FILED ON: 7/25/2019

HOUSE . . . . . No. 3998

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act relative to amending chapter 413 of the Acts of 1991 authorizing the city council of the city of Cambridge to amend chapter 14.04 of the Cambridge municipal code entitled "Fair Housing".

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

by striking out all after the enacting clause and inserting in place thereof the following:-

"SECTION 1. Section 14.04.010 of chapter 413 of the Acts of 1991 is hereby amended by inserting after the figure "1991" the following words:- , as amended.

SECTION 2. The first sentence of paragraph 1 of section 14.04.030 of said chapter 413 is hereby amended by striking out the word "handicaps" and inserting in place thereof the following word:- disabilities.

SECTION 3. Paragraph 4 of said section 14.04.030 is hereby amended by inserting after the word "orientation" the following words:- , gender identity.

SECTION 4. Said section 14.04.030 is hereby further amended by striking out paragraph 6 and inserting in place thereof the following paragraph:-

6. "Disability" means a physical or mental impairment which substantially limits one or more of a person’s major life activities, a record of having such impairment, or being regarded as having such impairment. This term does not include current, illegal use of or addiction to a controlled substance as defined in Section 102 of the Controlled Substances Act [21 USC 802].

SECTION 5. Paragraph 7 of said section 14.04.030 is hereby amended by inserting after the word “orientation” the following words:- , gender identity.

SECTION 6. Said section 14.04.030 is hereby further amended by striking out paragraph 11 and inserting in place thereof the following paragraph:

11. “Gender identity” means a person’s gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person’s physiology or assigned sex at birth.

SECTION 7. Paragraph 1 of subsection A of section 14.04.040 of chapter 413 of the acts of 1991 is hereby amended by inserting after the word “orientation” the following words:- , gender identity.

SECTION 8. Clause b of said paragraph 1 of said subsection A of said section 14.04.040 is hereby amended by inserting after the word “orientation” the following words:- , gender identity.

SECTION 9. Paragraph 2 of said subsection A of said section 14.04.040 is hereby amended by inserting after the word “orientation” the following words:- , gender identity.

SECTION 10. Paragraph 3 of said subsection A of said section 14.04.040 is hereby amended by inserting after the word “orientation” the following words:- , gender identity.

SECTION 11. Paragraph 4 of said subsection A of said section 14.04.040 is hereby amended by inserting after the word “orientation” the following words:- , gender identity.

SECTION 12. Paragraph 5 of said subsection A of said section 14.04.040 is hereby amended by inserting after the word “orientation” the following words:- , gender identity.

SECTION 13. Paragraph 6 of said subsection A of said section 14.04.040 is hereby amended by inserting after the word “orientation” the following words:- , gender identity.

SECTION 14. Paragraph 8 of said subsection A of said section 14.04.040 is hereby amended by inserting after the word “orientation” the following words:- , gender identity.

SECTION 15. Paragraph 9 of said subsection A of said section 14.04.040 is hereby amended by inserting after the word “orientation” the following words:- , gender identity.

SECTION 16. Paragraph 1 of subsection B of said section 14.04.040 is hereby amended by striking out the words “handicapped person”, wherever they appear, and inserting in place thereof, in each instance, the following words:- person with a disability.

SECTION 17, Paragraph 2 of said subsection B of said section 14.04.040 is hereby amended by striking out the words “handicapped person” and inserting in place thereof the following words:- person with a disability.

SECTION 18. Subclause i of clause b of paragraph 3 of said subsection B of said section 14.04.040 is hereby amended by striking out the words “handicapped persons” and inserting in place thereof the following words:- persons with a disability.

SECTION 19. Subclause ii of said clause b of said paragraph 3 of said subsection B of said section 14.04.040 is hereby amended by striking out the words “handicapped persons” and inserting in place thereof the following words:- persons with a disability.

SECTION 20. Subclause iii of said clause b of said paragraph 3 of said subsection B of said section 14.04.040 is hereby amended by striking out the words “Buildings and Facilities providing Accessibility and Usability for Physically Handicapped people (“ANSI A117.1”)” and inserting in place thereof the following words:- Accessible and Usable Buildings and Facilities (“ANSI’s ICC A117.1-2017”).

SECTION 21. Paragraph 3 of subsection C of said section 14.04.040 is hereby amended by striking out the words “the handicapped”, wherever they appear, and inserting in place thereof, in each instance, the following words:- persons with disabilities.

SECTION 22. Said paragraph 3 of said subsection C is hereby further amended by inserting after the word “orientation” the following words:- , gender identity.

SECTION 23. Paragraph 4 of said subsection C is hereby amended by striking out the words “the handicapped”, wherever they appear, and inserting in place thereof, in each instance, the following words:- persons with disabilities.

SECTION 24. Said paragraph 4 of said subsection C is hereby further amended by inserting after the word “orientation”, the following words:- , gender identity.

SECTION 25. Paragraph 5 of said subsection C is hereby amended by inserting after the word “orientation” the following words: - gender identity.

SECTION 26. Paragraph 5 of section 14.04.050 of chapter 413 of the acts of 1991 is hereby amended by striking out the words “him of his” and inserting in place thereof the following words:- the respondent of the respondent’s.

SECTION 27. Paragraph 10 of section 14.04.050 of chapter 413 of the acts of 1991 is hereby amended by striking out the word “his” and inserting in place thereof the following word:- complainant’s.

SECTION 28. This act shall take effect upon its passage.”