

No. 102

AN ACT

SB 1135

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 regulating unlawful discriminatory practices.

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

Section 1. Clause (i) of section 5, act of October 27, 1955 (P.L.744), known as the "Pennsylvania Human Relations Act," added February 28, 1961 (P.L.47) and reenacted and amended November 29, 1967 (P.L.632), is 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:

* * *

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

(1) Refuse, withhold from, or deny to any person because of his race, color, religious creed, ancestry or national origin, *or to any person due to use of a guide dog because of the blindness of the user*, either directly or indirectly, any of the accommodations, advantages, facilities or privileges of such place of public accommodation, resort or amusement.

(2) Publish, circulate, issue, display, post or mail, either directly or indirectly, any written or printed communication, notice or advertisement to the effect that any of the accommodations, advantages, facilities and privileges of any such place shall be refused, withheld from or denied to any person on account of race, color, religious creed, ancestry or national origin, *or to any person due to use of a guide dog because of the blindness of the user*, or that the patronage or custom thereat of any person, belonging to or purporting to be of any particular race, color, religious creed, ancestry or national origin, *or to any person due to use of a guide dog because of the blindness of the user*, is unwelcome, objectionable or not acceptable, desired or solicited.

Nothing in [subsection] *clause* (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.

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APPROVED—The 9th day of June, A. D. 1972.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 102.

A handwritten signature in black ink, reading "C. McLaren Tucker". The signature is written in a cursive style with a large initial "C" and a prominent "M".

Secretary of the Commonwealth.