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Legislative Document

No. 10

S.P. 23

In Senate, January 8, 2025

**An Act to Add Political Affiliation as a Protected Class to the Maine
Human Rights Act**

Received by the Secretary of the Senate on January 6, 2025. Referred to the Committee on
Judiciary pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator LIBBY of Cumberland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA §4552**, as amended by PL 2021, c. 366, §1, is further amended to
3 read:

4 **§4552. Policy**

5 To protect the public health, safety and welfare, it is declared to be the policy of this
6 State to keep continually in review all practices infringing on the basic human right to a
7 life with dignity, and the causes of these practices, so that corrective measures may, where
8 possible, be promptly recommended and implemented, and to prevent discrimination in
9 employment, housing, education, extension of credit or access to public accommodations
10 on account of an individual's actual or perceived race, color, sex, sexual orientation or
11 gender identity, physical or mental disability, religion, political affiliation, ancestry or
12 national origin and in employment, extension of credit and access to public
13 accommodations on the basis of age; and in employment and housing on the basis of
14 familial status; and in employment because of the previous assertion of a claim or right
15 against a prior employer under former Title 39 or Title 39-A and because of protected
16 activity under Title 26, chapter 7, subchapter 5-B; and to prevent discrimination or
17 retaliation on the basis of an assertion of rights under this Act or interference with an
18 individual's right to be free from discrimination prohibited under this Act.

19 **Sec. 2. 5 MRSA §4553, sub-§6-B** is enacted to read:

20 **6-B. Party.** "Party" has the same meaning as in Title 21-A, section 1, subsection 28.

21 **Sec. 3. 5 MRSA §4553, sub-§8-I** is enacted to read:

22 **8-I. Political affiliation.** "Political affiliation" means belonging to or endorsing a
23 party or a particular political philosophy, creed or ideal.

24 **Sec. 4. 5 MRSA §4571**, as amended by PL 2021, c. 366, §4, is further amended to
25 read:

26 **§4571. Right to freedom from discrimination in employment**

27 The opportunity for an individual to secure employment without discrimination
28 because of race, color, sex, sexual orientation or gender identity, physical or mental
29 disability, religion, political affiliation, age, ancestry, national origin or familial status is
30 recognized as and declared to be a civil right. The provisions of this subchapter regarding
31 political affiliation do not apply to an employer that is a party or is affiliated with, is an
32 agent of or that performs services on behalf of a party.

33 **Sec. 5. 5 MRSA §4572, sub-§1**, as amended by PL 2021, c. 293, Pt. B, §2; c. 366,
34 §5 and c. 476, §1, is further amended to read:

35 **1. Unlawful employment discrimination.** It is unlawful employment discrimination,
36 in violation of this Act, except when based on a bona fide occupational qualification:

37 A. For any employer to fail or refuse to hire or otherwise discriminate against any
38 applicant for employment because of race or color, sex, sexual orientation or gender
39 identity, physical or mental disability, religion, political affiliation, age, ancestry,
40 national origin or familial status, because of the applicant's previous assertion of a
41 claim or right under former Title 39 or Title 39-A, because of previous actions taken
42 by the applicant that are protected under Title 26, chapter 7, subchapter 5-B or because

1 the applicant sought and received an order of protection under Title 19-A, former
2 section 4007 or Title 19-A, section 4110; or, because of those reasons, to discharge an
3 employee or discriminate with respect to hire, tenure, promotion, transfer,
4 compensation, terms, conditions or privileges of employment or any other matter
5 directly or indirectly related to employment; or, in recruiting of individuals for
6 employment or in hiring them, to utilize any employment agency that the employer
7 knows or has reasonable cause to know discriminates against individuals because of
8 their race or color, sex, sexual orientation or gender identity, physical or mental
9 disability, religion, political affiliation, age, ancestry, national origin or familial status,
10 because of their previous assertion of a claim or right under former Title 39 or Title
11 39-A, because of previous actions that are protected under Title 26, chapter 7,
12 subchapter 5-B or because the applicant sought and received an order of protection
13 under Title 19-A, former section 4007 or Title 19-A, section 4110.

14 (1) This paragraph does not apply to discrimination governed by Title 39-A,
15 section 353;

16 B. For any employment agency to fail or refuse to classify properly, refer for
17 employment or otherwise discriminate against any individual because of race or color,
18 sex, sexual orientation or gender identity, physical or mental disability, religion,
19 political affiliation, age, ancestry, national origin or familial status, because of the
20 individual's previous assertion of a claim or right under former Title 39 or Title 39-A,
21 because of previous actions taken by the individual that are protected under Title 26,
22 chapter 7, subchapter 5-B or because the individual sought and received an order of
23 protection under Title 19-A, former section 4007 or Title 19-A, section 4110; or to
24 comply with an employer's request for the referral of job applicants if a request
25 indicates either directly or indirectly that the employer will not afford full and equal
26 employment opportunities to individuals regardless of their race or color, sex, sexual
27 orientation or gender identity, physical or mental disability, religion, political
28 affiliation, age, ancestry, national origin or familial status, because of previous
29 assertion of a claim or right under former Title 39 or Title 39-A, because of previous
30 actions that are protected under Title 26, chapter 7, subchapter 5-B or because the
31 individual sought and received an order of protection under Title 19-A, former section
32 4007 or Title 19-A, section 4110;

33 C. For any labor organization to exclude from apprenticeship or membership or to
34 deny full and equal membership rights to any applicant for membership because of race
35 or color, sex, sexual orientation or gender identity, physical or mental disability,
36 religion, political affiliation, age, ancestry, national origin or familial status, because
37 of the applicant's previous assertion of a claim or right under former Title 39 or Title
38 39-A, because of previous actions taken by the applicant that are protected under Title
39 26, chapter 7, subchapter 5-B or because the applicant sought and received an order of
40 protection under Title 19-A, former section 4007 or Title 19-A, section 4110; or,
41 because of those reasons, to deny a member full and equal membership rights, expel
42 from membership, penalize or otherwise discriminate with respect to hire, tenure,
43 promotion, transfer, compensation, terms, conditions or privileges of employment,
44 representation, grievances or any other matter directly or indirectly related to
45 membership or employment, whether or not authorized or required by the constitution
46 or bylaws of that labor organization or by a collective labor agreement or other

1 contract; to fail or refuse to classify properly or refer for employment or otherwise
2 discriminate against any member because of race or color, sex, sexual orientation or
3 gender identity, physical or mental disability, religion, political affiliation, age,
4 ancestry, national origin or familial status, because of the member's previous assertion
5 of a claim or right under former Title 39 or Title 39-A, because of previous actions
6 taken by the member that are protected under Title 26, chapter 7, subchapter 5-B or
7 because the applicant sought and received an order of protection under Title 19-A,
8 former section 4007 or Title 19-A, section 4110; or to cause or attempt to cause an
9 employer to discriminate against an individual in violation of this section, except that
10 it is lawful for labor organizations and employers to adopt a maximum age limitation
11 in apprenticeship programs, if the employer or labor organization obtains prior
12 approval from the Maine Human Rights Commission of any maximum age limitation
13 employed in an apprenticeship program. The commission shall approve the age
14 limitation if a reasonable relationship exists between the maximum age limitation
15 employed and a legitimate expectation of the employer in receiving a reasonable return
16 upon the employer's investment in an apprenticeship program. The employer or labor
17 organization bears the burden of demonstrating that such a relationship exists;

18 D. For any employer, employment agency or labor organization, prior to employment
19 or admission to membership of any individual, to:

20 (1) Elicit or attempt to elicit information directly or indirectly pertaining to race
21 or color, sex, sexual orientation or gender identity, physical or mental disability,
22 religion, political affiliation, age, ancestry, national origin or familial status, any
23 previous assertion of a claim or right under former Title 39 or Title 39-A, any
24 previous actions that are protected under Title 26, chapter 7, subchapter 5-B or any
25 previous actions seeking and receiving an order of protection under Title 19-A,
26 former section 4007 or Title 19-A, section 4110;

27 (2) Make or keep a record of race or color, sex, sexual orientation or gender
28 identity, physical or mental disability, religion, political affiliation, age, ancestry,
29 national origin or familial status, any previous assertion of a claim or right under
30 former Title 39 or Title 39-A, any previous actions that are protected under Title
31 26, chapter 7, subchapter 5-B or any previous actions seeking and receiving an
32 order of protection under Title 19-A, former section 4007 or Title 19-A, section
33 4110, except that, in relation to physical or mental disability, when an employer
34 requires a physical or mental examination prior to employment, a privileged record
35 of that examination is permissible if made and kept in compliance with this Act;

36 (3) Use any form of application for employment, or personnel or membership
37 blank containing questions or entries directly or indirectly pertaining to race or
38 color, sex, sexual orientation or gender identity, physical or mental disability,
39 religion, political affiliation, age, ancestry, national origin or familial status, any
40 previous assertion of a claim or right under former Title 39 or Title 39-A, any
41 previous actions that are protected under Title 26, chapter 7, subchapter 5-B or any
42 previous actions seeking and receiving an order of protection under Title 19-A,
43 former section 4007 or Title 19-A, section 4110. This section does not prohibit
44 any officially recognized government agency from keeping records permitted to be
45 kept under this Act in order to provide free services to individuals requesting
46 rehabilitation or employment assistance;

1 (4) Print, publish or cause to be printed or published any notice or advertisement
2 relating to employment or membership indicating any preference, limitation,
3 specification or discrimination based upon race or color, sex, sexual orientation or
4 gender identity, physical or mental disability, religion, political affiliation, age,
5 ancestry, national origin or familial status, any previous assertion of a claim or
6 right under former Title 39 or Title 39-A, any previous actions that are protected
7 under Title 26, chapter 7, subchapter 5-B or any previous actions seeking and
8 receiving an order of protection under Title 19-A, former section 4007 or Title
9 19-A, section 4110; or

10 (5) Establish, announce or follow a policy of denying or limiting, through a quota
11 system or otherwise, employment or membership opportunities of any group
12 because of the race or color, sex, sexual orientation or gender identity, physical or
13 mental disability, religion, political affiliation, age, ancestry, national origin or
14 familial status, because of the previous assertion of a claim or right under former
15 Title 39 or Title 39-A, because of previous actions that are protected under Title
16 26, chapter 7, subchapter 5-B or because of any previous actions seeking and
17 receiving an order of protection under Title 19-A, former section 4007 or Title
18 19-A, section 4110, of that group; or

19 E. For an employer, employment agency or labor organization to discriminate in any
20 manner against individuals because they have opposed a practice that would be a
21 violation of this Act or because they have made a charge, testified or assisted in any
22 investigation, proceeding or hearing under this Act. This paragraph does not limit the
23 liability of persons pursuant to section 4633.

24 **Sec. 6. 5 MRSA §4581, first ¶**, as amended by PL 2021, c. 366, §7 and c. 476, §2,
25 is further amended to read:

26 The opportunity for an individual to secure housing in accordance with the individual's
27 ability to pay, and without discrimination because of race, color, sex, sexual orientation or
28 gender identity, physical or mental disability, religion, political affiliation, ancestry,
29 national origin or familial status or because the individual has sought and received an order
30 of protection under Title 19-A, former section 4007 or Title 19-A, section 4110, is hereby
31 recognized as and declared to be a civil right.

32 **Sec. 7. 5 MRSA §4581-A**, as amended by PL 2021, c. 366, §§8 to 10 and c. 476,
33 §3, is further amended to read:

34 **§4581-A. Unlawful housing discrimination**

35 It is unlawful housing discrimination, in violation of this Act:

36 **1. Sale or rental of housing and other prohibited practices.** For any owner, lessee,
37 sublessee, managing agent or other person having the right to sell or rent or manage a
38 housing accommodation, or any agent of these, to:

39 A. Make or cause to be made any written or oral inquiry concerning the race or color,
40 sex, sexual orientation or gender identity, physical or mental disability, religion,
41 political affiliation, ancestry, national origin, familial status or any previous actions
42 seeking and receiving an order of protection under Title 19-A, former section 4007 or
43 Title 19-A, section 4110 of any prospective purchaser, occupant or tenant of the
44 housing accommodation;

1 B. Refuse to show or refuse to sell, rent, lease, let or otherwise deny to or withhold
2 from any person the housing accommodation because of race or color, sex, sexual
3 orientation or gender identity, physical or mental disability, religion, political
4 affiliation, ancestry, national origin or familial status or because the person sought and
5 received an order of protection under Title 19-A, former section 4007 or Title 19-A,
6 section 4110;

7 C. Make, print or publish or cause to be made, printed or published any notice,
8 statement or advertisement relating to the sale, rental or lease of the housing
9 accommodation that indicates any preference, limitation or discrimination based upon
10 race or color, sex, sexual orientation or gender identity, physical or mental disability,
11 religion, political affiliation, ancestry, national origin, familial status or any previous
12 actions seeking and receiving an order of protection under Title 19-A, former section
13 4007 or Title 19-A, section 4110 or an intention to make any such preference, limitation
14 or discrimination;

15 D. Discriminate against any person because of race or color, sex, sexual orientation or
16 gender identity, physical or mental disability, religion, political affiliation, ancestry,
17 national origin or familial status or because the person sought and received an order of
18 protection under Title 19-A, former section 4007 or Title 19-A, section 4110 in the
19 price, terms, conditions or privileges of the sale, rental or lease of any housing
20 accommodations or in the furnishing of facilities or services in connection with any
21 housing accommodations; or

22 E. Evict or attempt to evict any tenant of any housing accommodation because of the
23 race or color, sex, sexual orientation or gender identity, physical or mental disability,
24 religion, political affiliation, ancestry, national origin or familial status of the tenant or
25 because the tenant sought and received an order of protection under Title 19-A, former
26 section 4007 or Title 19-A, section 4110;

27 **2. Selling, brokering or appraising of housing.** For any real estate broker or real
28 estate salesperson, or any agent of these, to:

29 A. Fail or refuse to show any person a housing accommodation listed for sale, lease or
30 rent because of race or color, sex, sexual orientation or gender identity, physical or
31 mental disability, religion, political affiliation, ancestry, national origin or familial
32 status or because the person sought and received an order of protection under Title
33 19-A, former section 4007 or Title 19-A, section 4110;

34 B. Misrepresent, for the purpose of discriminating because of race or color, sex, sexual
35 orientation or gender identity, physical or mental disability, religion, political
36 affiliation, ancestry, national origin, familial status or any previous actions seeking and
37 receiving an order of protection under Title 19-A, former section 4007 or Title 19-A,
38 section 4110, the availability or asking price of a housing accommodation listed for
39 sale, lease or rent or for such reason to fail to communicate to the person having the
40 right to sell, rent or lease the housing accommodation any offer for the same made by
41 any applicant;

42 C. In any other manner to discriminate against any applicant for a housing
43 accommodation because of race or color, sex, sexual orientation or gender identity,
44 physical or mental disability, religion, political affiliation, ancestry, national origin or

1 familial status or because the applicant sought and received an order of protection under
2 Title 19-A, former section 4007 or Title 19-A, section 4110;

3 D. Make or cause to be made any written or oral inquiry or record concerning the race
4 or color, sex, sexual orientation or gender identity, physical or mental disability,
5 religion, political affiliation, ancestry, national origin, familial status or any previous
6 actions seeking and receiving an order of protection under Title 19-A, former section
7 4007 or Title 19-A, section 4110 of any applicant for or intended occupant of a housing
8 accommodation; or

9 E. Accept for listing any housing accommodation when the person having the right to
10 sell, rent or lease the housing accommodation has directly or indirectly indicated an
11 intention of discriminating among prospective tenants or purchasers on the ground of
12 race or color, sex, sexual orientation or gender identity, physical or mental disability,
13 religion, political affiliation, ancestry, national origin, familial status or any previous
14 actions seeking and receiving an order of protection under Title 19-A, former section
15 4007 or Title 19-A, section 4110, or when the broker or salesperson knows or has
16 reason to know that the person having the right to sell, rent or lease the housing
17 accommodation has made a practice of discrimination since July 1, 1972;

18 **3. Making of loans; other financial assistance.** For any person to whom application
19 is made for a loan or other form of financial assistance for the acquisition, construction,
20 rehabilitation, repair or maintenance of any housing accommodation, whether secured or
21 unsecured, or agent of the person, to:

22 A. Make or cause to be made any oral or written inquiry concerning the race or color,
23 sex, sexual orientation or gender identity, physical or mental disability, religion,
24 political affiliation, ancestry, national origin, familial status or any previous actions
25 seeking and receiving an order of protection under Title 19-A, former section 4007 or
26 Title 19-A, section 4110 of any applicant for financial assistance or of existing or
27 prospective occupants or tenants of housing accommodations; or

28 B. Discriminate in the granting of financial assistance, or in the terms, conditions or
29 privileges relating to obtaining or the use of any financial assistance, against any
30 applicant because of race or color, sex, sexual orientation or gender identity, physical
31 or mental disability, religion, political affiliation, ancestry, national origin, familial
32 status or any previous actions seeking and receiving an order of protection under Title
33 19-A, former section 4007 or Title 19-A, section 4110; or

34 **4. Receipt of public assistance.** For any person furnishing rental premises or public
35 accommodations to refuse to rent or impose different terms of tenancy to any individual
36 who is a recipient of federal, state or local public assistance, including medical assistance
37 and housing subsidies, primarily because of the individual's status as recipient.

38 **Sec. 8. 5 MRSA §4583**, as amended by PL 2021, c. 366, §11, is further amended to
39 read:

40 **§4583. Application**

41 Nothing in this Act may be construed to prohibit or limit the exercise of the privilege
42 of every person and the agent of any person having the right to sell, rent, lease or manage
43 a housing accommodation to set up and enforce specifications in the selling, renting,
44 leasing or letting or in the furnishings of facilities or services in connection with the

1 facilities that are consistent with business necessity and are not based on the race, color,
2 sex, sexual orientation or gender identity, physical or mental disability, religion, ~~country of~~
3 ~~ancestral~~ political affiliation, ~~ancestry~~, national origin or familial status of or the receipt of
4 public assistance payments by any prospective or actual purchaser, lessee, tenant or
5 occupant. Nothing in this Act may be construed to prohibit or limit the exercise of the
6 privilege of every person and the agent of any person making loans for or offering financial
7 assistance in the acquisition, construction, rehabilitation, repair or maintenance of housing
8 accommodations to set standards and preferences, terms, conditions, limitations or
9 specifications for the granting of loans or financial assistance that are consistent with
10 business necessity and are not based on the race, color, sex, sexual orientation or gender
11 identity, physical or mental disability, religion, ~~country of ancestral~~ political affiliation,
12 ancestry, national origin or familial status of or the receipt of public assistance payments
13 by the applicant for a loan or financial assistance or of any existing or prospective owner,
14 lessee, tenant or occupant of a housing accommodation.

15 **Sec. 9. 5 MRSA §4591**, as amended by PL 2021, c. 366, §12, is further amended to
16 read:

17 **§4591. Equal access to public accommodations**

18 The opportunity for every individual to have equal access to places of public
19 accommodation without discrimination because of race, color, sex, sexual orientation or
20 gender identity, age, physical or mental disability, religion, political affiliation, ancestry or
21 national origin is recognized as and declared to be a civil right.

22 **Sec. 10. 5 MRSA §4592, sub-§1**, as amended by PL 2023, c. 489, §§7 to 9, is
23 further amended to read:

24 **1. Denial of public accommodations.** For any public accommodation or any person
25 who is the owner, lessor, lessee, proprietor, operator, manager, superintendent, agent or
26 employee of any place of public accommodation to directly or indirectly refuse,
27 discriminate against or in any manner withhold from or deny the full and equal enjoyment
28 to any person, on account of race or color, sex, sexual orientation or gender identity, age,
29 physical or mental disability, religion, political affiliation, ancestry or national origin, any
30 of the accommodations, advantages, facilities, goods, services or privileges of public
31 accommodation, or in any manner discriminate against any person in the price, terms or
32 conditions upon which access to accommodations, advantages, facilities, goods, services
33 and privileges may depend.

34 For purposes of this subsection, unlawful discrimination also includes, but is not limited
35 to:

36 A. The imposition or application of eligibility criteria that screen out or tend to screen
37 out an individual with a disability or any class of individuals with disabilities from fully
38 and equally enjoying any goods, services, facilities, privileges, advantages or
39 accommodations, unless the criteria can be shown to be necessary for the provision of
40 the goods, services, facilities, privileges, advantages or accommodations being offered;

41 B. A failure to make reasonable modifications in policies, practices or procedures,
42 when modifications are necessary to afford the goods, services, facilities, privileges,
43 advantages or accommodations to individuals with disabilities, unless, in the case of a
44 private entity, the private entity can demonstrate that making the modifications would

1 fundamentally alter the nature of the goods, services, facilities, privileges, advantages
2 or accommodations;

3 C. A failure to take steps that may be necessary to ensure that no individual with a
4 disability is excluded, denied services, segregated or otherwise treated differently than
5 other individuals because of the absence of auxiliary aids and services, unless, in the
6 case of a private entity, the private entity can demonstrate that taking those steps would
7 fundamentally alter the nature of the good, service, facility, privilege, advantage or
8 accommodation being offered or would result in an undue burden; and

9 D. A private entity's failure to remove architectural barriers and communication
10 barriers that are structural in nature in existing facilities and transportation barriers in
11 existing vehicles and rail passenger cars used by an establishment for transporting
12 individuals, not including barriers that can be removed only through the retrofitting of
13 vehicles or rail passenger cars by the installation of a hydraulic or other lift, where the
14 removal is readily achievable.

15 When the entity can demonstrate that the removal of a barrier under this paragraph is
16 not readily achievable, a failure to make the goods, services, facilities, privileges,
17 advantages or accommodations available through alternative methods if alternative
18 methods are readily achievable;

19 **Sec. 11. 5 MRSA §4592, sub-§2**, as amended by PL 2021, c. 366, §14, is further
20 amended to read:

21 **2. Communication, notice or advertisement.** For any person to directly or indirectly
22 publish, display or communicate any notice or advertisement to the effect that any of the
23 accommodations, advantages, facilities and privileges of any place of public
24 accommodation are refused, withheld from or denied to any person on account of race or
25 color, sex, sexual orientation or gender identity, age, physical or mental disability, religion,
26 political affiliation, ancestry or national origin, or that the patronage or custom of any
27 person belonging to or purporting to be of any particular race or color, sex, sexual
28 orientation or gender identity, age, physical or mental disability, religion, political
29 affiliation, ancestry or national origin is unwelcome, objectionable or not acceptable,
30 desired or solicited, or that the clientele is restricted to any particular race or color, sex,
31 sexual orientation or gender identity, age, physical or mental disability, religion, political
32 affiliation, ancestry or national origin. The production of any communication, notice or
33 advertisement purporting to relate to any place of accommodation is presumptive evidence
34 in any action that the action was authorized by its owner, manager or proprietor;

35 **Sec. 12. 5 MRSA §4595**, as amended by PL 2021, c. 366, §16, is further amended
36 to read:

37 **§4595. Right to freedom from discrimination solely on basis of age, race, color, sex,**
38 **sexual orientation or gender identity, marital status, ancestry, religion,**
39 **political affiliation or national origin in any credit transaction**

40 The opportunity for every individual to be extended credit without discrimination
41 solely because of any one or more of the following factors: age; race; color; sex; sexual
42 orientation or gender identity; marital status; ancestry; religion; political affiliation; or
43 national origin is recognized as and declared to be a civil right.

1 **Sec. 13. 5 MRSA §4596**, as corrected by RR 2023, c. 2, Pt. B, §65, is amended to
2 read:

3 **§4596. Unlawful credit extension discrimination**

4 It is unlawful credit discrimination for any creditor to refuse the extension of credit to
5 any person solely on the basis of any one or more of the following factors: age, race, color,
6 sex, sexual orientation or gender identity, marital status, ancestry, religion, political
7 affiliation or national origin in any credit transaction. It is not unlawful credit
8 discrimination to comply with the terms and conditions of any bona fide group credit life,
9 accident and health insurance plan, for a financial institution extending credit to a married
10 person to require both spouses to sign a note and a mortgage and to deny credit to persons
11 under 18 years of age or to consider a person's age in determining the terms upon which
12 credit will be extended.

13 **Sec. 14. 5 MRSA §4601**, as amended by PL 2021, c. 366, §18, is further amended
14 to read:

15 **§4601. Right to freedom from discrimination in education**

16 The opportunity for an individual at an educational institution to participate in all
17 educational, counseling and vocational guidance programs, all apprenticeship and on-the-
18 job training programs and all extracurricular activities without discrimination because of
19 sex, sexual orientation or gender identity, a physical or mental disability, ancestry, national
20 origin, race, color or religion or political affiliation is recognized and declared to be a civil
21 right.

22 **Sec. 15. 5 MRSA §4602, sub-§1**, as amended by PL 2021, c. 366, §19, is further
23 amended to read:

24 **1. Unlawful educational discrimination.** It is unlawful educational discrimination
25 in violation of this Act, on the basis of sex, sexual orientation or gender identity, physical
26 or mental disability, ancestry, national origin, race, color or religion or political affiliation,
27 to:

- 28 A. Exclude a person from participation in, deny a person the benefits of, or subject a
29 person to, discrimination in any academic, extracurricular, research, occupational
30 training or other program or activity;
- 31 B. Deny a person equal opportunity in athletic programs;
- 32 C. Apply any rule concerning the actual or potential familial status or marital status of
33 a person or to exclude any person from any program or activity because of pregnancy
34 or related conditions or because of sex or sexual orientation or gender identity;
- 35 D. Deny a person admission to the institution or program or to fail to provide equal
36 access to and information about an institution or program through recruitment; or
- 37 E. Deny a person financial assistance availability and opportunity.

38 **Sec. 16. 5 MRSA §4630, sub-§1**, as enacted by PL 2023, c. 489, §10, is amended
39 to read:

40 **1. Unlawful discrimination.** A public entity may not discriminate against an
41 individual, exclude an individual from participation in a service, program or activity of that
42 public entity or otherwise deny to an individual the benefits of a service, program or activity

1 of that public entity by reason of the individual's race or color, sex, sexual orientation or
2 gender identity, age, physical or mental disability, religion, political affiliation, ancestry or
3 national origin.

4 **SUMMARY**

5 This bill adds political affiliation as a protected class under the Maine Human Rights
6 Act. It also corrects a repealed cross-reference with respect to protection orders.