

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H.B 1078
May 10, 2016
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10522-MMa-153B (04/25)

Short Title: The Equality for All Act. (Public)

Sponsors: Representatives Sgro, Harrison, Fisher, and Alexander (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROTECT ALL NORTH CAROLINIANS AGAINST DISCRIMINATION IN
3 ALL WALKS OF LIFE.

4 The General Assembly of North Carolina enacts:

5
6 **PART I. NAME OF ACT**

7 **SECTION 1.1.** This act shall be known as "The Equality for All Act."
8

9 **PART II. HOUSING**

10 **SECTION 2.1.** G.S. 41A-3 reads as rewritten:

11 **"§ 41A-3. Definitions.**

12 For the purposes of this Chapter, the following definitions apply:

13 ...

14 (5a) "Protected status" means a person's race, color, national origin, religion, age,
15 disability, sex, marital status, familial status, sexual orientation, gender identity,
16 military or veteran status, or genetic information.

17"

18 **SECTION 2.2.** G.S. 41A-4 reads as rewritten:

19 **"§ 41A-4. Unlawful discriminatory housing practices.**

20 (a) It is an unlawful discriminatory housing practice for any person in a real estate
21 transaction, because of ~~race, color, religion, sex, national origin, handicapping condition, or~~
22 ~~familial status~~ the protected status of another person to:

- 23 (1) Refuse to engage in a real estate transaction;
24 (2) Discriminate against a person in the terms, conditions, or privileges of a real
25 estate transaction or in the furnishing of facilities or services in connection
26 therewith;
27 (2a), (2c) Repealed by Session Laws 2009-388, s. 1, effective October 1, 2009.
28 (3) Refuse to receive or fail to transmit a bona fide offer to engage in a real estate
29 transaction;
30 (4) Refuse to negotiate for a real estate transaction;
31 (5) Represent to a person that real property is not available for inspection, sale,
32 rental, or lease when in fact it is so available, or fail to bring a property listing
33 to his attention, or refuse to permit him to inspect real property;
34 (6) Make, print, circulate, post, or mail or cause to be so published a statement,
35 advertisement, or sign, or use a form or application for a real estate transaction,
36 or make a record or inquiry in connection with a prospective real estate



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1 transaction, which indicates directly or indirectly, an intent to make a
2 limitation, specification, or discrimination with respect thereto;

3 (7) Offer, solicit, accept, use, or retain a listing of real property with the
4 understanding that any person may be discriminated against in a real estate
5 transaction or in the furnishing of facilities or services in connection therewith;
6 or

7 (8) Otherwise make unavailable or deny housing.

8 ...

9 (b1) It is an unlawful discriminatory housing practice for any person or other entity whose
10 business includes engaging in residential real estate related transactions to discriminate against any
11 person in making available such a transaction, or in the terms and conditions of such a transaction,
12 because of ~~race, color, religion, sex, national origin, handicapping condition, or familial~~ that
13 person's protected status. As used in this subsection, "residential real estate related transaction"
14 means:

15 (1) The making or purchasing of loans or providing financial assistance (i) for
16 purchasing, constructing, improving, repairing, or maintaining a dwelling, or
17 (ii) where the security is residential real estate; or

18 (2) The selling, brokering, or appraising of residential real estate.

19 The provisions of this subsection shall not prohibit any financial institution from using a loan
20 application which inquires into a person's financial and dependent obligations or from basing its
21 actions on the income or financial abilities of any person.

22 (c) It is an unlawful discriminatory housing practice for a person to induce or attempt to
23 induce another to enter into a real estate transaction from which such person may profit:

24 (1) By representing that a change has occurred, or may or will occur in the
25 composition of the residents of the block, neighborhood, or area in which the
26 real property is located with respect to ~~race, color, religion, sex, national origin,~~
27 ~~handicapping condition, or familial~~ the protected status of the owners or
28 occupants; or

29 (2) By representing that a change has resulted, or may or will result in the lowering
30 of property values, an increase in criminal or antisocial behavior, or a decline in
31 the quality of schools in the block, neighborhood, or area in which the real
32 property is located.

33 (d) It is an unlawful discriminatory housing practice to deny any person who is otherwise
34 qualified by State law access to or membership or participation in any real estate brokers'
35 organization, multiple listing service, or other service, organization, or facility relating to the
36 business of engaging in real estate transactions, or to discriminate in the terms or conditions of
37 such access, membership, or participation because of ~~race, color, religion, sex, national origin,~~
38 ~~handicapping condition, or familial~~ that person's protected status.

39 ...

40 (g) It is an unlawful discriminatory housing practice to discriminate in land-use decisions
41 or in the permitting of development based on ~~race, color, religion, sex, national origin,~~
42 ~~handicapping condition, familial~~ a person's protected status, or, except as otherwise provided by
43 law, the fact that a development or proposed development contains affordable housing units for
44 families or individuals with incomes below eighty percent (80%) of area median income. It is not
45 a violation of this Chapter if land-use decisions or permitting of development is based on
46 considerations of limiting high concentrations of affordable housing."

47 **SECTION 2.3.** G.S. 41A-5(a) reads as rewritten:

48 "**§ 41A-5. Proof of violation.**

49 (a) It is a violation of this Chapter if:

50 (1) A person by his act or failure to act intends to discriminate against a person. A
51 person intends to discriminate if, in committing an unlawful discriminatory

housing practice described in G.S. 41A-4 he was motivated in full, or in any part at all, by ~~race, color, religion, sex, national origin, handicapping condition, or familial~~ a person's protected status. An intent to discriminate may be established by direct or circumstantial evidence.

- (2) A person's act or failure to act has the effect, regardless of intent, of discriminating, as set forth in G.S. 41A-4, against a person ~~of a particular race, color, religion, sex, national origin, handicapping condition, or familial~~ of a protected status. However, it is not a violation of this Chapter if a person whose action or inaction has an unintended discriminatory effect, proves that his action or inaction was motivated and justified by business necessity.

...."

SECTION 2.4. G.S. 41A-6(a) reads as rewritten:

"§ 41A-6. Exemptions.

(a) The provisions of G.S. 41A-4, except for subdivision (a)(6), do not apply to the following:

- (1) The rental of a housing accommodation in a building which contains housing accommodations for not more than four families living independently of each other, if the lessor or a member of his family resides in one of the housing accommodations;
- (2) The rental of ~~a room or~~ four or fewer rooms in a private house, not a boarding house, if the lessor or a member of his family resides in the house;
- (3) Religious institutions or organizations or charitable or educational organizations operated, supervised, or controlled by religious institutions or organizations which give preference to members of the same religion in a real estate transaction, as long as membership in such religion is not restricted by ~~race, color, sex, national origin, handicapping condition, or familial status;~~ a protected status, other than religion;

...."

PART III. EMPLOYMENT

SECTION 3.1. G.S. 143-422.2, as amended by Section 3.1 of S.L. 2016-3, reads as rewritten:

"§ 143-422.2. Legislative declaration.

(a) It is the public policy of this State to protect and safeguard the right and opportunity of all persons to seek, obtain and hold employment without discrimination or abridgement on account of race, religion, color, national origin, age, ~~biological sex disability, marital status, familial status, sex, sexual orientation, gender identity, military or veteran status, genetic information,~~ or handicap by employers which regularly employ ~~15 or more employees;~~ more than one employee.

(b) It is recognized that the practice of denying employment opportunity and discriminating in the terms of employment foments domestic strife and unrest, deprives the State of the fullest utilization of its capacities for advancement and development, and substantially and adversely affects the interests of employees, employers, and the public in general.

(c) ~~The General Assembly declares that the regulation of discriminatory practices in employment is properly an issue of general, statewide concern, such that this Article and other applicable provisions of the General Statutes supersede and preempt any ordinance, regulation, resolution, or policy adopted or imposed by a unit of local government or other political subdivision of the State that regulates or imposes any requirement upon an employer pertaining to the regulation of discriminatory practices in employment, except such regulations applicable to personnel employed by that body that are not otherwise in conflict with State law."~~

1 **SECTION 3.2.** G.S. 143-422.3, as amended by Section 3.2 of S.L. 2016-3, reads as
2 rewritten:

3 **"§ 143-422.3. Investigations; conciliations.**

4 (a) The Human Relations Commission in the Department of Administration shall have the
5 authority to receive charges of discrimination from the Equal Employment Opportunity
6 Commission pursuant to an agreement under Section 709(b) of Public Law 88-352, as amended by
7 Public Law 92-261, and investigate and conciliate charges of discrimination. Throughout this
8 process, the agency shall use its good offices to effect an amicable resolution of the charges of
9 discrimination. ~~This Article does not create, and shall not be construed to create or support, a~~
10 ~~statutory or common law private right of action, and no person may bring any civil action based~~
11 ~~upon the public policy expressed herein.~~

12 (b) If the Commission is unable to effect an amicable resolution of the charges of
13 discrimination, the complainant and the Commission may proceed with an enforcement action
14 using the procedures provided in G.S. 41A-7."

15 **SECTION 3.3.** G.S. 126-16 reads as rewritten:

16 **"§ 126-16. Equal opportunity for employment and compensation by State departments and**
17 **agencies and local political subdivisions.**

18 All State agencies, departments, and institutions and all local political subdivisions of North
19 Carolina shall give equal opportunity for employment and compensation, without regard to race,
20 religion, color, national origin, sex, sexual orientation, gender identity, marital status, familial
21 status, military or veteran status, age, disability, or genetic information to all persons otherwise
22 qualified."

23 **SECTION 3.4.** G.S. 126-34.02(b) reads as rewritten:

24 (b) The following issues may be heard as contested cases after completion of the agency
25 grievance procedure and the Office of State Human Resources review:

- 26 (1) Discrimination or harassment. – An applicant for State employment, a State
27 employee, or former State employee may allege discrimination or harassment
28 based on race, religion, color, national origin, sex, sexual orientation, gender
29 identity, marital status, familial status, military or veteran status, age, disability,
30 genetic information, or political affiliation if the employee believes that he or
31 she has been discriminated against in his or her application for employment or
32 in the terms and conditions of the employee's employment, or in the termination
33 of his or her employment.
- 34 (2) Retaliation. – An applicant for State employment, a State employee, or former
35 State employee may allege retaliation for protesting discrimination based on
36 race, religion, color, national origin, sex, sexual orientation, gender identity,
37 marital status, familial status, military or veteran status, age, disability, political
38 affiliation, or genetic information if the employee believes that he or she has
39 been retaliated against in his or her application for employment or in the terms
40 and conditions of the employee's employment, or in the termination of the
41 employee's employment.
- 42 (3) Just cause for dismissal, demotion, or suspension. – A career State employee
43 may allege that he or she was dismissed, demoted, or suspended for disciplinary
44 reasons without just cause. A dismissal, demotion, or suspension which is not
45 imposed for disciplinary reasons shall not be considered a disciplinary action
46 within the meaning of this section. However, in contested cases conducted
47 pursuant to this section, an employee may appeal an involuntary
48 nondisciplinary separation due to an employee's unavailability in the same
49 fashion as if it were a disciplinary action, but the agency shall only have the
50 burden to prove that the employee was unavailable. In cases of such
51 disciplinary action the employee shall, before the action is taken, be furnished

1 with a statement in writing setting forth the specific acts or omissions that are
 2 the reasons for the disciplinary action and the employee's appeal rights. The
 3 employee shall be permitted 15 days from the date the statement is delivered to
 4 appeal under the agency grievance procedure. However, an employee may be
 5 suspended without warning pending the giving of written reasons in order to
 6 avoid undue disruption of work, to protect the safety of persons or property, or
 7 for other serious reasons.

8 (4) Veteran's preference. – An applicant for State employment or a State employee
 9 may allege that he or she was denied veteran's preference in violation of the
 10 law.

11 (5) Failure to post or give priority consideration. – An applicant for State
 12 employment or a State employee may allege that he or she was denied hiring or
 13 promotion because a position was not posted in accordance with this Chapter;
 14 or a career State employee may allege that he or she was denied a promotion as
 15 a result of a failure to give priority consideration for promotion as required by
 16 G.S. 126-7.1; or a career State employee may allege that he or she was denied
 17 hiring as a result of the failure to give him or her a reduction-in-force priority.

18 (6) Whistleblower. – A whistleblower grievance as provided for in this Chapter."

19 **SECTION 3.5.** G.S. 153A-449(a), as amended by Section 2.2 of S.L. 2016-3, reads as
 20 rewritten:

21 "(a) Authority. – A county may contract with and appropriate money to any person,
 22 association, or corporation, in order to carry out any public purpose that the county is authorized
 23 by law to engage in. A county may ~~not~~ require a private contractor under this section to abide by
 24 regulations or controls on the contractor's employment practices or mandate ~~or prohibit~~ the
 25 provision of goods, services, or accommodations to any member of the public as a condition of
 26 bidding on a contract or a qualification-based selection, except as otherwise required or allowed
 27 by State law."

28 **SECTION 3.6.** G.S. 160A-20.1(a), as amended by Section 2.3 of S.L. 2016-3, reads
 29 as rewritten:

30 "(a) Authority. – A city may contract with and appropriate money to any person,
 31 association, or corporation, in order to carry out any public purpose that the city is authorized by
 32 law to engage in. A city may ~~not~~ require a private contractor under this section to abide by
 33 regulations or controls on the contractor's employment practices or mandate ~~or prohibit~~ the
 34 provision of goods, services, or accommodations to any member of the public as a condition of
 35 bidding on a contract or a qualification-based selection, except as otherwise required or allowed
 36 by State law."
 37

38 **PART IV. PLACES OF PUBLIC ACCOMMODATION**

39 **SECTION 4.1.** Article 49B of Chapter 143 of the General Statutes, as enacted by
 40 Section 3.3 of S.L. 2016-3, reads as rewritten:

41 "Article 49B.

42 "Equal Access to Public Accommodations.

43 **"§ 143-422.10. Short title.**

44 This Article shall be known and may be cited as the Equal Access to Public Accommodations
 45 Act.

46 **"§ 143-422.11. Legislative declaration.**

47 (a) It is the public policy of this State to protect and safeguard the right and opportunity of
 48 all individuals within the State to enjoy fully and equally the goods, services, facilities, privileges,
 49 advantages, and accommodations of places of public accommodation free of discrimination
 50 because of race, religion, color, national origin, ~~or biological sex, provided that designating~~
 51 ~~multiple or single occupancy bathrooms or changing facilities according to biological sex, as~~

1 ~~defined in G.S. 143-760(a)(1), (3), and (5), shall not be deemed to constitute discrimination on the basis of~~
2 ~~sexual orientation, gender identity, disability, marital status, familial status, military or veteran~~
3 ~~status, or genetic information. It shall not be deemed to constitute discrimination on the basis of~~
4 ~~sexual orientation or gender identity for a public accommodation to provide separate bathrooms or~~
5 ~~changing facilities based on gender, but a place of public accommodation shall provide access to~~
6 ~~such facilities based on a person's gender identity.~~

7 ~~(b) The General Assembly declares that the regulation of discriminatory practices in places~~
8 ~~of public accommodation is properly an issue of general, statewide concern, such that this Article~~
9 ~~and other applicable provisions of the General Statutes supersede and preempt any ordinance,~~
10 ~~regulation, resolution, or policy adopted or imposed by a unit of local government or other~~
11 ~~political subdivision of the State that regulates or imposes any requirement pertaining to the~~
12 ~~regulation of discriminatory practices in places of public accommodation.~~

13 **"§ 143-422.12. Places of public accommodation – defined.**

14 For purposes of this Article, places of public accommodation has the same meaning as defined
15 in G.S. 168A-3(8), but shall exclude any private club or other establishment not, in fact, open to
16 the public.

17 **"§ 143-422.13. Investigations; conciliations.**

18 (a) The Human Relations Commission in the Department of Administration shall have the
19 authority to receive, investigate, and conciliate complaints of discrimination in public
20 accommodations. Throughout this process, the Human Relations Commission shall use its good
21 offices to effect an amicable resolution of the complaints of discrimination. ~~This Article does not~~
22 ~~create, and shall not be construed to create or support, a statutory or common law private right of~~
23 ~~action, and no person may bring any civil action based upon the public policy expressed herein.~~

24 (b) If the Commission is unable to effect an amicable resolution of the charges of
25 discrimination, the complainant and the Commission may proceed with an enforcement action
26 using the procedures provided in G.S. 41A-7."

27
28 **PART V. CREDIT**

29 **SECTION 5.1.** Article 1 of Chapter 75 of the General Statutes is amended by adding
30 a new section to read:

31 **"§ 75-43. Discrimination by lenders prohibited.**

32 (a) Discrimination Prohibited. – No person engaged in any form of lending money in this
33 State, or to residents of this State, shall discriminate in the extension of credit on the basis of race,
34 color, national origin, religion, age, disability, sex, marital status, familial status, sexual
35 orientation, gender identity, military or veteran status, or genetic information.

36 (b) Filing of Complaint with Human Relations Commission. – Any person who claims to
37 have been injured by a violation of subsection (a) of this section or who reasonably believes that
38 he or she will be irrevocably injured by a violation of that subsection may file a complaint with the
39 North Carolina Human Relations Commission established under G.S. 143B-391. Upon receipt of a
40 complaint, the Commission shall work with the relevant parties to develop an amicable resolution
41 to the charge of discrimination. If the Commission is unable to effect an amicable resolution of the
42 charges of discrimination, the complainant and the Commission may proceed with an enforcement
43 action using the procedures provided in G.S. 41A-7. Filing of a complaint pursuant to this
44 subsection shall not preclude the filing of an action pursuant to subsection (c) of this section.

45 (c) Violation an Unfair and Deceptive Trade Practice. – A violation of subsection (a) of
46 this section shall constitute an unfair trade practice in violation of G.S. 75-1.1."

47
48 **PART VI. INSURANCE**

49 **SECTION 6.1.** G.S. 58-3-25 reads as rewritten:

50 **"§ 58-3-25. Discriminatory practices prohibited.**

51 ...

1 (c) No insurer shall refuse to insure or refuse to continue to insure an individual; limit the
2 amount, extent, or kind of coverage available to an individual; or charge an individual a different
3 rate for the same coverage, because of the race, color, ~~or~~ national or ethnic ~~origin~~ origin, religion,
4 sex, marital status, familial status, sexual orientation, gender identity, disability, military or
5 veteran status, or genetic information of that individual. This subsection supplements the
6 provisions of G.S. 58-3-120, 58-33-80, 58-58-35, and 58-63-15(7)."
7

8 PART VII. EDUCATION

9 **SECTION 7.1.** G.S. 115C-47 is amended by adding a new subdivision to read:

10 "(64) To Adopt a Policy on Nondiscrimination in Schools. – Each local board of
11 education shall adopt a policy to establish that the local board of education and
12 school personnel employed by the local board shall not discriminate on the
13 basis of race, color, national origin, religion, age, disability, sex, marital status,
14 familial status, sexual orientation, gender identity, military or veteran status, or
15 genetic information. The policy shall include that any person who claims to
16 have been injured by an unlawful discriminatory practice or who reasonably
17 believes that he or she will be irrevocably injured by an unlawful
18 discriminatory practice may file a complaint with the North Carolina Human
19 Relations Commission established under G.S. 143B-391. Upon receipt of a
20 complaint, the Commission shall work with the relevant parties to develop an
21 amicable resolution to the charge of discrimination. If the Commission is
22 unable to effect an amicable resolution of the charges of discrimination, the
23 complainant and the Commission may proceed with an enforcement action
24 using the procedures provided in G.S. 41A-7."

25 **SECTION 7.2.** G.S. 115C-47(63) is repealed.

26 **SECTION 7.3.(a)** G.S. 115C-218.45(e) reads as rewritten:

27 "(e) Except as otherwise provided by law or the mission of the school as set out in the
28 charter, the school shall not limit admission to students on the basis of intellectual ability,
29 measures of achievement or aptitude, athletic ability, or disability. A charter school shall not limit
30 admission to students on the basis of race, ~~reed,~~ color, national origin, religion, or ancestry,
31 sex, marital status, familial status, sexual orientation, gender identity, military or veteran status, or
32 genetic information. A charter school whose mission is single-sex education may limit admission
33 on the basis of sex. A charter school that serves only certain grade levels may limit admission
34 based on age. Within one year after the charter school begins operation, the charter school shall
35 make efforts for the population of the school to reasonably reflect the racial and ethnic
36 composition of the general population residing within the local school administrative unit in which
37 the school is located or the racial and ethnic composition of the special population that the school
38 seeks to serve residing within the local school administrative unit in which the school is located.
39 The school shall be subject to any court-ordered desegregation plan in effect for the local school
40 administrative unit."

41 **SECTION 7.3.(b)** G.S. 115C-218.55 reads as rewritten:

42 **"§ 115C-218.55. Nondiscrimination in charter schools.**

43 A charter school shall not discriminate ~~against any student~~ on the basis of ~~ethnicity,~~ national
44 origin, ~~gender,~~ race, color, religion, age, sex, marital status, familial status, sexual orientation,
45 gender identity, military or veteran status, genetic information, or disability. Any person who
46 claims to have been injured by an unlawful discriminatory practice or who reasonably believes
47 that he or she will be irrevocably injured by an unlawful discriminatory practice may file a
48 complaint with the North Carolina Human Relations Commission established under
49 G.S. 143B-391. Upon receipt of a complaint, the Commission shall work with the relevant parties
50 to develop an amicable resolution to the charge of discrimination. If the Commission is unable to
51 effect an amicable resolution of the charges of discrimination, the complainant and the

1 Commission may proceed with an enforcement action using the procedures provided in
2 G.S. 41A-7."

3 **SECTION 7.4.** G.S. 115C-521.2 is repealed.

4 **SECTION 7.5.** G.S. 115C-562.5(c1) reads as rewritten:

5 "(c1) A nonpublic school shall not discriminate ~~with respect to the categories listed in 42~~
6 ~~U.S.C. § 2000d, as that statute read on January 1, 2014,~~ on the basis of race, color, national origin,
7 religion, age, disability, sex, marital status, familial status, sexual orientation, gender identity,
8 military or veteran status, or genetic information. Any person who claims to have been injured by
9 an unlawful discriminatory practice or who reasonably believes that he or she will be irrevocably
10 injured by an unlawful discriminatory practice may file a complaint with the North Carolina
11 Human Relations Commission established under G.S. 143B-391. Upon receipt of a complaint, the
12 Commission shall work with the relevant parties to develop an amicable resolution to the charge
13 of discrimination. If the Commission is unable to effect an amicable resolution of the charges of
14 discrimination, the complainant and the Commission may proceed with an enforcement action
15 using the procedures provided in G.S. 41A-7."

16 **SECTION 7.6.** G.S. 115D-77 reads as rewritten:

17 "**§ 115D-77. Nondiscrimination policy.**

18 It is the policy of the State Board of Community Colleges and of local boards of trustees of the
19 State of North Carolina not to discriminate ~~among students~~ on the basis of race, ~~gender, color,~~
20 national origin, religion, age, sex, marital status, familial status, sexual orientation, gender
21 identity, military or veteran status, genetic information, or disability.

22 The State Board and each board of trustees shall give equal opportunity for employment and
23 compensation of personnel at community colleges, without regard to race, religion, color, creed,
24 national origin, sex, age, marital status, familial status, sexual orientation, gender identity, military
25 or veteran status, genetic information, or disability, except where specific age, sex or physical or
26 mental requirements constitute bona fide occupational qualifications.

27 Any person who claims to have been injured by an unlawful discriminatory practice or who
28 reasonably believes that he or she will be irrevocably injured by an unlawful discriminatory
29 practice may file a complaint with the North Carolina Human Relations Commission established
30 under G.S. 143B-391. Upon receipt of a complaint, the Commission shall work with the relevant
31 parties to develop an amicable resolution to the charge of discrimination. If the Commission is
32 unable to effect an amicable resolution of the charges of discrimination, the complainant and the
33 Commission may proceed with an enforcement action using the procedures provided in
34 G.S. 41A-7."

35 **SECTION 7.7.** G.S. 116-11 is amended by adding a new subdivision to read:

36 "(2a) The Board of Governors shall adopt a policy to provide that The University of
37 North Carolina and its affiliates and personnel employed by The University of
38 North Carolina and its affiliates shall not discriminate on the basis of race,
39 color, national origin, religion, age, disability, sex, marital status, familial
40 status, sexual orientation, gender identity, military or veteran status, or genetic
41 information. The policy shall include that any person who claims to have been
42 injured by an unlawful discriminatory practice or who reasonably believes that
43 he or she will be irrevocably injured by an unlawful discriminatory practice
44 may file a complaint with the North Carolina Human Relations Commission
45 established under G.S. 143B-391. Upon receipt of a complaint, the Commission
46 shall work with the relevant parties to develop an amicable resolution to the
47 charge of discrimination. If the Commission is unable to effect an amicable
48 resolution of the charges of discrimination, the complainant and the
49 Commission may proceed with an enforcement action using the procedures
50 provided in G.S. 41A-7."

PART VIII. HUMAN RELATIONS COMMISSION

SECTION 8.1. G.S. 143B-391 reads as rewritten:

"§ 143B-391. North Carolina Human Relations Commission – Creation; powers and duties.

There is hereby created the North Carolina Human Relations Commission of the Department of Administration. The North Carolina Human Relations Commission shall have the following functions and duties:

- (1) To study problems concerning human relations;
- (2) To promote equality of opportunity for all citizens;
- (3) To promote understanding, respect, and goodwill among all citizens;
- (4) To provide channels of communication among the races;
- (5) To encourage the employment of qualified people without regard to race;
- (6) To encourage youths to become better trained and qualified for employment;
- (7) To receive on behalf of the Department of Administration and to recommend expenditure of gifts and grants from public and private donors;
- (8) To enlist the cooperation and assistance of all State and local government officials in the attainment of the objectives of the Commission;
- (9) To assist local good neighborhood councils and biracial human relations committees in promoting activities related to the functions of the Commission enumerated above;
- (10) To advise the Secretary of Administration upon any matter the Secretary may refer to it;
- (11) To administer the provisions of the State Fair Housing Act as outlined in Chapter 41A of the General Statutes;
- (12) To administer the provisions of Chapter 99D of the General Statutes.
- (13) To administer the provisions of G.S. 143-422.3.
- (14) To administer the provisions of G.S. 143-422.13.
- (15) To administer the provisions of G.S. 75-43.
- (16) To administer the provisions of G.S. 115C-47(64).
- (17) To administer the provisions of G.S. 115C-218.55.
- (18) To administer the provisions of G.S. 115C-562.5.
- (19) To administer the provisions of G.S. 115D-77.
- (20) To administer the provisions of G.S. 116-11."

PART IX. APPROPRIATION

SECTION 9.1. There is appropriated from the General Fund to the Department of Administration, Human Relations Commission, the sum of seven hundred eighty-eight thousand seventy-six dollars (\$788,076) in recurring funds for the 2016-2017 fiscal year. Of the funds appropriated by this section, the sum of five hundred forty-five thousand four hundred seven dollars (\$545,407) shall be used for operating expenses and the sum of two hundred forty-two thousand six hundred sixty-nine dollars (\$242,669) shall be used to fund the following new positions:

- (1) Program Assistant IV.
- (2) Human Relations Specialist I.
- (3) Human Relations Specialist I.
- (4) Administrative Assistant.

PART X. EFFECTIVE DATE

SECTION 10.1. Section 9.1 becomes effective July 1, 2016. The remainder of this act is effective when it becomes law and applies to causes of action arising on or after that date. To the extent any of the provisions of this act are in conflict with any of the provisions of S.L. 2016-3, the provisions of this act supersede and replace the provisions of S.L. 2016-3.