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November 17, 2019
Service Animal

Sponsor: Upthegrove

DV → [ak] *Carrie*

Proposed No.: 2019-0331

1 STRIKING AMENDMENT TO PROPOSED ORDINANCE 2019-0331, VERSION

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3 On page 2, beginning on line 24, strike everything through page 49, line 1089, and insert:

4 "STATEMENT OF FACTS: The changes to the definition of "sexual
5 orientation" and the addition of the definition of "gender identity or
6 expression" included in this ordinance reflects the current understanding
7 of the communities that identify with its definitions. The changes are also
8 a reflection of the evolving nature of language, and the diversity of our
9 communities. However, the council recognizes that language is not fixed,
10 and terminology evolves as society evolves. The council strives to be
11 inclusive and mindful of the complexity and richness of identities within
12 King County's diverse communities and the council desires to ensure that
13 the language used in the King County Code accurately reflects the
14 communities that are served by the laws of the county. With that
15 commitment, the council recognizes that the definition for "sexual
16 orientation" and "gender identity or expression" will change in the near
17 future and the council is committed to accommodating such changes.

18 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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19 SECTION 1. Ordinance 18665, Section 1, as amended, and K.C.C. 2.15.005 are
20 hereby amended to read as follows:

21 The definitions in this section apply throughout this chapter unless the context
22 clearly requires otherwise.

23 A. "Administrative warrant" means a noncriminal immigration warrant of arrest,
24 order to detain or release aliens, notice of custody determination, notice to appear, removal
25 order, warrant of removal or any other document, issued by ICE, CBP or USCIS that can
26 form the basis for a person's arrest or detention for a civil immigration enforcement
27 purpose. ICE administrative warrant forms include the U.S. DHS form I-200 (Rev. 09/16)
28 "Warrant for Arrest of Alien" and Form I-205 "Warrant Of Removal/Deportation," as well
29 as predecessor and successor versions. "Administrative warrant" does not include any
30 criminal warrants issued upon a judicial determination of probable cause and in compliance
31 with the Fourth Amendment to the United States Constitution.

32 B. "Agency" means a King County department, agency, division, commission,
33 council, committee, board, other body or person, established by authority of an ordinance,
34 executive order, or charter.

35 C. "Agent" means a person acting within the scope of employment by or acting on
36 behalf of an agency.

37 D. "CBP" means the United States Customs and Border Protection agency of the
38 United States Department of Homeland Security and shall include any successor federal
39 agency charged with border enforcement.

40 E. "Citizenship or immigration status" means a person's recorded citizenship or
41 immigration status, as such status is defined in the Immigration and Nationality Act, at the

42 time an agent or agency receives the information.

43 F. "Civil immigration enforcement operation" means an operation that has as one
44 of its objectives the identification or apprehension of a person or persons in order to
45 investigate them for a violation of the immigration laws and subject them to one or more of
46 the following:

- 47 1. Civil immigration detention;
- 48 2. Removal proceedings; and
- 49 3. Removal from the United States.

50 G. "Coerce" means to use express or implied threats towards a person or any
51 family member of a person that attempts to put the person in immediate fear of the
52 consequences in order to compel that person to act against the person's will.

53 H. "Commitment" means confinement in secure detention for a specified amount
54 of time following a determination of guilt. "Commitment" does not include pretrial
55 detention of any persons such as those who unable to post bail.

56 I. "Employee" means a person who is appointed as an employee by the appointing
57 authority of a county agency, office, department, council, board, commission or other
58 separate unit or division of county government, however designated, acting within the
59 scope of employment by or acting on behalf of the county. "County employee" also
60 includes a county elected official and a member of a county board, commission, committee
61 or other multimember body, but does not include an official or employee of the county's
62 judicial branch, though it does include an employee of the department of judicial
63 administration.

64 J. "ICE" means the United States Immigration and Customs Enforcement agency

65 including Enforcement and Removal Operations and Homeland Security Investigations and
66 shall include any successor federal agency charged with the enforcement of immigration
67 laws.

68 K. "Immigration detainer" means a request by ICE to a federal, state or local law
69 enforcement agency, such as the King County department of adult and juvenile detention,
70 to provide notice of release or maintain custody of a person based on an alleged violation of
71 a civil immigration law. "Immigration detainer" includes a detainer issued under Sections
72 236 or 287 of the Immigration and Nationality Act or 287.7 or 236.1 of Title 8 of the Code
73 of Federal Regulations. "Immigration detainer" includes a detainer issued under DHS form
74 I-274A entitled Immigration Detainer- Notice of Action, as well as well as predecessor and
75 successor versions.

76 L. "Interpretation" means the transfer of an oral communication from one language
77 to another.

78 M. "Limited-English-proficient" means a person who does not speak English as the
79 person's primary language, who has a limited ability to read, speak, write, or understand
80 English.

81 N. "Nonpublic" means any area of a county facility, including the secure detention
82 facilities of the department of adult and juvenile detention that is not generally open and
83 accessible to the general public, but instead requires special permission for admittance by a
84 county employee on an individual basis.

85 O. "Personal information" means one or more of the following, when the
86 information is linked with or is reasonably linkable, including via analytic technology, to
87 the person's first name or first initial and last name:

- 88 1. Home address;
- 89 2. Work address;
- 90 3. Telephone number;
- 91 4. Electronic mail address;
- 92 5. Social media handle or other identifying social media information;
- 93 6. Any other means of contacting a person;
- 94 7. Social security number;
- 95 8. Driver's license number or Washington identification card number;
- 96 9. Bank account number or credit or debit card number;
- 97 10. Information or data collected through the use or operation of an automated
- 98 license plate recognition system; and
- 99 11. User name that, in combination with a password or security question and
- 100 answer, would permit access to an online account.

101 P. "Public communication materials" means materials that are intended for broad

102 distribution to inform or educate people served by King County. For the purpose of

103 translation, "public communication materials" refers only to printed media such as

104 brochures, posters, booklets, pamphlets, billboards and advertisements in printed

105 publications.

106 Q. "Translation" means the transfer of a written communication from one language

107 to another while preserving the intent and essential meaning of the original text.

108 R. "USCIS" shall mean the United States Citizenship and Immigration Services

109 and any successor agency charged with overseeing United States immigration laws.

110 S. "Verbal abuse" means the use of a remark which is overtly insulting, mocking or

111 belittling directed at a person based upon the actual or perceived:

112 1. Race, color, sex, religion, national origin, English proficiency, sexual
113 orientation or gender identity or expression of the person; or

114 2. Citizenship or immigration status of the person or the person's family member.

115 T. "Vital documents" are materials that provide essential information for accessing
116 basic county services and benefits and for which serious consequences would result if the
117 information were not provided.

118 SECTION 2. Ordinance 16692, Section 2, as amended, and K.C.C. 2.15.010 are
119 hereby amended to read as follows:

120 A. Except as otherwise provided in this section or when otherwise required by law,
121 a Reverend Doctor Martin Luther King, Jr., County office, department, employee, agency
122 or agent shall not condition the provision of county services on the citizenship or
123 immigration status of any person.

124 B. All applications, questionnaires and interview forms used in relation to the
125 provision of county benefits, opportunities or services shall be reviewed by each agency,
126 and any question requiring disclosure of information related to citizenship or immigration
127 status, unless required by state or federal law, or international treaty, shall be, in the
128 agency's best judgment, either deleted in its entirety or revised such that the disclosure of
129 the information is no longer required. Agencies that have a need for the collection of
130 demographic data related to immigration status for performance measurement shall identify
131 mechanisms that will allow for the separation of the demographic information from
132 personally identifying information.

133 C. The Seattle-King County department of public health shall not condition the

134 provision of health benefits, opportunities or services on matters related to citizenship or
135 immigration status. The Seattle-King County department of public health may inquire
136 about or disclose information relating to a person's citizenship or immigration status for the
137 purpose of determining eligibility for benefits or seeking reimbursement from federal, state
138 or other third-party payers.

139 D. Except when otherwise required by law, where the county accepts presentation
140 of a state-issued driver's license or identification card as adequate evidence of identity,
141 presentation of a state-issued document marked as not valid for federal purposes or
142 presentation of a photo identity document issued by the person's nation of origin, such as a
143 driver's license, passport or other consul-issued document, such as a Matricula Consular de
144 Alta Seguridad, shall also be accepted and shall not subject the person to a higher level of
145 scrutiny or different treatment than if the person had provided a Washington state driver's
146 license or identification card. However, a request for translation of such a document to
147 English shall not be deemed a violation of any provision of this chapter. This subsection
148 does not apply to documentation required to complete a federal I-9 employment eligibility
149 verification form.

150 E. A county employee or an agent or agency of King County shall not inquire
151 about or request, from a member of the public information about the citizenship or
152 immigration status or place of birth of any person unless the inquiry, request or
153 investigation is required by state or federal law, regulation or directive or court order or
154 rule, or to ensure compliance with any state or federal law, regulation or directive or court
155 order. When an inquiry, request or investigation into nationality, immigration status or
156 citizenship, including place of birth, is required to be or for any reason is made, the King

157 County agent or county employee shall not attempt to coerce a response. All persons to
158 whom the inquiries are made shall be explicitly informed of their right to decline to
159 respond, free from fear or threat of retaliation.

160 F. Agents of King County and county employees are hereby prohibited from
161 conditioning King County services on immigration status, except where required under
162 applicable federal or state law or regulation or directive or court order or rule. Agents of
163 King County and county employees are prohibited from verbally abusing or coercing
164 persons or threatening to report them or their family members to ICE or threatening to take
165 other immigration-related action against them or their family members.

166 G. Except where necessary to provide King County services, or where otherwise
167 required by state or federal law or regulation or directive or court order, King County
168 agents and employees are not permitted to either maintain or share, or both, personal
169 information or information about national origin, race, ethnicity, language proficiency,
170 religion, sexual orientation, gender identity or expression, disability, housing status,
171 financial status, marital status, status as a victim of domestic violence, criminal history,
172 release date from incarceration or confinement in a secure detention or other custody or
173 status as a veteran.

174 H. Nothing in this chapter shall be construed as to prohibit any county employee,
175 upon request of the noncitizen, from aiding a noncitizen to obtain immigration benefits
176 pursuant federal immigration law.

177 I. An agent of King County or a county employee shall not expend any time,
178 moneys or other resources on facilitating the civil enforcement of federal immigration law
179 or participating in civil immigration enforcement operations, except where state or federal

180 law, regulation or court order shall so require. However, a county agency, employee or
181 agent is not prohibited from sending to, or receiving from, federal immigration authorities,
182 the citizenship or immigration status of a person. Also, nothing in this section prohibits
183 any county agency from sending to, receiving from, requesting from or exchanging with
184 any federal, state or local government agency information regarding the immigration status
185 of a person or from maintaining such information.

186 J. Nothing in this section shall be construed to prohibit any county employee from
187 participating in cross-designation or task force activities with federal law enforcement
188 authorities for criminal law enforcement.

189 K. The executive shall ensure that all King County employees and agents receive
190 appropriate training on the implementation of the provisions of this section.

191 SECTION 3. Ordinance 10159, Section 14, as amended, and K.C.C. 6.27A.120 are
192 hereby amended to read as follows:

193 A. A franchisee (~~and~~) or applicant for a franchise shall not deny cable service, or
194 otherwise discriminate against any subscriber, access programmer(~~s~~) or resident on the
195 basis of race, color, religion, national origin, physical or mental disability, age, political
196 affiliation, marital status, sexual orientation, gender identity or expression, sex or income of
197 the residents of the area in which the person resides. The franchisee shall comply at all
198 times with all other applicable federal, state and local laws, rules(~~s~~) and regulations
199 relating to nondiscrimination.

200 B. A franchisee shall not refuse to employ, nor discharge from employment, nor
201 discriminate against any person in compensation or in terms, conditions or privileges of
202 employment because of race, color, religion, national origin, physical disability, age,

203 political affiliation, marital status, sexual orientation, gender identity or expression, sex or
204 income.

205 C. A franchisee shall comply with all applicable federal, state and local equal
206 employment opportunity requirements.

207 D. The franchisee shall establish, maintain((;)) and execute an equal employment
208 opportunity plan and a minority/women's business procurement program, which shall be
209 consistent with the intent of the county's affirmative action and minority/women's business
210 procurement policies. Upon request, the franchisee shall file with the cable office a copy of
211 their equal employment opportunity report submitted annually to the FCC and shall file
212 with King County office of civil rights and compliance an annual compliance report
213 detailing its progress with its minority/women's business procurement program during the
214 previous year. The franchisee must also provide the cable office, upon request, copies of
215 all other reports and information filed with federal, state((;)) or local agencies concerning
216 equal employment opportunity or employment discrimination laws. This subsection shall
217 apply only to franchise agreements entered into after December 2, 1991.

218 ((PROVIDED THAT;)) E. Despite the other provisions of this section, ((N))no
219 provision of this section shall invalidate any other section of this chapter.

220 SECTION 4. Ordinance 14509, Section 4, as amended, and K.C.C. 7.01.010 are
221 hereby amended to read as follows:

222 The definitions in this section apply throughout this title and K.C.C. chapter 4.57,
223 unless the context clearly requires otherwise.

224 A. "Advertising" means promotional activity for the financial gain of those
225 undertaking the activity or causing the activity to be undertaken, including, but not limited

226 to, placing signs, posters, placards or any other display device in publicly visible location
227 within a parks and recreation facility. "Advertising" does not include posting of an
228 announcement on a community bulletin board, consistent with any applicable rules for the
229 use of community bulletin boards.

230 B. "Aircraft" means any machine or device designed to travel through the air
231 including, but not limited to, airplanes, helicopters, ultra light type planes, gliders, remote-
232 control planes and gliders, hot air balloons, kites and balloons.

233 C. "Alcoholic beverages" or "liquor" includes the four varieties of liquor defined as
234 alcohol, spirits, wine and beer, all fermented, spirituous, vinous, or malt liquor, and all
235 other intoxicating beverages, and every liquor, solid or semisolid or other substance,
236 patented or not, containing alcohol, spirits, wine or beer; all drinks or drinkable liquids and
237 all preparations or mixtures capable of human consumption. Any liquor, semisolid, solid
238 or other substance that contains more than one percent alcohol by weight shall be
239 conclusively deemed to be intoxicating.

240 D. "Associated marine area" means any water area within one hundred feet of any
241 parks and recreation facility such as a dock, pier, float, buoy, log boom or other object that
242 is part of a parks and recreation facility, only if the area does not include private property.

243 E. "Boat" means any contrivance up to sixty-five feet in length overall, used or
244 capable of being used as a means of transportation on water.

245 F. "Camper" means a motorized vehicle containing either sleeping or housekeeping
246 accommodations, or both, and shall include a pickup truck with camper, a van-type body, a
247 converted bus, or any similar type vehicle.

248 G. "Camping" means erecting a tent or shelter or arranging bedding or both for the

249 purpose of, or in such a way as will permit remaining overnight, or parking a trailer,
250 camper or other vehicle for the purpose of remaining overnight.

251 H. "Campsite" means camping sites designated by the director.

252 I. "Change" a fee means to alter the amount of a fee.

253 J. "Concession" means the privilege or authority to sell goods or services within
254 parks and recreation facilities or to operate parks and recreation facilities or a portion
255 thereof.

256 K. "Concession contract" or "concession agreement" means the agreement granting
257 a person a concession with respect to a parks and recreation facility.

258 L. "Department" means the department of natural resources and parks.

259 M. "Director" means the director of the department of natural resources and parks
260 or the director's designee.

261 N. "Discrimination" means any action or failure to act, whether by single act or
262 part of a practice, the effect of which is to adversely affect or differentiate between or
263 among individuals or groups of individuals, because of race, color, religion, national origin,
264 age, sex, marital status, parental status, sexual orientation, gender identity or expression,
265 the presence of any sensory, mental or physical handicap or the use of ~~((an animal guide by
266 a blind or deaf or otherwise physically or mentally challenged person))~~ a service or
267 assistive animal. For the purposes of this subsection, "service or assistive animal" means
268 any dog guide, signal or hearing dog, seizure response dog, therapeutic companion animal
269 or other animal that does work, performs tasks or provides medically necessary support for
270 the benefit of an individual with a disability.

271 O. "Division" means the parks and recreation division of the department of natural

272 resources and parks.

273 P. "Eliminate" a fee means to remove a fee.

274 Q. "Establish" a fee means to impose a fee for an activity for which a fee was not
275 being charged.

276 R. "Facility," "facilities," "parks and recreation facility," "parks and recreation
277 facilities" or "park area" means any building, structure, park, open space, trail or other
278 property owned or otherwise under the jurisdiction of the parks and recreation division of
279 the department of natural resources and parks.

280 S. "Facility manager" means the person designated to manage a specific parks and
281 recreation facility.

282 T. "High-use areas" means areas of parks and recreation facilities where people
283 congregate. "High-use areas" include athletic fields, off-leash dog parks, parking lots,
284 picnic shelters, playgrounds, sports courts, trailheads, and any other areas designated as
285 high-use areas by the director.

286 U. "Manager" means the manager of the parks and recreation division of the
287 department of natural resources and parks.

288 V. "Motor vehicle" means any self-propelled device capable of being moved upon
289 a road, and in, upon or by which any persons or property may be transported or drawn, and
290 shall include, but not be limited to, automobiles, trucks, motorcycles, motor scooters, jeeps
291 or similar type four-wheel drive vehicles and snowmobiles, whether or not they can be
292 legally operated upon the public highways.

293 W. "Naming rights" means rights to name a facility after a person for a term of
294 years in exchange for consideration.

295 X. "Parks and recreation purposes" means any lawful purpose of the division.
296 Y. "Person" means all natural persons, groups, entities, firms, partnerships,
297 corporations, governmental and quasi-governmental entities, clubs and all associations or
298 combination of persons whether acting for themselves or as an agent, servant or employee.
299 Z. "Permit" means an authorization for the use of parks and recreation facilities that
300 imposes conditions on the permittee in addition to those conditions imposed on the general
301 public.

302 AA. "Rocket" means any device containing a combustible substance that when
303 ignited, propels the device forward.

304 BB. "Set" a fee means to change or eliminate a fee, including determining,
305 changing or eliminating a range for a fee. "Set" does not include selecting a fee in a
306 previously set range for a fee.

307 CC. "Spirits" means any beverage that contains alcohol obtained by distillation,
308 including wines exceeding twenty-four percent of alcohol by volume.

309 DD. "Sponsorship" means providing consideration to support specific parks and
310 recreation facilities or activities, generally in exchange for advertising on county property,
311 through county media, or otherwise, or other promotional consideration.

312 EE. "Tobacco product" means cigarettes, cigars, pipe tobacco and chewing
313 tobacco.

314 FF. "Trail" means any path, track or right-of-way designed for use by pedestrians,
315 bicycles, equestrians or other nonmotorized modes of transportation.

316 GG. "Trailer" means a towed vehicle that contains sleeping or housekeeping
317 accommodations.

318 HH. "Trailer site" means a designated camping site that has either water or
319 electrical facilities, or both, available for hookup.

320 II. "User fee" means a fee charged for the use of parks and recreation facilities,
321 activities and programs, including, but not limited to, general facilities admission, classes
322 and workshops, sponsored leagues and tournaments, gymnasium and field usage for games
323 and practice, field lights and other equipment, concessions, parking, camping, special event
324 admission, rooms for meetings, conference banquets and other indoor activities, kitchen
325 and equipment. "User fee" does not include the cost of purchasing tangible personal
326 property sold by the division. "User fee" also does not include charges made under:

- 327 1. An advertising, sponsorship or naming rights agreement in accordance with
328 K.C.C. 7.08.080;
- 329 2. A concession contract in accordance with K.C.C. chapter 4.57;
- 330 3. A lease, rental or use agreement in accordance with K.C.C. 4.56.150; or
- 331 4. A special use permit in accordance with K.C.C. 7.12.050.

332 SECTION 5. Ordinance 11992, Section 2, as amended, and K.C.C. 12.16.010 are
333 hereby amended to read as follows:

334 The definitions in this section apply throughout this chapter unless the context
335 clearly requires otherwise.

336 A. "Administrator" means the director of the finance and business operations
337 division in the department of executive services.

338 B. "Contract awarding authority" means any person with the power to enter into a
339 contractual arrangement binding the county and also means the particular office, agency or
340 division on whose behalf the contract is executed. In addition, "contract awarding

341 authority" includes, but is not limited to, the county executive, heads of county departments
342 or offices and, as delegated, division directors.

343 C. "Contractor" means any person, firm, business, organization, company,
344 partnership, corporation or other legal entity, excluding real property lessors and lessees
345 and government agencies, contracting to do business with the county including, but not
346 limited to, public work contractors, consultant contractors, providers of professional
347 services, service agencies, vendors and suppliers selling or furnishing materials, equipment
348 or goods or services.

349 D. "Disability" means the presence of a sensory, mental or physical impairment
350 that is medically cognizable or diagnosable; or exists as a record or history; or is perceived
351 to exist whether or not it exists in fact. A disability exists whether it is temporary or
352 permanent, common or uncommon, mitigated or unmitigated, or whether or not it limits the
353 ability to work generally or work at a particular job or whether or not it limits any other
354 activity within the scope of this chapter.

355 E. "Disability access laws" means all laws requiring that county services, programs
356 and activities be accessible by people with disabilities including Title II of the Americans
357 with Disabilities Act, Title II of the Telecommunications Act of 1934, as amended, and
358 Section 504 of the Rehabilitation Act of 1973, as amended.

359 F. "Discriminate" means an action, other than an action taken in accordance with
360 lawful equal employment opportunity efforts, or failure to act, whether by itself or as part
361 of a practice, the effect of which is to adversely affect or differentiate between or among
362 individuals or groups of individuals, by reasons of sex, race, color, marital status, national
363 origin, religious affiliation, disability, sexual orientation, gender identity or expression or

364 age except by minimum age and retirement provisions, unless based upon a bona fide
365 occupational qualification.

366 G. "Discrimination" means differential treatment of or pursuit of policies or
367 practices that have a disproportionate impact upon persons due to their sex, race, color,
368 marital status, national origin, religious affiliation, disability, sexual orientation, gender
369 identity or expression or age except by minimum age and retirement provisions, unless
370 based upon a bona fide occupational qualification.

371 H. "Employment" means any and all terms and conditions and policies and
372 practices of employment including, but not limited to, hiring, firing, upgrading, demotion,
373 recruiting, transfer, lay-off, termination, pay rates and advertisement, hours and conditions
374 of work.

375 I. "Equal employment opportunity" means the availability of employment and
376 advancement of all people based on merit, capability, and potential, and without regard to
377 an individual's sex, race, color, marital status, national origin, religious affiliation,
378 disability, sexual orientation, gender identity or expression or age except by minimum age
379 and retirement provisions, unless based upon a bona fide occupational qualification.

380 "Equal employment opportunity" includes the following components: recruitment,
381 application processing, hiring, job placement, compensation, promotion, transfer,
382 termination and work assignment.

383 J. "Equal employment opportunity efforts" means active efforts to ensure equal
384 opportunity in employment that is free from all forms of discrimination.

385 K. "Equal opportunity" means a system of practices under which individuals are
386 not excluded from any opportunity or benefits because of their sex, race, color, marital

387 status, national origin, religious affiliation, disability, sexual orientation, gender identity or
388 expression or age except by minimum age and retirement provisions, unless based upon a
389 bona fide occupational qualification.

390 L. "Gender identity or expression" means an individual's gender-related identity,
391 appearance or expression, whether or not associated with the individual's sex assigned at
392 birth, and includes an individual's attitudes, preferences, beliefs and practices pertaining to
393 the individual's own gender identity or expression.

394 M. "Lessor" and "lessee" means any person, firm, business, organization,
395 company, partnership, corporation or other legal entity, excluding government agencies,
396 entering into any lease or license for the possession or use of real property with the county.

397 ~~(M.)~~ N. "Minority" or "minorities" means a person who is a citizen of the United
398 States and who is a member of one or more of the following historically disadvantaged
399 racial groups:

400 1. Black or African American: Having origins in any of the Black racial groups
401 of Africa;

402 2. Hispanic: Mexican, Puerto Rican, Cuban, Central American, South American
403 or of other Spanish or Portuguese culture or origin, regardless of race;

404 3. Asian American: Having origins in any of the original peoples of the Far East,
405 Southeast Asia, the Indian subcontinent or the Pacific Islands; or

406 4. American Indian or Alaskan Native: Having origins in any of the original
407 peoples of North America.

408 ~~(N.)~~ O. "Permanent workforce" means those persons employed by a bidder,
409 proposer or contractor for at least six continuous months immediately prior to the bid or

410 proposal opening or the award of a contract by the county, and who are currently employed
411 by the bidder, proposer or contractor.

412 ((~~Q-~~)) P. "Reasonable accommodation" means steps taken to modify facilities used
413 by employees or to modify a particular job component which enables an otherwise
414 qualified person with a disability to perform the essential functions of the job.

415 ((~~P-~~)) Q. "Sexual orientation" means an individual's attitudes, preferences, beliefs
416 and practices pertaining to the individual's own sexual orientation including, but not limited
417 to, heterosexuality, homosexuality and bisexuality ((~~or homosexuality, and includes a~~
418 ~~person's attitudes, preferences, beliefs and practices pertaining to sex~~)).

419 ((~~Q-~~)) R. "Underrepresentation" means presence in a contractor's work force of
420 minorities, women and persons with disabilities, in a particular job category in
421 proportionate numbers less than their representation in the county's labor market area.

422 SECTION 6. Ordinance 13981, Section 1, as amended, and K.C.C. 12.17.002 are
423 hereby amended to read as follows:

424 This chapter is an exercise of the police power of King County for the protection of
425 the public welfare, health, peace and safety of the residents of King County and in
426 fulfillment of the provisions of the constitution of this state. The King County council
427 hereby finds and declares that practices of discrimination in contracting by business
428 enterprises against any person on the basis of race, color, age, gender, marital status, sexual
429 orientation, gender identity or expression, religion, ancestry, national origin, disability or
430 use of a service or assistive animal by an individual with a disability constitute matters of
431 local concern and are contrary to the public welfare, health, peace and safety of the
432 residents of King County.

433 SECTION 7. Ordinance 13981, Section 2, as amended, and K.C.C. 12.17.010 are
434 hereby amended to read as follows:

435 The definitions in this section apply throughout this chapter unless the context
436 clearly requires otherwise.

437 A. "Business enterprise" means a licensed business organization located in or
438 doing business in unincorporated King County or that is required to comply with this
439 chapter by the terms of an agreement with King County under K.C.C. 12.17.100.

440 B. "Charging party" means the person aggrieved by an alleged unfair contracting
441 practice or the person making a complaint on another person's behalf, or the office of civil
442 rights when the office of civil rights files a complaint.

443 C. "Commercially significant contract" means a contract for the provision of
444 services, including, but not limited to, construction services, consulting services or bonding
445 or other financial services, or the sale of goods that exceeds five thousand dollars.

446 D. "Contract" means an agreement to perform a service or provide goods that
447 entails a legally binding obligation and that is performed or intended to be wholly or partly
448 performed within unincorporated King County or that includes King County as a party.

449 "Contract" does not include the following: a contract for the purchase and sale of
450 residential real estate; a contract for employment; and a collective bargaining agreement.

451 E. "Contracting agency" means a person who for compensation engages in
452 recruiting, procuring, referral or placement of contracts with a contractor, and that is doing
453 business in King County.

454 F. "Contractor" means a business enterprise, including, but not limited to, a
455 company, partnership, corporation or other legal entity, excluding real property lessors and

456 lessees, contracting to do business within the county. "Contractor" includes, but is not
457 limited to, a public works contractor, a consultant contractor, a provider of professional
458 services, a service agency, a vendor, and a supplier selling or furnishing materials,
459 equipment, goods or services, but does not include a governmental agency other than King
460 County.

461 G. "Discriminate," "discrimination" and "discriminatory act" mean an action, other
462 than an action taken in accordance with a lawful affirmative action program, or failure to
463 act, whether by itself or as part of a practice, the effect of which is to adversely affect or
464 differentiate between or among individuals or groups of individuals, by reasons of race,
465 color, age, gender, marital status, sexual orientation, gender identity or expression, religion,
466 ancestry, national origin, disability or use of a service or assistive animal by an individual
467 with a disability, unless based upon a bona fide contractual qualification.

468 H. "Gender identity or expression" means an individual's gender-related identity,
469 appearance or expression, whether or not associated with the individual's sex assigned at
470 birth, and includes an individual's attitudes, preferences, beliefs and practices pertaining to
471 the individual's own gender identity or expression.

472 I. "Marital status" means the presence or absence of a marital relationship and
473 includes the status of married, separated, divorced, engaged, widowed, single or cohabiting.

474 ((F)) J. "Party" includes the person making a complaint alleging an unfair
475 contracting practice and the person alleged to have committed an unfair contracting
476 practice.

477 ((F)) K. "Person" includes one or more individuals, partnerships, business
478 enterprises, associations, organizations, corporations, cooperatives, legal representatives,

479 trustees, trustees in bankruptcy, receivers or group of persons and includes King County.

480 ~~((K.))~~ L. "Respondent" means a person who has been alleged or found to have
481 committed an unfair contracting practice prohibited by this chapter.

482 ~~((L.))~~ M. "Retaliate" means to take action against any person because that person
483 has:

- 484 1. Opposed any practice forbidden by this chapter;
- 485 2. Complied or proposed to comply with this chapter or any order issued under
486 this chapter; or
- 487 3. Filed a complaint, testified or assisted in any manner in any investigation,
488 proceeding or hearing initiated under this chapter.

489 N. "Service or assistive animal" means any dog guide, signal or hearing dog,
490 seizure response dog, therapeutic companion animal or other animal that does work,
491 performs tasks or provides medically necessary support for the benefit of an individual with
492 a disability.

493 ~~((M.))~~ O. "Sexual orientation" means an individual's attitudes, preferences, beliefs
494 and practices pertaining to the individual's own sexual orientation including, but not limited
495 to, actual or perceived heterosexuality, homosexuality~~((S))~~ and bisexuality~~((and gender~~
496 ~~identity. As used in this definition "gender identity" means having or being perceived as~~
497 ~~having a gender identity different from that traditionally associated with the sex assigned to~~
498 ~~that person at birth. Protection associated with "gender identity" includes self image,~~
499 ~~appearance, behavior or expression)).~~

500 ~~((N.))~~ P. "Trade association" means an association of businesses organizations
501 engaged in similar fields of business that is formed for mutual protection, the interchange

502 of ideas, information and statistics or the maintenance of standards within their industry.

503 SECTION 8. Ordinance 7430, Section 1, as amended, and K.C.C. 12.18.010 are
504 hereby amended to read as follows:

505 This chapter is an exercise of the police power of King County for the protection of
506 the public welfare, health, peace and safety of the residents of King County and in
507 fulfillment of the state Constitution. The King County council hereby finds and declares
508 that practices of employment discrimination against any person on the basis of race, color,
509 age, gender, marital status, sexual orientation, gender identity or expression, religion,
510 ancestry, national origin, disability or use of a service or assistive animal by an individual
511 with a disability constitute matters of local concern and are contrary to the public welfare,
512 health, peace and safety of the residents of King County.

513 SECTION 9. Ordinance 7430, Section 2, as amended, and K.C.C. 12.18.020 are
514 hereby amended to read as follows:

515 The definitions in this section apply throughout this chapter unless the context
516 clearly requires otherwise.

517 A. "Age" means being eighteen years old or older.

518 B. "Aggrieved person" includes any person who claims to have been injured by an
519 act of discrimination in a place of public accommodation;

520 C. "Charging party" means any person alleging an act of discrimination in a place
521 of public accommodation under this chapter by filing a complaint with the office of civil
522 rights.

523 D.1. "Disability" means:

524 a. a physical or mental impairment that substantially limits one or more of a

525 person's major life activities, either temporarily or permanently;
526 b. a person has a record of having such an impairment;
527 c. a person is regarded as having such an impairment; or
528 d. a person has any other condition that is a disability under the Washington state
529 Law Against Discrimination, chapter 49.60 RCW, as it pertains to public accommodations.

530 2. "Disability" does not include current, illegal use of a controlled substance, as
531 defined in section 102 of 21 U.S.C. Sec. 802 as it exists on April 16, 2006.

532 E. "Discrimination" or "discriminatory practice or act" means any action or failure
533 to act, whether by a single act or part of a practice, the effect of which is to adversely affect
534 or differentiate between or among individuals, by reasons of race, color, age, gender,
535 marital status, sexual orientation, gender identity or expression, religion, ancestry, national
536 origin, disability or use of a service or assistive animal by an individual with a disability,
537 unless based upon a bona fide occupational qualification.

538 F. "Employee" means any person who works for another in return for financial or
539 other compensation, and does not include any individual employed by the individual's
540 parents, spouse or child, or in the domestic service of any person.

541 G. "Employer" means King County or any person acting in the interest of an
542 employer, directly or indirectly, who employs eight or more persons in unincorporated
543 King County, and includes neither any religious or sectarian organization not organized
544 for private profit nor any governmental body other than King County.

545 H. "Employment agency" means any person who for compensation engages in
546 recruiting, procuring, referral or placement of employees with an employer.

547 I. "Gender identity or expression" means an individual's gender-related identity,

548 appearance, or expression, whether or not associated with the individual's sex assigned at
549 birth, and includes an individual's attitudes, preferences, beliefs and practices pertaining
550 to the individual's own gender identity or expression.

551 J. "Labor organization" means any organization existing for the purpose of:

552 1. Dealing with employers concerning grievances, terms or conditions of

553 employment; or

554 2. Providing other mutual aid or protection in connection with employment.

555 ~~((J.))~~ K. "Marital status" means the presence or absence of a marital relationship

556 and includes the status of married, separated, divorced, engaged, widowed, single or

557 cohabiting.

558 ~~((K.))~~ L. "Party" includes the person making a complaint or upon whose behalf a

559 complaint is made alleging an unfair employment practice, the person alleged or found to

560 have committed an unfair employment practice and the office of civil rights.

561 ~~((L.))~~ M. "Person" includes one or more individuals, partnerships, associations,

562 organizations, corporations, cooperatives, legal representatives, trustees, trustees in

563 bankruptcy, receivers or groups of persons and includes King County.

564 ~~((M.))~~ N. "Respondent" means any person who is alleged to or found to have

565 committed an unfair employment practice prohibited by this chapter.

566 ~~((N.))~~ O. "Service or assistive animal" means any dog guide, signal or hearing

567 dog, seizure response dog, therapeutic companion animal or other animal that does work,

568 performs tasks or provides medically necessary support for the benefit of an individual with

569 a disability.

570 ~~((O.))~~ P. "Settlement discussions" or "conference, conciliation and persuasion"

571 means the attempted resolution of issues raised by a complaint, or by the investigation of
572 a complaint, through informal negotiations involving the charging party, the respondent
573 and the office of civil rights.

574 ~~((P-))~~ Q. "Sexual orientation" means an individual's attitudes, preferences, beliefs
575 and practices pertaining to the individual's own sexual orientation including, but not
576 limited to, actual or perceived heterosexuality, homosexuality~~((s))~~ and bisexuality ~~((and~~
577 ~~gender identity. As used in this definition, "gender identity" means having or being~~
578 ~~perceived as having a gender identity different from that traditionally associated with the~~
579 ~~sex assigned to that person at birth. Protection associated with "gender identity" includes~~
580 ~~self image, appearance, behavior or expression)).~~

581 SECTION 10. Ordinance 5280, Section 1, as amended, K.C.C. 12.20.010 are
582 hereby amended to read as follows:

583 This chapter is an exercise of the police power of King County for the protection of
584 the public welfare, health, peace and safety of the residents of King County and in
585 fulfillment of the state Constitution. The King County council finds and declares that
586 practices of housing discrimination against any persons on the basis of race, color, religion,
587 national origin, ancestry, age, gender, marital status, parental status, participation in the
588 Section 8 program or other housing subsidy program, alternative source of income, sexual
589 orientation, gender identity or expression, disability or use of a service or assistive animal
590 by an individual with a disability constitute matters of local concern and are contrary to the
591 public welfare, health, peace and safety of the residents of King County.

592 SECTION 11. Ordinance 5280, Section 2, as amended, K.C.C. 12.20.020 are
593 hereby amended to read as follows:

594 The definitions in this section apply throughout this chapter unless the context
595 clearly requires otherwise.

596 A. "Aggrieved person" includes any person who claims to have been injured by an
597 act of discrimination in a place of public accommodation;

598 B. "Charging party" means any person alleging an act of discrimination in a place
599 of public accommodation under this chapter by filing a complaint with the office of civil
600 rights.

601 C.1. "Disability" means:

602 a. a physical or mental impairment that substantially limits one or more of a
603 person's major life activities, either temporarily or permanently;

604 b. a person has a record of having such an impairment;

605 c. a person is regarded as having such an impairment; or

606 d. a person has any other condition that is a disability under the Washington state
607 Law Against Discrimination, chapter 49.60 RCW, as it pertains to public accommodations.

608 2. "Disability" does not include current, illegal use of a controlled substance, as
609 defined in section 102 of 21 U.S.C. Sec. 802 as it exists on April 16, 2006.

610 D. "Discrimination" or "discriminatory practice or act" means any action or failure
611 to act, whether by a single act or part of a practice, the effect of which is to adversely affect
612 or differentiate between or among individuals, because of race, color, religion, national
613 origin, ancestry, age, gender, marital status, parental status, participation in the Section 8
614 program, sexual orientation, gender identity or expression, disability or use of a service or
615 assistive animal by an individual with a disability.

616 E. "Dwelling" or "dwelling unit" mean any building, structure or portion of a

617 building or structure that is occupied as, or designed or intended for occupancy as, a
618 residence by one or more families or individuals, and any vacant land that is offered for
619 sale or lease for the construction or location thereon of any such a building, structure or
620 portion of a building or structure.

621 F. "Gender identity or expression" means an individual's gender-related identity,
622 appearance, or expression, whether or not associated with the individual's sex assigned at
623 birth, and includes an individual's attitudes, preferences, beliefs and practices pertaining
624 to the individual's own gender identity or expression.

625 G. "Housing accommodations" means any dwelling or dwelling unit, rooming
626 unit, rooming house, lot or parcel of land in unincorporated King County that is used,
627 intended to be used or arranged or designed to be used as, or improved with, a residential
628 structure for one or more human beings.

629 ~~((G.))~~ H. "Marital status" means the presence or absence of a marital relationship
630 and includes the status of married, separated, divorced, engaged, widowed, single or
631 cohabiting.

632 ~~((H.))~~ I.1. "Parental status" means one or more individuals, who have not attained
633 the age of eighteen years, being domiciled with:

634 a. a parent or another person having legal custody of the individual or
635 individuals; or

636 b. the designee of such a parent or other person having the custody, with the
637 written permission
638 of the parent or other person.

639 2. The protections afforded against discrimination on the basis of familial status

640 apply to a person who is pregnant or is in the process of securing legal custody of an
641 individual who has not attained the age of eighteen years.

642 ~~((I.))~~ J. "Participation in the Section 8 program" means participating in a federal,
643 state or local government program in which a tenant's rent is paid partially by the
644 government, through a direct contract between the government program and the owner or
645 lessor of the real property, and partially by the tenant.

646 ~~((J.))~~ K. "Party" includes the person charging or making a complaint or upon
647 whose behalf a complaint is made alleging an unfair practice, the person alleged or found
648 to have committed an unfair practice and the office of civil rights.

649 ~~((K.))~~ L. "Person" means one or more individuals, partnerships, associations,
650 organizations, corporations, cooperatives, legal representatives, trustees and receivers or
651 any group of persons; including any owner, lessee, proprietor, housing manager, agent or
652 employee whether one or more natural persons. "Person" also includes any political or
653 civil subdivisions of the state and any agency or instrumentality of the state or of any
654 political or civil subdivision [of the state].

655 ~~((L.))~~ M. "Real estate transaction" includes, but is not limited to, the sale,
656 conveyance, exchange, purchase, rental, lease or sublease of real property.

657 ~~((M.))~~ N. "Real estate-related transaction" means any of the following:

- 658 1. The making or purchasing of loans or providing other financial assistance:
 - 659 a. for purchasing, constructing, improving, repairing or maintaining real
660 property; or
 - 661 b. secured by real property; or
- 662 2. The selling, brokering or appraising of real property.

663 ((N-)) Q. "Real property" includes, but is not limited to, buildings, structures, real
664 estate, lands, tenements, leaseholds, interests in real estate cooperatives, condominiums,
665 and hereditaments, corporeal and incorporeal, or any interest therein.

666 ((O-)) P. "Respondent" means any person who is alleged or found to have
667 committed an unfair practice prohibited by this chapter.

668 ((P-)) Q. "Senior citizens" means persons who are sixty-two years of age or older.

669 ((Q-)) R. "Service or assistive animal" means any dog guide, signal or hearing
670 dog, seizure response dog, therapeutic companion animal or other animal that does work,
671 performs tasks or provides medically necessary support for the benefit of an individual with
672 a disability.

673 ((R-)) S. "Settlement discussions" and "conference, conciliation and persuasion"
674 mean the attempted resolution of issues raised by a complaint, or by the investigation of a
675 complaint, through informal negotiations involving the charging party, the respondent
676 and the office of civil rights.

677 ((S-)) T. "Sexual orientation" means an individual's attitudes, preferences, belief
678 and practices pertaining to the individual's own sexual orientation including, but not
679 limited to, actual or perceived heterosexuality, homosexuality((s)) and bisexuality ((and
680 gender identity. As used in this definition, "gender identity" means having or being
681 perceived as having a gender identity different from that traditionally associated with the
682 sex assigned to that person at birth. Protection associated with gender identity includes
683 self image, appearance, behavior or expression)).

684 SECTION 12. Ordinance 5280, Section 3.A., as amended, K.C.C. 12.20.040 are
685 hereby amended to read as follows:

686 A. It is a discriminatory practice and unlawful for any person, whether acting on
687 the person's own behalf or for another, because of race, color, religion, national origin,
688 ancestry, age, gender, marital status, parental status, participation in the Section 8
689 program or other housing subsidy program, alternative source of income, sexual
690 orientation, gender identity or expression, disability or use of a service or assistive animal
691 by an individual with a disability:

692 1. Except as otherwise provided in subsection A.12. of this section, to refuse to
693 engage in a real estate transaction with a person or to otherwise make unavailable or deny
694 a dwelling to any person;

695 2. To discriminate against a person in the terms, conditions or privileges of a
696 real estate transaction, including financial terms and conditions such as the setting of
697 rents or damage deposits, or in the furnishing of facilities or services in connection with
698 any real estate transaction; however, rents and damage deposits may be adjusted to
699 recognize the number of persons utilizing the property except insofar as such adjustment
700 might discriminate based on race, color, religion, national origin, ancestry, age, gender,
701 marital status, parental status, participation in the Section 8 program or other housing
702 subsidy program, alternative source of income, sexual orientation, gender identity or
703 expression, disability or use of a service or assistive animal by an individual with a
704 disability;

705 3. To refuse to receive or to fail to transmit a bona fide offer to engage in a real
706 estate transaction from a person;

707 4. To refuse to negotiate for a real estate transaction with a person;

708 5. To represent to a person that real property is not available for inspection, sale,

709 rental or lease when in fact it is so available, to fail to bring a property listing to the
710 person's attention or to refuse to permit the person to inspect real property;

711 6. To make, print, circulate, publish, post or mail or cause to be made, printed,
712 circulated, published, posted or mailed a statement, notice, advertisement or sign,
713 pertaining to a real estate transaction or a real estate related transaction that indicates,
714 directly or indirectly, an intent to make a limitation, preference or discrimination with
715 respect to the transaction;

716 7. To use a form of application or to make a record of inquiry regarding a real
717 estate transaction or a real estate related transaction that indicates, directly or indirectly,
718 an intent to make a limitation, preference or discrimination with respect to the
719 transaction;

720 8. To offer, solicit, accept, use or retain a listing of real property with the
721 understanding that a person might be discriminated against in a real estate transaction or
722 in the furnishing of facilities or services in connection with the transaction;

723 9. To expel a person from occupancy of real property;

724 10. To discriminate against in the course of negotiating or executing a real
725 estate transaction whether by mortgage, deed of trust, contract or other instrument
726 imposing a lien or other security in real property or in negotiating or executing any item
727 or service related thereto including issuance of title insurance, mortgage insurance, loan
728 guarantee or other aspect of the transaction;

729 11. To deny any person access to or membership or participation in any
730 multiple-listing service, real estate brokers' organization, or other service, organization,
731 or facility relating to the business of selling or renting dwellings, or to discriminate

732 against any person in the terms or conditions of such access, membership or participation;

733 or

734 12.a. To refuse to lease or rent any real property to any person based on the
735 person's reliance on the Section 8 program or other housing subsidy programs to make
736 rental payments unless:

737 (1) the person's reliance on the Section 8 program or other housing subsidy
738 programs is conditioned on the real property passing inspection;

739 (2) the written estimate of the cost of improvements necessary to pass
740 inspection is more than one thousand five hundred dollars; and

741 (3) the landlord has not received moneys from the state's landlord mitigation
742 program, as set forth in chapter 43.31 RCW, to make the improvements.

743 b. This subsection A.12. shall apply beginning September 30, 2018.

744 B. It is a discriminatory practice and unlawful for any person, whether acting on
745 the person's own behalf or for another, to coerce, intimidate, threaten or interfere with
746 any other person in the exercise or enjoyment of, on account of the other person having
747 exercised or enjoyed, or on account of the other person having aided or encouraged any
748 person in the exercise or enjoyment of, any right granted or protected by this chapter.

749 C. It is a discriminatory practice and unlawful for any person, whether acting on
750 the person's own behalf or for another, to discriminate against in the sale or rental of, or
751 to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a
752 disability of any one or more of:

753 1. That buyer or renter;

754 2. A person residing in or intending to reside in that dwelling after it is so sold,

755 rented or made available; or

756 3. Any person associated with that buyer or renter.

757 D. It is a discriminatory practice and unlawful for any person, whether acting on
758 the person's own behalf or for another, to discriminate against any person in the terms,
759 conditions or privileges of sale or rental of a dwelling, or in the provision of services or
760 facilities in connection with a dwelling, because of a disability of any one or more of:

761 1. That person;

762 2. A person residing in or intending to reside in that dwelling after it is so sold,
763 rented or made available; or

764 3. Any person associated with that person.

765 E. For the purposes of this chapter, discriminatory practices based either on
766 disability or use of a service or assistive animal by an individual with a disability are
767 unlawful and include:

768 1. Refusal to permit, at the expense of an individual with a disability, reasonable
769 modifications of existing premises occupied or to be occupied by the person if the
770 modifications might be necessary to afford the person full enjoyment of the premises.

771 However, for a rental, the landlord may, if it is reasonable to do so, condition permission
772 for a modification on the renter agreeing to restore the interior of the premises to the
773 condition that existed before the modification, reasonable wear and tear excepted;

774 2. Refusal to make reasonable accommodations in rules, policies, practices or
775 services, if the accommodations might be necessary to afford an individual or individuals
776 with disabilities equal opportunity to use and enjoy a dwelling; or

777 3. Failure to design, construct and alter dwellings in conformance with 42

778 U.S.C. 3604 as it exists on April 16, 2006, the Washington State Barrier Free Regulations
779 (chapter 51-50 WAC, pursuant to chapters 19.27 and 70.92 RCW), other regulations
780 adopted under 42 U.S.C. 3604 and chapters 19.27 and 70.92 RCW, and all other
781 applicable laws pertaining to access to individuals with disabilities. If the requirements
782 of applicable laws differ, the requirements that require greater accessibility to individuals
783 with disabilities govern.

784 F. It is discriminatory practice and unlawful for any person, whether acting on
785 the person's own behalf or for another, to retaliate by taking action against another person
786 because the other person:

- 787 1. Opposed any practice forbidden by this chapter;
- 788 2. Complied or proposed to comply with this chapter or any order issued under
789 this chapter; or
- 790 3. Filed a complaint, testified or assisted in any manner in any investigation,
791 proceeding or hearing initiated under this chapter.

792 SECTION 13. Ordinance 5280, Section 3.B., as amended, K.C.C. 12.20.050 are
793 hereby amended to read as follows:

794 It is a discriminatory practice and unlawful for any person acting for monetary
795 gain, whether acting on the person's own behalf or for another in connection with any real
796 estate-related transaction, whose business includes engaging in real estate-related
797 transactions to discriminate against any person in making available such a transaction, or
798 in the terms or conditions of such a transaction, because of race, color, religion, national
799 origin, ancestry, age, gender, marital status, parental status, participation in Section 8
800 program or other housing subsidy program, alternative source of income, sexual

801 orientation, gender identity or expression, disability or use of a service or assistive animal
802 by an individual with a disability.

803 SECTION 14. Ordinance 5280, Section 3.C, as amended, K.C.C. 12.20.060 are
804 hereby amended to read as follows:

805 It is a discriminatory practice and unlawful for any person acting for monetary
806 gain, whether acting on the person's own behalf or others, directly or indirectly, to engage
807 in the practices of blockbusting or steering, including the commission of any one or more
808 of the following acts:

809 A. Inducing or attempting to induce any person to sell or rent any real property
810 by representation regarding the entry or prospective entry into the neighborhood or area
811 of a person or persons of a particular race, color, religion, national origin, ancestry, age,
812 gender, marital status, participation in the Section 8 program or other housing subsidy
813 program, alternative source of income, sexual orientation, gender identity or expression,
814 parental status, disability or use of a service or assistive animal by an individual with a
815 disability; or

816 B. Showing or otherwise taking any action, the intention or effect of which is to
817 steer a person or persons to any section of the county or to particular real property in a
818 manner tending to segregate or maintain segregation on the basis of race, color, religion,
819 national origin, ancestry, age, gender, marital status, sexual orientation, gender identity or
820 expression, parental status, participation in Section 8 program or other housing subsidy
821 program, alternative source of income, disability or use of a service or assistive animal by
822 a an individual with a disability.

823 SECTION 15. Ordinance 5280, Section 10, as amended, K.C.C. 12.20.130 are

824 hereby amended to read as follows:

825 A. Nothing in this chapter:

826 1. Prohibits treating any person or persons meeting the definition of parental
827 status or any individual with a disability or individuals with disabilities more favorably
828 than others if the favorable treatment does not discriminate against persons on the basis
829 of race, color, religion, national origin, ancestry, age, gender, marital status, parental
830 status, participation in the Section 8 program or other housing subsidy program,
831 alternative source of income, sexual orientation, gender identity or expression, disability
832 or use of a service or assistive animal by an individual with a disability;

833 2. Prohibits a religious organization, association or society, or any nonprofit
834 institution or organization operated, supervised or controlled by or in conjunction with a
835 religious organization, association or society, from limiting the sale, rental or occupancy
836 of dwellings that it owns or operates for other than a commercial purpose, to persons of
837 the same religion, or from giving preference to persons of the same religion, but only if:

838 a. membership in the religion is not restricted on account of race, color,
839 ancestry or national origin; and

840 b. the limitation or preference is reasonably in the furtherance of a religious
841 purpose or activity;

842 3. Prohibits any person from limiting the rental or occupancy of housing
843 accommodations in any collegiate Greek system residence, school dormitory or similar
844 residential facility to persons of one gender if considerations of personal privacy exist;

845 4. Prohibits any person from limiting, on the basis of age or parental status, the
846 sale, rental or occupancy of housing accommodations that fully qualify as housing for

847 older persons age fifty-five and over under 42 U.S.C. Sec. 3607 as it exists on April 16,
848 2006;

849 5. Prohibits any person from limiting the sale, rental or occupancy of housing
850 accommodations to:

851 a. individuals with disabilities in any housing facility operated for individuals
852 with disabilities;

853 b. senior citizens in any housing facility operated exclusively for senior
854 citizens; or

855 c. elderly persons in any housing provided under any state or federal program
856 that meets the requirements of 42 U.S.C. Sec. 3607(b)(2)(A) as it exists on April 16,
857 2006;

858 6. Requires any person to rent or lease a housing accommodation to a minor;

859 7. Requires or permit any sale, rental or occupancy otherwise prohibited by law;

860 8. May be interpreted to prohibit any person from making a choice among
861 prospective purchasers or tenants of real property on the basis of factors other than race,
862 color, religion, ancestry, national origin, age, gender, marital status, parental status,
863 sexual orientation, gender identity or expression, participation in the Section 8 program
864 or other housing subsidy program, alternative source of income, disability or use of a
865 service or assistive animal by an individual with a disability; or

866 9. Prohibits any person from placing limitations on the maximum number of
867 tenants permitted per unit on account of reasonable space limitations or requirements of
868 law.

869 B. Nothing in this chapter, except K.C.C. 12.20.040.A.6., 12.20.040.A.7.,

870 12.20.040.A.8., 12.20.040.B. and 12.20.050, applies to the renting, subrenting, leasing or
871 subleasing of a single-family or duplex dwelling unit in which the owner normally
872 maintains a permanent residence, home or abode.

873 C. Nothing in this chapter prohibits any party to a real estate transaction or real
874 estate-related transaction from considering the capacity to pay and credit history of any
875 individual applicant.

876 D. Nothing in this chapter prohibits any party to a real estate transaction or real
877 estate related transaction from considering or taking reasonable action based on the
878 application of ((the)) community property law to ((the)) an individual case.

879 SECTION 16. Ordinance 8625, Section 1, as amended, and K.C.C. 12.22.010 are
880 hereby amended to read as follows:

881 This chapter is an exercise of the police power of King County for the protection of
882 the public welfare, health, peace and safety of the residents of King County and in
883 fulfillment of the state Constitution. The King County council hereby finds and declares
884 that the practice of discrimination against any person on the basis of race, color, gender,
885 marital status, parental status, sexual orientation, gender identity or expression, religion,
886 ancestry, age, national origin, disability or use of a service or assistive animal by an
887 individual with a disability in places of public accommodation constitute matters of local
888 concern and are contrary to the public welfare, health, peace and safety of the residents of
889 King County.

890 SECTION 17. Ordinance 8625, Section 2, as amended, and K.C.C. 12.22.020 are
891 hereby amended to read as follows:

892 The definitions in this section apply throughout this chapter unless the context

893 clearly requires otherwise.

894 A. "Aggrieved person" includes any person who claims to have been injured by an
895 act of discrimination in a place of public accommodation;

896 B. "Charging party" means any person alleging an act of discrimination in a place
897 of public accommodation under this chapter by filing a complaint with the office of civil
898 rights.

899 C.1. "Disability" means:

- 900 a. a physical or mental impairment that substantially limits one or more of a
901 person's major life activities, either temporarily or permanently;
- 902 b. a person has a record of having such an impairment;
- 903 c. a person is regarded as having such an impairment; or
- 904 d. a person has any other condition that is a disability under the Washington state
905 Law Against Discrimination, chapter 49.60 RCW, as it pertains to public accommodations.

906 2. "Disability" does not include current, illegal use of a controlled substance, as
907 defined in section 102 of 21 U.S.C. Sec. 802 as it exists on April 16, 2006.

908 D. "Discrimination" or "discriminatory practice or act" means any action or failure
909 to act, whether by a single act or part of a practice, the effect of which is to adversely affect
910 or differentiate between or among individuals, because of race, color, religion, national
911 origin, ancestry, age, gender, marital status, parental status, sexual orientation, gender
912 identity or expression, disability or use of a service or assistive animal by an individual
913 with a disability.

914 E. "Gender identity or expression" means an individual's gender-related identity,
915 appearance, or expression, whether or not associated with the individual's sex assigned at

916 birth, and includes an individual's attitudes, preferences, beliefs and practices pertaining to
917 the individual's own gender identity or expression.

918 F. "Marital status" means the presence or absence of a marital relationship and
919 includes the status of married, separated, divorced, engaged, widowed, single or cohabiting.

920 ~~((F.))~~ G. "Owner" includes a person who owns, leases, subleases, rents, operates,
921 manages, has charge of, controls or has the right of ownership, possession, management,
922 charge or control of real property on the person's own behalf or on behalf of another.

923 ~~((G.))~~ H. "Parental status" means being a parent, step-parent, adoptive parent,
924 guardian, foster parent or custodian of a minor child or children.

925 ~~((H.))~~ I. "Party" includes a person making a complaint or upon whose behalf a
926 complaint is made alleging an unfair public accommodations practice, a person alleged or
927 found to have committed an unfair public accommodations practice and the office of civil
928 rights.

929 ~~((I.))~~ J. "Person" means one or more individuals, partnerships, associations,
930 organizations, corporations, cooperatives, legal representatives, trustees, trustees in
931 bankruptcy, receivers or any group of persons, and includes King County but no
932 governmental body other than King County. "Person" also includes any owner, lessee,
933 proprietor, manager, agent or employee whether one or more natural persons.

934 ~~((J.))~~ K. "Place of public accommodation" means any place, store or other
935 establishment, either licensed or unlicensed, that supplies goods or services to the general
936 public. "Place of public accommodation" includes, but is not limited to, the following
937 types of services or facilities: hotels, or other establishments provide lodging to transient
938 guests; restaurants, cafeterias, lunchrooms, lunch counters, soda fountains or other facilities

939 principally engaged in selling or offering for sale food for consumption upon the premises;
940 motion picture houses, theatres, concert halls, convention halls, sport arenas, stadiums or
941 other places of exhibition or entertainment; bowling alleys and amusement parks; retail
942 establishments; transportation carriers; barber shop; beauty shops; bars or taverns or other
943 facilities engaged in selling or offering for sale alcoholic beverages for consumption upon
944 the premises; food banks, senior citizens centers and other social service organizations and
945 establishments; places of public accommodation operated by King County; and public
946 burial facilities if the facilities are owned and operated by any cemetery corporation or
947 burial association.

948 ~~((K.))~~ L. "Respondent" means a person who is alleged or found to have
949 discriminated in a place of public accommodation.

950 ~~((L.))~~ M. "Senior citizen" means an individual as old or older than an age set for a
951 senior category. The minimum age for the senior category is fifty-five years.

952 ~~((M.))~~ N. "Service or assistive animal" means any dog guide, signal or hearing dog,
953 seizure response dog, therapeutic companion animal or other animal that does work,
954 performs tasks or provides medically necessary support for the benefit of an individual with
955 a disability.

956 ~~((N.))~~ O. "Settlement discussions" or "conference, conciliation and persuasion"
957 means the attempted resolution of issues raised by a complaint, or by the investigation of a
958 complaint, through informal negotiations involving the charging party, the respondent and
959 the office of civil rights.

960 ~~((O.))~~ P. "Sexual orientation" means an individual's attitudes, preferences, beliefs
961 and practices pertaining to the individual's own sexual orientation including, but not

962 ~~limited to, actual or perceived~~ heterosexuality, homosexuality((;)) ~~and~~ bisexuality((and
963 gender identity. As used in this definition, "gender identity" means having or being
964 perceived as having a gender identity different from that traditionally associated with the
965 sex assigned to that person at birth. Protection associated with "gender identity" includes
966 self image, appearance, behavior or expression)).

967 SECTION 18. Ordinance 8625, Section 3, as amended, and K.C.C. 12.22.030 are
968 hereby amended to read as follows:

969 It is unlawful for any person to engage in, or cause or allow another to engage in,
970 any of the acts listed in this section, which are hereby designated as discrimination, in
971 places of public accommodation located in unincorporated King County or operated by
972 King County wherever located.

973 A. It is a discriminatory practice for any person, whether acting on the person's
974 own behalf or for another, because of race, color, religion, national origin, ancestry, age,
975 gender, marital status, parental status, sexual orientation, gender identity or expression,
976 disability or use of a service or assistive animal by an individual with a disability:

977 1. As owner, custodial agent or employee of a place of public accommodation,
978 to discriminate in denying, refusing, rejecting or granting any privilege, service, goods,
979 merchandise, commodity or accommodation;

980 2. As owner, custodial agent or employee of a place of public accommodation,
981 to discriminate by segregating or requiring the placing of any person in any separate
982 section or area of the premises or facilities of the place of public accommodation; or

983 3. To place, post, maintain or display any written or printed advertisement,
984 notice or sign to the effect that any of the accommodations, advantages, facilities,

985 privileges, goods or merchandise of any place of public accommodation, will or might be
986 refused, withheld from or denied to any person.

987 B. It is a discriminatory practice and unlawful for any person , whether acting on
988 the person's own behalf or for another, to retaliate by taking action against another person
989 because the other person:

990 1. Opposed any practice forbidden by this chapter;

991 2. Complied or proposed to comply with this chapter or any order issued under
992 this chapter; or

993 3. Filed a complaint, testified or assisted in any manner in any investigation,
994 proceeding or hearing initiated under this chapter.

995 C. Nothing in this section:

996 1. Applies to any non-commercial facility operated or maintained by a bona fide
997 religious institution;

998 2. May be construed to prohibit treating individuals with disabilities more
999 favorably than individuals without disabilities or to prohibit treating senior citizens more
1000 favorably than nonsenior citizens; or

1001 3. May be construed to prohibit offering discounts, special prices or other
1002 special arrangements to children or families or imposing age limits for individuals up to
1003 twenty-one years old."

1004

1005 **EFFECT: *The Striking Amendment would revert the definition of "service or assistive***
1006 ***animal" to its current definition in King County Code.***