



132nd MAINE LEGISLATURE

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Legislative Document

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H.P. 340

House of Representatives, February 11, 2025

**An Act to Prohibit Discrimination in Housing Based on Source of
Income, Veteran Status or Military Status**

Reference to the Committee on Judiciary suggested and ordered printed.

Robert B. Hunt
ROBERT B. HUNT
Clerk

Presented by Representative JULIA of Waterville.
Cosponsored by Representatives: ABDI of Lewiston, ARCHER of Saco, DEBRITO of
Waterville, GERE of Kennebunkport, LOOKNER of Portland, MILLIKEN of Blue Hill,
ROBERTS of South Berwick.

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

2 **Sec. 1. 5 MRSA §4553, sub-§6-B** is enacted to read:

3 **6-B. Military status.** "Military status" means the status of an individual as a member
4 of the United States Armed Forces, as defined in 10 United States Code, Section 101(a)(4),
5 or of the state military forces, as described in Title 37-B, section 102.

6 **Sec. 2. 5 MRSA §4553, sub-§9-H** is enacted to read:

7 **9-H. Source of income.** "Source of income" includes:

8 A. A housing voucher under Section 8 of the United States Housing Act of 1937, Public
9 Law 75-412, 50 Stat. 888, as amended, and any form of federal, state or local housing
10 assistance provided to an individual or family or provided to an owner of housing on
11 behalf of an individual or family, including rental vouchers, rental assistance, rental
12 subsidies from nongovernmental organizations and homeownership subsidies;

13 B. Income received, including income received by an individual through a
14 representative payee, as a monthly benefit under 42 United States Code, Chapter 7,
15 Subchapter II, as amended; as a supplementary security income benefit under 42
16 United States Code, Chapter 7, Subchapter XVI, as amended; or as a benefit under the
17 federal Railroad Retirement Act of 1974, as amended;

18 C. Any other form of federal, state or local public assistance, including medical
19 assistance;

20 D. Income received by court order, including spousal support and child support;

21 E. Any payment from a trust, guardian, conservator, cosigner or relative; and

22 F. Any other lawful source of income or funds, including income from savings accounts
23 and investments.

24 **Sec. 3. 5 MRSA §4553, sub-§11** is enacted to read:

25 **11. Veteran status.** "Veteran status" means the status of an individual as a former
26 member of the United States Armed Forces, as defined in 10 United States Code, Section
27 101(a)(4), or of the state military forces, as described in Title 37-B, section 102.

28 **Sec. 4. 5 MRSA §4581, first ¶**, as amended by PL 2021, c. 366, §7 and c. 476, §2,
29 is further amended to read:

30 The opportunity for an individual to secure housing in accordance with the individual's
31 ability to pay, and without discrimination because of race, color, sex, sexual orientation or
32 gender identity, physical or mental disability, religion, ancestry, national origin or, familial
33 status, military status, source of income or veteran status or because the individual has
34 sought and received an order of protection under Title 19-A, section 4007, is hereby
35 recognized as and declared to be a civil right.

36 **Sec. 5. 5 MRSA §4581-A**, as amended by PL 2021, c. 366, §§8 to 10 and c. 476,
37 §3, is further amended to read:

38 **§4581-A. Unlawful housing discrimination**

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

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

4 A. Make or cause to be made any written or oral inquiry concerning the race or color,
5 sex, sexual orientation or gender identity, physical or mental disability, religion,
6 ancestry, national origin, familial status, military status, source of income or veteran
7 status or any previous actions seeking and receiving an order of protection under Title
8 19-A, section 4007 of any prospective purchaser, occupant or tenant of the housing
9 accommodation;

10 B. Refuse to show or refuse to sell, rent, lease, let or otherwise deny to or withhold
11 from any person the housing accommodation because of race or color, sex, sexual
12 orientation or gender identity, physical or mental disability, religion, ancestry, national
13 origin $\text{\textcircled{r}}$, familial status, military status, source of income or veteran status or because
14 the person sought and received an order of protection under Title 19-A, section 4007;

15 C. Make, print or publish or cause to be made, printed or published any notice,
16 statement or advertisement relating to the sale, rental or lease of the housing
17 accommodation that indicates any preference, limitation or discrimination based upon
18 race or color, sex, sexual orientation or gender identity, physical or mental disability,
19 religion, ancestry, national origin, familial status, military status, source of income or
20 veteran status or any previous actions seeking and receiving an order of protection
21 under Title 19-A, section 4007 or an intention to make any such preference, limitation
22 or discrimination;

23 D. Discriminate against any person because of race or color, sex, sexual orientation or
24 gender identity, physical or mental disability, religion, ancestry, national origin $\text{\textcircled{r}}$,
25 familial status, military status, source of income or veteran status or because the person
26 sought and received an order of protection under Title 19-A, section 4007 in the price,
27 terms, conditions or privileges of the sale, rental or lease of any housing
28 accommodations or in the furnishing of facilities or services in connection with any
29 housing accommodations; or

30 E. Evict or attempt to evict any tenant of any housing accommodation because of the
31 race or color, sex, sexual orientation or gender identity, physical or mental disability,
32 religion, ancestry, national origin $\text{\textcircled{r}}$, familial status, military status, source of income
33 or veteran status of the tenant or because the tenant sought and received an order of
34 protection under Title 19-A, section 4007;

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

37 A. Fail or refuse to show any person a housing accommodation listed for sale, lease or
38 rent because of race or color, sex, sexual orientation or gender identity, physical or
39 mental disability, religion, ancestry, national origin $\text{\textcircled{r}}$, familial status, military status,
40 source of income or veteran status or because the person sought and received an order
41 of protection under Title 19-A, section 4007;

42 B. Misrepresent, for the purpose of discriminating because of race or color, sex, sexual
43 orientation or gender identity, physical or mental disability, religion, ancestry, national
44 origin, familial status, military status, source of income or veteran status or any

1 previous actions seeking and receiving an order of protection under Title 19-A, section
2 4007, the availability or asking price of a housing accommodation listed for sale, lease
3 or rent or for such reason to fail to communicate to the person having the right to sell,
4 rent or lease the housing accommodation any offer for the same made by any applicant;

5 C. In any ~~other~~ manner other than those specified in paragraphs A and B to
6 discriminate against any applicant for a housing accommodation because of race or
7 color, sex, sexual orientation or gender identity, physical or mental disability, religion,
8 ancestry, national origin ~~or~~, familial status, military status, source of income or veteran
9 status or because the applicant sought and received an order of protection under Title
10 19-A, section 4007;

11 D. Make or cause to be made any written or oral inquiry or record concerning the race
12 or color, sex, sexual orientation or gender identity, physical or mental disability,
13 religion, ancestry, national origin, familial status, military status, source of income or
14 veteran status or any previous actions seeking and receiving an order of protection
15 under Title 19-A, section 4007 of any applicant for or intended occupant of a housing
16 accommodation; or

17 E. Accept for listing any housing accommodation when the person having the right to
18 sell, rent or lease the housing accommodation has directly or indirectly indicated an
19 intention of discriminating among prospective tenants or purchasers on the ground of
20 race or color, sex, sexual orientation or gender identity, physical or mental disability,
21 religion, ancestry, national origin, familial status, military status, source of income or
22 veteran status or any previous actions seeking and receiving an order of protection
23 under Title 19-A, section 4007, or when the broker or salesperson knows or has reason
24 to know that the person having the right to sell, rent or lease the housing
25 accommodation has made a practice of discrimination since July 1, 1972; or

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

30 A. Make or cause to be made any oral or written inquiry concerning the race or color,
31 sex, sexual orientation or gender identity, physical or mental disability, religion,
32 ancestry, national origin, familial status, military status, source of income or veteran
33 status or any previous actions seeking and receiving an order of protection under Title
34 19-A, section 4007 of any applicant for financial assistance or of existing or
35 prospective occupants or tenants of housing accommodations; or

36 B. Discriminate in the granting of financial assistance, or in the terms, conditions or
37 privileges relating to obtaining or the use of any financial assistance, against any
38 applicant because of race or color, sex, sexual orientation or gender identity, physical
39 or mental disability, religion, ancestry, national origin, familial status, military status,
40 source of income or veteran status or any previous actions seeking and receiving an
41 order of protection under Title 19-A, section 4007; ~~or~~.

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

