

SAMPLE BILL #3

Name: Louis Lane	Date: 2/7/13	Period: 4 th
Party: Independent	State: New York	District (if House): 4th
Committee Referral: (Done by Ms. Strong and Party Leaders)		Appropriations Needed: <input type="checkbox"/> Yes or <input type="checkbox"/> No (check one)

**Lane Fair Employment Practices Act
113th Congress
1st Session**

H.R. 3185

**IN THE HOUSE OF REPRESENTATIVES
February 13, 2013**

AN ACT

To prohibit employment discrimination based on sexual orientation or gender identity.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TITLE.

This Act may be cited as the “Lane Fair Employment Practices Act of 2013”

SECTION 2. STATEMENT OF PURPOSE/NEED

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| (1) To create a Federal law prohibiting the act of discriminating based on sexual orientation or gender identity during the process of employment. |
| (2) To create an effect means to counteract employment discrimination based on sexual orientation. |
| (3) To invoke the power of Congress to enforce the Constitution’s 14 th amendment and the power of Congress to regulate interstate commerce in order to prohibit employment discrimination on the basis of sexual orientation. |
| (4) To ensure the promise of equal opportunity with regards to employment to all Americans, regardless of sexual orientation or gender identity. |

SECTION 3. PROVISIONS – BENEFITS AND ELIGIBILITY.

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| (1) All hiring entities fall under jurisdiction of law except the following,
Tax exempt religious organizations.
Small businesses, defined in this bill as businesses with fewer than 15 employees.
The United States Military, when hiring military personnel. |
| (2) This Act protects persons who identify themselves as homosexual, heterosexual, or bisexual. |
| (3) This Act protects persons who identify themselves as transgender. |

SECTION 4. PROVISIONS - TERMS AND BENEFITS OF SERVICE

(1) It shall be unlawful for an employer to refuse to hire, fire, or discriminate with regards to compensation, employment terms, conditions, or privileges, on account of an individual's actual or perceived sexual orientation or gender identity.

(2) It shall be unlawful for an employment agency to refuse to refer an applicant for employment, or otherwise discriminate against said applicant based on actual or perceived sexual orientation or gender identity.

(3) It shall be unlawful for a labor organization to prohibit excluding or limiting an individual from membership, or otherwise discriminate against said individual based on perceived sexual orientation or gender identity.

(4) This Act neither requires nor permits that any covered entity keep quotas or statistics of employees or members based on perceived or actual sexual orientation or gender identity.

(5) It shall be unlawful for a covered entity to discriminate against an individual for opposing or contesting, in a court of law or otherwise, any practice made unlawful by this bill.

SECTION 5. ADMINISTRATION (Government agencies and department to execute the law once its passed)

The Equal Employment Opportunity Commission, the Attorney General, the Librarian of Congress, the President, and all courts of the United States shall have the same powers delegated to them to enforce title VII of the Civil Rights Act of 1964 to investigate any claim of violation of this Act and properly enforce the law.

SECTION 6. AUTHORIZATION OF APPROPRIATIONS (Include amount of funding requested AND rational)

In order to carry out an effective means of combatting employment discrimination pertaining to sexual orientation or gender identity, there are authorized to be appropriated \$50 million for the Fiscal Year 2013. In such cases where a covered entity violates the law as put forth by this Act, the United States Government shall be liable for the costs of a reasonable attorney's fee for the defendant. In Fiscal Year 2011, the Equal Employment Opportunity Commission was allotted \$360 million in order to combat violations of title VII of the Civil Rights Act. Because this Act essentially carries out said title to apply to sexual orientation and gender identity, an extra 13%, or \$50 million will be necessary to combat new employment based discrimination. In order to guarantee equal opportunity, as is a goal of the United States Government, such appropriations must be authorized.

SOURCES:

1. Text of Employment Non-Discrimination Act - <http://www.gpo.gov/fdsys/pkg/BILLS-110hr3685pcs/pdf/BILLS-110hr3685pcs.pdf>
2. ACLU Website - http://www.aclu.org/hiv-aids_lgbt-rights/employment-non-discrimination-act
3. The Leadership Conference Website - <http://www.civilrights.org/lgbt/enda/>
4. The Equal Employment Opportunity Commission's Government Website - <http://www.eeoc.gov/eeoc/plan/2013budget.cfm#IA>
5. National Gay and Lesbian Task Force Website - http://www.thetaskforce.org/issues/nondiscrimination/ENDA_main_page
6. The Human Rights Campaign Website - <http://www.hrc.org/campaigns/employment-non-discrimination-act>
7. National Center for Lesbian Rights http://www.nclrights.org/site/PageServer?pagename=issue_federallegislation_enda
8. National Center for Transgender Equality - <http://transequality.org/ENDA.html>