

HOUSE BILL No. 1224

DIGEST OF INTRODUCED BILL

Citations Affected: IC 22-9-1.

Synopsis: Antisemitic discrimination. Defines "antisemitism" as the May 26, 2016, working definition of antisemitism adopted by the International Holocaust Remembrance Alliance. Provides that an act of antisemitism constitutes a discriminatory practice. Requires certain training materials to contain an educational program to protect against antisemitism.

Effective: July 1, 2024.

Haggard, Speedy, Pressel

January 9, 2024, read first time and referred to Committee on Employment, Labor and Pensions.



Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

HOUSE BILL No. 1224

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 22-9-1-3, AS AMENDED BY P.L.213-2016,
2 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2024]: Sec. 3. As used in this chapter:
4 (a) "Person" means one (1) or more individuals, partnerships,
5 associations, organizations, limited liability companies, corporations,
6 labor organizations, cooperatives, legal representatives, trustees,
7 trustees in bankruptcy, receivers, and other organized groups of
8 persons.
9 (b) "Commission" means the civil rights commission created under
10 section 4 of this chapter.
11 (c) "Director" means the director of the civil rights commission.
12 (d) "Deputy director" means the deputy director of the civil rights
13 commission.
14 (e) "Commission attorney" means the deputy attorney general, such
15 assistants of the attorney general as may be assigned to the
16 commission, or such other attorney as may be engaged by the
17 commission.



- 1 (f) "Consent agreement" means a formal agreement entered into in
 2 lieu of adjudication.
- 3 (g) "Affirmative action" means those acts that the commission
 4 determines necessary to assure compliance with the Indiana civil rights
 5 law.
- 6 (h) "Employer" means the state or any political or civil subdivision
 7 thereof and any person employing six (6) or more persons within the
 8 state, except that the term "employer" does not include:
 9 (1) any nonprofit corporation or association organized exclusively
 10 for fraternal or religious purposes;
 11 (2) any school, educational, or charitable religious institution
 12 owned or conducted by or affiliated with a church or religious
 13 institution; or
 14 (3) any exclusively social club, corporation, or association that is
 15 not organized for profit.
- 16 (i) "Employee" means any person employed by another for wages or
 17 salary. However, the term does not include any individual employed:
 18 (1) by the individual's parents, spouse, or child; or
 19 (2) in the domestic service of any person.
- 20 (j) "Labor organization" means any organization that exists for the
 21 purpose in whole or in part of collective bargaining or of dealing with
 22 employers concerning grievances, terms, or conditions of employment
 23 or for other mutual aid or protection in relation to employment.
- 24 (k) "Employment agency" means any person undertaking with or
 25 without compensation to procure, recruit, refer, or place employees.
- 26 (l) "Discriminatory practice" means:
 27 (1) the exclusion of a person from equal opportunities because of
 28 race, religion, color, sex, disability, national origin, ancestry, or
 29 status as a veteran;
 30 (2) a system that excludes persons from equal opportunities
 31 because of race, religion, color, sex, disability, national origin,
 32 ancestry, or status as a veteran;
 33 (3) the promotion of racial segregation or separation in any
 34 manner, including but not limited to the inducing of or the
 35 attempting to induce for profit any person to sell or rent any
 36 dwelling by representations regarding the entry or prospective
 37 entry in the neighborhood of a person or persons of a particular
 38 race, religion, color, sex, disability, national origin, or ancestry;
 39 (4) a violation of IC 22-9-5 that occurs after July 25, 1992, and is
 40 committed by a covered entity (as defined in IC 22-9-5-4);
 41 (5) the performance of an abortion solely because of the race,
 42 color, sex, disability, national origin, or ancestry of the fetus; or



1 (6) a violation of any of the following statutes protecting the right
2 of conscience regarding abortion:

3 (A) IC 16-34-1-4.

4 (B) IC 16-34-1-5.

5 (C) IC 16-34-1-6; or

6 **(7) an act of antisemitism, whether expressed by an individual**
7 **or through an institutional or public policy.**

8 Every discriminatory practice relating to the acquisition or sale of real
9 estate, education, public accommodations, employment, or the
10 extending of credit (as defined in IC 24-4.5-1-301.5) shall be
11 considered unlawful unless it is specifically exempted by this chapter.

12 (m) "Public accommodation" means any establishment that caters
13 or offers its services or facilities or goods to the general public.

14 (n) "Complainant" means:

15 (1) any individual charging on the individual's own behalf to have
16 been personally aggrieved by a discriminatory practice; or

17 (2) the director or deputy director of the commission charging that
18 a discriminatory practice was committed against a person (other
19 than the director or deputy director) or a class of people, in order
20 to vindicate the public policy of the state (as defined in section 2
21 of this chapter).

22 (o) "Complaint" means any written grievance that is:

23 (1) sufficiently complete and filed by a complainant with the
24 commission; or

25 (2) filed by a complainant as a civil action in the circuit or
26 superior court having jurisdiction in the county in which the
27 alleged discriminatory practice occurred.

28 The original of any complaint filed under subdivision (1) shall be
29 signed and verified by the complainant.

30 (p) "Sufficiently complete" refers to a complaint that includes:

31 (1) the full name and address of the complainant;

32 (2) the name and address of the respondent against whom the
33 complaint is made;

34 (3) the alleged discriminatory practice and a statement of
35 particulars thereof;

36 (4) the date or dates and places of the alleged discriminatory
37 practice and if the alleged discriminatory practice is of a
38 continuing nature the dates between which continuing acts of
39 discrimination are alleged to have occurred; and

40 (5) a statement as to any other action, civil or criminal, instituted
41 in any other form based upon the same grievance alleged in the
42 complaint, together with a statement as to the status or disposition



1 of the other action.
 2 No complaint shall be valid unless filed within one hundred eighty
 3 (180) days from the date of the occurrence of the alleged
 4 discriminatory practice.

5 (q) "Sex" as it applies to segregation or separation in this chapter
 6 applies to all types of employment, education, public accommodations,
 7 and housing. However:

8 (1) it shall not be a discriminatory practice to maintain separate
 9 restrooms;

10 (2) it shall not be an unlawful employment practice for an
 11 employer to hire and employ employees, for an employment
 12 agency to classify or refer for employment any individual, for a
 13 labor organization to classify its membership or to classify or refer
 14 for employment any individual, or for an employer, labor
 15 organization, or joint labor management committee controlling
 16 apprenticeship or other training or retraining programs to admit
 17 or employ any other individual in any program on the basis of sex
 18 in those certain instances where sex is a bona fide occupational
 19 qualification reasonably necessary to the normal operation of that
 20 particular business or enterprise; and

21 (3) it shall not be a discriminatory practice for a private or
 22 religious educational institution to continue to maintain and
 23 enforce a policy of admitting students of one (1) sex only.

24 (r) "Disabled" or "disability" means the physical or mental condition
 25 of a person that constitutes a substantial disability. In reference to
 26 employment under this chapter, "disabled or disability" also means the
 27 physical or mental condition of a person that constitutes a substantial
 28 disability unrelated to the person's ability to engage in a particular
 29 occupation.

30 (s) "Veteran" means:

31 (1) a veteran of the armed forces of the United States;

32 (2) a member of the Indiana National Guard; or

33 (3) a member of a reserve component.

34 (t) **"Antisemitism" means the May 26, 2016, working definition**
 35 **of antisemitism adopted by the International Holocaust**
 36 **Remembrance Alliance. Antisemitism manifestations might include**
 37 **the targeting of the state of Israel, conceived as a Jewish**
 38 **collectivity. However, criticism of Israel similar to that leveled**
 39 **against any other country cannot be regarded as antisemitic.**
 40 **Antisemitism frequently charges Jews with conspiring to harm**
 41 **humanity, and it is often used to blame Jews for "why things go**
 42 **wrong". It is expressed in speech, writing, visual forms, and action,**



1 **and it employs sinister stereotypes and negative character traits.**
2 SECTION 2. IC 22-9-1-7 IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2024]: Sec. 7. In order to eliminate prejudice
4 among the various racial, religious, and ethnic groups in this state and
5 to further goodwill among such groups, the commission, in cooperation
6 with the state department of education and the universities and colleges
7 of the state, and such other universities and colleges as are willing to
8 cooperate, is directed to prepare a comprehensive educational program,
9 designed to emphasize the origin of prejudice against such minority
10 groups, its harmful effects, its incompatibility with American principles
11 of equality and fair play, and violation of the brotherhood of man. **All**
12 **training documents and materials created in compliance with this**
13 **section must include a comprehensive educational program to**
14 **protect against antisemitism.**

