race, creed, color,
21 national origin, ancestry, age, marital status or sex of any
22 individual, or because of the liability for service in the Armed
23 Forces of the United States, of any individual, to exclude or to
24 expel from its membership such individual or to discriminate in
25 any way against any of its members, against any applicant for, or

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

26 individual included in, any apprentice or other training program
27 or against any employer or any individual employed by an em-
28 ployer; provided, however, that nothing herein contained shall be
29 construed to bar a labor organization from excluding from its ap-
30 prentice or other training programs any person on the basis of sex
31 in those certain circumstances where sex is a bona fide occupational
32 qualification reasonably necessary to the normal operation of the
33 particular apprentice or other training program.

34 c. For any employer or employment agency to print or circulate
35 or cause to be printed or circulated any statement, advertisement
36 or publication, or to use any form of application for employment,
37 or to make an inquiry in connection with prospective employment,
38 which expresses, directly or indirectly, any limitation, specification
39 or discrimination as to race, creed, color, national origin, ancestry,
40 age, marital status or sex or liability of any applicant for employ-
41 ment for service in the Armed Forces of the United States, or
42 any intent to make any such limitation, specification or discrim-
43 ination, unless based upon a bona fide occupational qualification.

44 d. For any person to take reprisals against any person because
45 he has opposed any practices or acts forbidden under this act or
46 because he has filed a complaint, testified or assisted in any proceed-
47 ing under this act.

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

51 f. For any owner, lessee, proprietor, manager, superintendent,
52 agent, or employee of any place of public accommodation directly
53 or indirectly to refuse, withhold from or deny to any person any
54 of the accommodations, advantages, facilities or privileges thereof,
55 or to discriminate against any person in the furnishing thereof,
56 or directly or indirectly to publish, circulate, issue, display, post or
57 mail any written or printed communication, notice, or advertise-
58 ment to the effect that any of the accommodations, advantages,
59 facilities, or privileges of any such place will be refused, withheld
60 from, or denied to any person on account of the race, creed, color,
61 national origin, ancestry, marital status or sex of such person, or
62 that the patronage or custom thereat of any person of any par-
63 ticular race, creed, color, national origin, ancestry, marital status
64 or sex is unwelcome, objectionable or not acceptable, desired or
65 solicited, and the production of any such written or printed com-
66 munication, notice or advertisement, purporting to relate to any
67 such place and to be made by any owner, lessee, proprietor, super-

68 intendent, or manager thereof, shall be presumptive evidence in
69 any action that the same was authorized by such person; provided,
70 however, that nothing contained herein shall be construed to bar
71 any place of public accommodation which is in its nature reasonably
72 restricted exclusively to individuals of one sex, and which shall
73 include but not be limited to any summer camp, day camp or resort
74 camp, bathhouse, dressing room, swimming pool, gymnasium, com-
75 fort station, dispensary, clinic or hospital, or school or educational
76 institution which is restricted exclusively to individuals of one sex,
77 from refusing, withholding from or denying to any individual of
78 the opposite sex any of the accommodations, advantages, facilities
79 or privileges thereof on the basis of sex; provided further, that the
80 foregoing limitation shall not apply to any restaurant as defined in
81 R. S. 33:1-1 or place where alcoholic beverages are served.

82 g. For the owner, lessee, sublessee, assignee or managing agent
83 of, or other person having the right of ownership or possession of
84 or the right to sell, rent, lease, assign, or sublease any real property
85 or part or portion thereof, or any agent or employee of any of these:

86 (1) to refuse to sell, rent, lease, assign, or sublease or otherwise
87 to deny to or withhold from any person or group of persons any
88 real property or part or portion thereof because of the race, creed,
89 color, national origin, ancestry, marital status or sex of such person
90 or group of persons;

91 (2) to discriminate against any person or group of persons be-
92 cause of the race, creed, color, national origin, marital status
93 or sex of such person or group of persons in the terms, conditions
94 or privileges of the sale, rental or lease of any real property or part
95 or portion thereof or in the furnishing of facilities or services in
96 connection therewith; or

97 (3) to print, publish, circulate, issue, display, post or mail, or
98 cause to be printed, published, circulated, issued, displayed, posted
99 or mailed any statement, advertisement, publication or sign, or to
100 use any form of application for the purchase, rental, lease, assign-
101 ment or sublease of any real property or part or portion thereof,
102 or to make any record or inquiry in connection with the prospective
103 purchase, rental, lease, assignment, or sublease of any real prop-
104 erty, or part or portion thereof which expresses, directly or in-
105 directly, any limitation, specification or discrimination as to race,
106 creed, color, national origin, ancestry, marital status or sex or any
107 intent to make any such limitation, specification or discrimination,
108 and the production of any such statement, advertisement, publicity,
109 sign, form of application, record, or inquiry purporting to be made

110 by any such person shall be presumptive evidence in any action
111 that the same was authorized by such person; provided, however,
112 that nothing contained in this subsection shall be construed to bar
113 any person from refusing to sell, rent, lease, assign or sublease or
114 from advertising or recording a qualification as to sex for any room,
115 apartment, flat in a dwelling or residential facility which is planned
116 exclusively for and occupied by individuals of one sex to any in-
117 dividual of the exclusively opposite sex on the basis of sex.

118 h. For any real estate broker, real estate salesman or employee
119 or agent thereof:

120 (1) to refuse to sell, rent, assign, lease or sublease, or offer for
121 sale, rental, lease, assignment, or sublease any real property or part
122 or portion thereof to any person or group of persons or to refuse
123 to negotiate for the sale, rental, lease, assignment, or sublease of
124 any real property or part or portion thereof to any person or group
125 of persons because of the race, creed, color, national origin, ances-
126 try, marital status or sex of such person or group of persons, or
127 to represent that any real property or portion thereof is not avail-
128 able for inspection, sale, rental, lease, assignment, or sublease when
129 in fact it is so available, or otherwise to deny or withhold any real
129A property or any part or portion or facilities thereof to or from any
130 person or group of persons because of the race, creed, color, national
131 origin, ancestry, marital status or sex of such person or group of
132 persons;

133 (2) to discriminate against any person because of his race, creed,
134 color, national origin, ancestry, marital status or sex in the terms,
135 conditions or privileges of the sale, rental, lease, assignment or
136 sublease of any real property or part or portion thereof or in the
137 furnishing of facilities or services in connection therewith; or

138 (3) to print, publish, circulate, issue, display, post, or mail, or
139 cause to be printed, published, circulated, issued, displayed, posted
140 or mailed, any statement, advertisement, publication or sign, or
141 to use any form of application for the purchase, rental, lease,
142 assignment, or sublease of any real property or part or portion
143 thereof or to make any record or inquiry in connection with the pro-
144 spective purchase, rental, lease, assignment, or sublease of any real
145 property or part or portion thereof which expresses, directly or
146 indirectly, any limitation, specification or discrimination as to
147 race, creed, color, national origin, ancestry, marital status or sex
148 or any intent to make any such limitation, specification or discrim-
149 ination, and the production of any such statement, advertisement,
150 publicity, sign, form of application, record, or inquiry purporting

151 to be made by any such person shall be presumptive evidence in
152 any action that the same was authorized by such person; provided,
153 however, that nothing contained in this subsection h., shall be con-
154 strued to bar any person from refusing to sell, rent, lease, assign
155 or sublease or from advertising or recording a qualification as to
156 sex for any room, apartment, flat in a dwelling or residential facility
157 which is planned exclusively for and occupied exclusively by in-
158 dividuals of one sex to any individual of the opposite sex on the
159 basis of sex.

160 i. For any person, bank, banking organization, mortgage com-
161 pany, insurance company or other financial institution**, [or]**
162 lender ***or credit institution*** to whom application is made for
163 *any loan **or extension of credit** including but not limited to an*
164 *application for financial assistance for the purchase, acquisition,*
165 *construction, rehabilitation, repair or maintenance of any real prop-*
166 *erty or part or portion thereof or any agent or employee thereof:*

167 (1) to discriminate against any person or group of persons
168 because of the race, creed, color, national origin, ancestry, marital
169 status or sex of such person or group of persons or of the prospec-
170 tive occupants or tenants of such real property or part or portion
171 thereof, in the granting, withholding, extending, modifying or
172 renewing, or in the fixing of the rates, terms, conditions or
173 provisions of any such **[.]* loan**, extension of credit** or finan-*
174 *cial assistance or in the extension of services in connection*
175 *therewith; or*

176 (2) to use any form of application for such **loan**, extension*
177 *of credit** or* financial assistance or to make any record or inquiry*
178 *in connection with applications for any such loan**, extension of*
179 *credit** or financial assistance which expresses, directly or*
180 *indirectly, any limitation, specification or discrimination as to race,*
181 *creed, color, national origin, ancestry, marital status or sex or any*
182 *intent to make any such limitation, specification or discrimina-*
183 *tion***; unless otherwise required by law or regulation to retain*
184 *or use such information***.*

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

189 ***k. For any real estate broker, real estate salesman or em-
190 ployee or agent thereof or any other individual, corporation, part-
191 nership, or organization, for the purpose of inducing a transaction
192 for the sale or rental of real property from which transaction such

193 *person or any of its members may benefit financially, to represent*
194 *that a change has occurred or will or may occur in the composition*
195 *with respect to race, creed, color, national origin, ancestry, marital*
196 *status or sex of the owners or occupants in the block, neighborhood*
197 *or area in which the real property is located, and to represent,*
198 *directly or indirectly, that this change will or may result in un-*
199 *desirable consequences in the block, neighborhood or area in which*
200 *the real property is located, including, but not limited to the low-*
201 *ering of property values, an increase in criminal or anti-social*
202 *behavior, or a decline in the quality of schools or other facilities.****

1 2. This act shall take effect immediately.

FROM THE OFFICE OF THE GOVERNOR

MARCH 13, 1975

FOR FURTHER INFORMATION

FOR IMMEDIATE RELEASE

DICK CAMPBELL

Governor Brendan Byrne signed into law Thursday a bill reconstituting the Division on Aging in the State Department of Community Affairs.

The bill, A-2116, sponsored by Assemblyman Richard J. Codey, D-Essex, was signed by the Governor at a public ceremony at a meeting of the New Jersey Senior Citizens Council in the State Library.

"This bill restores the Division to the full status it deserves in dealing with the many problems facing our state's senior citizens," said Byrne.

The Governor noted that in recent years senior citizens have turned to the state more and more for help in solving their problems.

The bill also expands the scope of the Division by directing it to formulate a comprehensive, statewide master plan which identifies the needs of senior citizens, coordinates the activities of governmental agencies to meet those needs, and make recommendations to the Legislature for action.

The bill requires the master plan to be completed within 18 months. It also provides for an annual review and, if necessary, updating of the master plan and an annual report to the Governor on the previous year's programs.

The measure passed both the Senate and Assembly unanimously.

Byrne also signed into law a bill which broadens the state's civil rights law to include a prohibition against discrimination in obtaining credit.

The measure, S-259, sponsored by Senate President Frank J. Dodd, D-Essex, prohibits discrimination in obtaining credit for such reasons as race, creed, color, marital status or sex. It is aimed primarily at making credit more available to women.

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