

in Lebanon County, North Londonderry Township, to be administered by the Pennsylvania Historical and Museum Commission.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The Pennsylvania Historical and Museum Commission is hereby authorized to accept as a gift the Bindnagles Evangelical Lutheran Church in Lebanon County, North Londonderry Township, together with such lands, buildings, et cetera appurtenant as form an essential part of said property.

APPROVED—The 27th day of November, A. D. 1967.

RAYMOND P. SHAFER

No. 291

AN ACT

HB 763

Amending the act of October 27, 1955 (P. L. 744), entitled, as amended, "An act prohibiting certain practices of discrimination because of race, color, religious creed, ancestry, age or national origin by employers, employment agencies, labor organizations and others as herein defined; creating the Pennsylvania Human Relations Commission in the Department of Labor and Industry; defining its functions, powers and duties; providing for procedure and enforcement; providing for formulation of an educational program to prevent prejudice; providing for judicial review and enforcement and imposing penalties," further prohibiting discrimination in the selling, leasing or financing of commercial housing, and providing enforcement and penalty provisions.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Clauses (j) and (k) of section 4, act of October 27, 1955 (P. L. 744), known as the "Pennsylvania Human Relations Act," amended February 28, 1961 (P. L. 47), are amended to read:

Section 4. Definitions.—As used in this act unless a different meaning clearly appears from the context:

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(j) The term "commercial housing" means housing accommodations held or offered for sale or rent (1) by a real estate broker, salesman or agent, or by any other person pursuant to authorization of the owner; (2) by the owner himself; or (3) by legal representatives, but shall not include any personal residence offered for [sale or] rent by the owner or lessee thereof, or by his broker, salesman, agent or employe.

(k) The term "personal residence" means a building or structure containing living quarters occupied or intended to be occupied by no more than two individuals, two groups or two families living independently of each other and used by the owner or lessee thereof as a bona fide residence for himself and any members of his family forming his household.

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Section 2. The first paragraph and subsection (h) and the last paragraph of subsection (i) of section 5 of the act, the first paragraph reenacted and amended January 24, 1966 (P. L. 1525), subsection (h) amended August 11, 1967 (Act No. 72) and the last paragraph of subsection (i) amended February 28, 1961 (P. L. 47), are reenacted and amended to read:

Section 5. Unlawful Discriminatory Practices.—It shall be an unlawful discriminatory practice, unless based upon a bona fide occupational qualification, or in the case of a fraternal corporation or association, unless based upon membership in such association or corporation, or except where based upon applicable security regulations established by the United States or the Commonwealth of Pennsylvania:

* * *

(h) For any person to:

(1) Refuse to sell, lease, finance or otherwise to deny or withhold commercial housing from any person because of the race, color, religious creed, ancestry or national origin of any prospective owner, occupant or user of such commercial housing, or to refuse to lease commercial housing to any person due to use of a guide dog because of the blindness of the user.

(2) Refuse to lend money, whether or not secured by mortgage or otherwise for the acquisition, construction, rehabilitation, repair or maintenance of commercial housing or otherwise withhold financing of commercial housing from any person because of the race, color, religious creed, ancestry or national origin of any present or prospective owner, occupant or user of such commercial housing.

(3) Discriminate against any person in the terms or conditions of selling or leasing any commercial housing or in furnishing facilities, services or privileges in connection with the ownership, occupancy, or use of any commercial housing because of the race, color, religious creed, ancestry or national origin of any present or prospective owner, occupant or user of such commercial housing, or to discriminate against any person in the terms of leasing any commercial housing or in furnishing facilities, services or privileges in connection with the occupancy or use of any commercial housing due to use of a guide dog because of the blindness of the user.

(4) Discriminate against any person in the terms or conditions of any loan of money, whether or not secured by mortgage or otherwise for the acquisition, construction, rehabilitation, repair or maintenance of commercial housing because of the race, color,

religious creed, ancestry or national origin of any present or prospective owner, occupant or user of such commercial housing.

(5) Print, publish or circulate any statement or advertisement relating to the sale, lease or acquisition of any commercial housing or the loan of money, whether or not secured by mortgage, or otherwise for the acquisition, construction, rehabilitation, repair or maintenance of commercial housing which indicates any preference, limitation, specification, or discrimination based upon race, color, religious creed, ancestry or national origin, or to print, publish or circulate any statement or advertisement relating to the lease of any commercial dwelling which indicates any preference, limitation, specification or discrimination based upon use of a guide dog because of the blindness of the user.

(6) Make any inquiry, elicit any information, make or keep any record or use any form of application, containing questions or entries concerning race, color, religious creed, ancestry or national origin in connection with the sale or lease of any commercial housing or loan of any money, whether or not secured by mortgage or otherwise for the acquisition, construction, rehabilitation, repair or maintenance of commercial housing, or to make any inquiry, elicit any information, make or keep any record or use any form of application, containing questions or entries concerning the use of a guide dog because of the blindness of the user, in connection with the lease of any commercial housing.

(i) For any person being the owner, lessee, proprietor, manager, superintendent, agent or employe of any place of public accommodation, resort or amusement to

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Nothing in subsection (h) of this section shall bar any religious or denominational institution or organization or any charitable or educational organization, which is operated, supervised or controlled by or in connection with a religious organization or any bona fide private or fraternal organization from giving preference to persons of the same religion or denomination or to members of such private or fraternal organization or from making such selection as is calculated by such organization to promote the religious principles or the aims, purposes or fraternal principles for which it is established or maintained. Nor shall it apply to the rental of rooms or apartments in a landlord occupied rooming house with a common entrance.

Section 3. Section 9.1 of the act, added January 24, 1966 (P. L. 1523), is reenacted to read:

Section 9.1. Injunctions in Certain Housing Complaints.—When it appears that a housing unit or units involved in a complaint may be sold, rented or otherwise disposed of before a determination of the case has been made, and the commission shows probable cause for the complaint, the court of common pleas of the county in which the unit is located may issue an injunction restraining the sale,

rental or other disposition of the unit or units, except in compliance with the order of court. The court may attach to any such injunction granted such other conditions as it deems proper. Such injunction, if issued, shall be of no more than thirty days duration. If an extension of time is required by the commission, this extension may be granted at the discretion of the court, but a reasonable bond shall be required by the court before granting such extension.

Section 4. Section 10 of the act, reenacted and amended January 24, 1966 (P. L. 1525) and amended January 25, 1966 (P. L. 1589), is reenacted to read:

Section 10. Enforcement and Judicial Review.—The complainant, the Attorney General or the Commission may secure enforcement of the order of the Commission or other appropriate relief by the Court of Common Pleas of Dauphin County or by the court of common pleas of the county within which the hearing was held. When the Commission has heard and decided any complaint brought before it, enforcement of its order shall be initiated by the filing of a petition in such court, together with a transcript of the record of the hearing before the Commission, and issuance and service of a copy of said petition as in proceedings in equity. When enforcement of a Commission order is sought, the court may make and enter, upon the pleadings, testimony and proceedings set forth in such transcript, an order or decree enforcing, modifying and enforcing as so modified, or setting aside, in whole or in part, the order of the Commission, and the jurisdiction of the court shall not be limited by acts pertaining to equity jurisdiction of the courts. An appeal may be taken as in other civil actions.

Any failure to obey an order of the court may be punished by said court as a contempt thereof.

The Commission's copy of the testimony shall be available at all reasonable times to all parties for examination without cost, and for the purpose of enforcement or judicial review of the order. The case shall be heard without requirement of printing.

Except as otherwise provided herein, any order of the Commission may be reviewed under the provisions of the act of June four, one thousand nine hundred forty-five (Pamphlet Laws 1388), known as the "Administrative Agency Law," and its amendments.

Section 5. Section 11 of the act, reenacted January 24, 1966 (P. L. 1525), is reenacted to read:

Section 11. Penalties.—Any person who shall wilfully resist, prevent, impede or interfere with the Commission, its members, agents or agencies in the performance of duties pursuant to this act, or shall wilfully violate an order of the Commission, shall be guilty of a misdemeanor and, upon conviction thereof, shall be sentenced to pay a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), or to undergo imprisonment not exceeding thirty (30) days, or both, in the dis-

cretion of the court, but procedure for the review of an order shall not be deemed to be such wilful conduct.

APPROVED—The 29th day of November, A. D. 1967.

RAYMOND P. SHAFER

No. 292

AN ACT

HB 1436

Granting a tax credit to certain business firms who contribute to neighborhood organizations or who engage in activities which tend to upgrade impoverished areas.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. This act shall be known and may be cited as the "Neighborhood Assistance Act."

Section 2. As used in this act:

(1) "Community services" means any type of counselling and advice, emergency assistance or medical care furnished to individuals or groups in an impoverished area.

(2) "Impoverished area" means any area in Pennsylvania which is certified as such by the Department of Public Welfare and approved by the Department of Revenue. Such certification shall be made on the basis of Federal census studies and current indices of social and economic conditions.

(3) "Neighborhood organization" means any organization performing community services in an impoverished area and holding a ruling from the Internal Revenue Service of the United States Department of the Treasury that the organization is exempt from income taxation under the provisions of the Internal Revenue Code.

(4) "Neighborhood assistance" means furnishing financial assistance, labor, material, and technical advice to aid in the physical improvement of any part or all of an impoverished area.

(5) "Business firm" means any business entity authorized to do business in the Commonwealth of Pennsylvania and subject to the Corporate Net Income Tax Act.

(6) "Job training" means any type of instruction to an individual who resides in an impoverished area that enables him to acquire vocational skills so that he can become employable or be able to seek a higher grade of employment.

(7) "Education" means any type of scholastic instruction to an individual who resides in an impoverished area that enables him to meet educational requirements for known job vacancies.