

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 1118

Short Title: Provide Protections Against Discrimination. (Public)

Sponsors: Representatives W. Richardson, Cotham, Hamilton, and D. Hall (Primary Sponsors).

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Judiciary I, if favorable, Appropriations

May 11, 2016

A BILL TO BE ENTITLED

AN ACT TO REPEAL RESTRICTIONS ON USE OF PUBLIC BATHROOMS AND STATEWIDE PREEMPTIONS IN LAWS RELATED TO EMPLOYMENT AND PUBLIC ACCOMMODATIONS; TO REPEAL RESTRICTIONS ON LOCAL GOVERNMENT CONTRACTS; TO ADD VETERAN STATUS, SEXUAL ORIENTATION, AND GENDER IDENTITY AS CLASSES PROTECTED FROM DISCRIMINATION IN EMPLOYMENT AND PUBLIC ACCOMMODATIONS; TO PROVIDE FOR PRIVATE ENFORCEMENT OF THOSE RIGHTS; AND TO PROVIDE FUNDING FOR THE HUMAN RELATIONS COMMISSION.

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** S.L. 2016-3 is repealed.

**SECTION 1.(b)** This section becomes effective March 23, 2016.

**SECTION 2.(a)** G.S. 143-422.2 reads as rewritten:

**"§ 143-422.2. Legislative declaration.**

(a) It is the public policy of this State to protect and safeguard the right and opportunity of all persons to seek, obtain and hold employment without discrimination or abridgement on account of race, religion, color, national origin, age, sex, sexual orientation, gender identity, status as a current member or veteran of the Armed Services, or handicap by employers which regularly employ 15 or more employees.

(a1) For purposes of this Article, Armed Services is as defined in G.S. 116-143.3(a)(2).

(a2) It shall not be deemed to constitute discrimination for an employer to provide separate bathrooms or changing facilities for employees based on gender, but an employer shall provide access to such facilities based on a person's gender identity.

(b) It is recognized that the practice of denying employment opportunity and discriminating in the terms of employment foments domestic strife and unrest, deprives the State of the fullest utilization of its capacities for advancement and development, and substantially and adversely affects the interests of employees, employers, and the public in general."

**SECTION 2.(b)** Article 49A of Chapter 143 of the General Statutes is amended by adding a new section to read:

**"§ 143-422.4. Private right of action.**

An employee may bring a private action for damages against that employee's employer for a violation of this Article. In the event of a violation of this Article, as a result of intentional wrongdoing, the court shall award the employee treble damages, reasonable attorneys' fees, and costs incurred in the action."



