



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance 19026

Proposed No. 2019-0331.3

Sponsors Kohl-Welles

1 AN ORDINANCE updating definitions relating to
2 discrimination and making other technical corrections; and
3 amending Ordinance 18665, Section 1, as amended, K.C.C.
4 2.15.005, Ordinance 16692, Section 2, as amended, K.C.C.
5 2.15.010, Ordinance 10159, Section 14, as amended, and
6 K.C.C. 6.27A.120, Ordinance 14509, Section 4, as amended,
7 and K.C.C. 7.01.010, Ordinance 11992, Section 2, as
8 amended, K.C.C. 12.16.010, Ordinance 13981, Section 1,
9 as amended, K.C.C. 12.17.002, Ordinance 13981, Section
10 2, as amended, K.C.C. 12.17.010, Ordinance 7430, Section
11 1, as amended, K.C.C. 12.18.010, Ordinance 7430, Section
12 2, as amended, K.C.C. 12.18.020, Ordinance 5280, Section
13 1, as amended, and K.C.C. 12.20.010, Ordinance 5280,
14 Section 2, as amended, and K.C.C. 12.20.020, Ordinance
15 5280, Section 3.A., as amended, and K.C.C. 12.20.040,
16 Ordinance 5280, Section 3.B., as amended, and K.C.C.
17 12.20.050, Ordinance 5280, Section 3.C, as amended, and
18 K.C.C. 12.20.060, Ordinance 5280, Section 10, as
19 amended, and K.C.C. 12.20.130, Ordinance 8625, Section

20 1, as amended, and K.C.C. 12.22.010, Ordinance 8625,
21 Section 2, as amended, and K.C.C. 12.22.020 and
22 Ordinance 8625, Section 3, as amended, and K.C.C.
23 12.22.030.

24 STATEMENT OF FACTS: The changes to the definition of "sexual
25 orientation" and the addition of the definition of "gender identity or
26 expression" included in this ordinance reflects the current understanding
27 of the communities that identify with its definitions. The changes are also
28 a reflection of the evolving nature of language, and the diversity of our
29 communities. However, the council recognizes that language is not fixed,
30 and terminology evolves as society evolves. The council strives to be
31 inclusive and mindful of the complexity and richness of identities within
32 King County's diverse communities and the council desires to ensure that
33 the language used in the King County Code accurately reflects the
34 communities that are served by the laws of the county. With that
35 commitment, the council recognizes that the definition for "sexual
36 orientation" and "gender identity or expression" will change in the near
37 future and the council is committed to accommodating such changes.

38 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

39 SECTION 1. Ordinance 18665, Section 1, as amended, and K.C.C. 2.15.005 are
40 hereby amended to read as follows:

41 The definitions in this section apply throughout this chapter unless the context
42 clearly requires otherwise.

43 A. "Administrative warrant" means a noncriminal immigration warrant of arrest,
44 order to detain or release aliens, notice of custody determination, notice to appear, removal
45 order, warrant of removal or any other document, issued by ICE, CBP or USCIS that can
46 form the basis for a person's arrest or detention for a civil immigration enforcement
47 purpose. ICE administrative warrant forms include the U.S. DHS form I-200 (Rev. 09/16)
48 "Warrant for Arrest of Alien" and Form I-205 "Warrant Of Removal/Deportation," as well
49 as predecessor and successor versions. "Administrative warrant" does not include any
50 criminal warrants issued upon a judicial determination of probable cause and in compliance
51 with the Fourth Amendment to the United States Constitution.

52 B. "Agency" means a King County department, agency, division, commission,
53 council, committee, board, other body or person, established by authority of an ordinance,
54 executive order, or charter.

55 C. "Agent" means a person acting within the scope of employment by or acting on
56 behalf of an agency.

57 D. "CBP" means the United States Customs and Border Protection agency of the
58 United States Department of Homeland Security and shall include any successor federal
59 agency charged with border enforcement.

60 E. "Citizenship or immigration status" means a person's recorded citizenship or
61 immigration status, as such status is defined in the Immigration and Nationality Act, at the
62 time an agent or agency receives the information.

63 F. "Civil immigration enforcement operation" means an operation that has as one
64 of its objectives the identification or apprehension of a person or persons in order to
65 investigate them for a violation of the immigration laws and subject them to one or more of

66 the following:

- 67 1. Civil immigration detention;
- 68 2. Removal proceedings; and
- 69 3. Removal from the United States.

70 G. "Coerce" means to use express or implied threats towards a person or any
71 family member of a person that attempts to put the person in immediate fear of the
72 consequences in order to compel that person to act against the person's will.

73 H. "Commitment" means confinement in secure detention for a specified amount
74 of time following a determination of guilt. "Commitment" does not include pretrial
75 detention of any persons such as those who unable to post bail.

76 I. "Employee" means a person who is appointed as an employee by the appointing
77 authority of a county agency, office, department, council, board, commission or other
78 separate unit or division of county government, however designated, acting within the
79 scope of employment by or acting on behalf of the county. "County employee" also
80 includes a county elected official and a member of a county board, commission, committee
81 or other multimember body, but does not include an official or employee of the county's
82 judicial branch, though it does include an employee of the department of judicial
83 administration.

84 J. "ICE" means the United States Immigration and Customs Enforcement agency
85 including Enforcement and Removal Operations and Homeland Security Investigations and
86 shall include any successor federal agency charged with the enforcement of immigration
87 laws.

88 K. "Immigration detainer" means a request by ICE to a federal, state or local law

89 enforcement agency, such as the King County department of adult and juvenile detention,
90 to provide notice of release or maintain custody of a person based on an alleged violation of
91 a civil immigration law. "Immigration detainer" includes a detainer issued under Sections
92 236 or 287 of the Immigration and Nationality Act or 287.7 or 236.1 of Title 8 of the Code
93 of Federal Regulations. "Immigration detainer" includes a detainer issued under DHS form
94 I-274A entitled Immigration Detainer- Notice of Action, as well as well as predecessor and
95 successor versions.

96 L. "Interpretation" means the transfer of an oral communication from one language
97 to another.

98 M. "Limited-English-proficient" means a person who does not speak English as the
99 person's primary language, who has a limited ability to read, speak, write, or understand
100 English.

101 N. "Nonpublic" means any area of a county facility, including the secure detention
102 facilities of the department of adult and juvenile detention that is not generally open and
103 accessible to the general public, but instead requires special permission for admittance by a
104 county employee on an individual basis.

105 O. "Personal information" means one or more of the following, when the
106 information is linked with or is reasonably linkable, including via analytic technology, to
107 the person's first name or first initial and last name:

- 108 1. Home address;
- 109 2. Work address;
- 110 3. Telephone number;
- 111 4. Electronic mail address;

- 112 5. Social media handle or other identifying social media information;
113 6. Any other means of contacting a person;
114 7. Social security number;
115 8. Driver's license number or Washington identification card number;
116 9. Bank account number or credit or debit card number;
117 10. Information or data collected through the use or operation of an automated
118 license plate recognition system; and
119 11. User name that, in combination with a password or security question and
120 answer, would permit access to an online account.

121 P. "Public communication materials" means materials that are intended for broad
122 distribution to inform or educate people served by King County. For the purpose of
123 translation, "public communication materials" refers only to printed media such as
124 brochures, posters, booklets, pamphlets, billboards and advertisements in printed
125 publications.

126 Q. "Translation" means the transfer of a written communication from one language
127 to another while preserving the intent and essential meaning of the original text.

128 R. "USCIS" shall mean the United States Citizenship and Immigration Services
129 and any successor agency charged with overseeing United States immigration laws.

130 S. "Verbal abuse" means the use of a remark which is overtly insulting, mocking or
131 belittling directed at a person based upon the actual or perceived:

- 132 1. Race, color, sex, religion, national origin, English proficiency, sexual
133 orientation or gender identity or expression of the person; or
134 2. Citizenship or immigration status of the person or the person's family member.

135 T. "Vital documents" are materials that provide essential information for accessing
136 basic county services and benefits and for which serious consequences would result if the
137 information were not provided.

138 SECTION 2. Ordinance 16692, Section 2, as amended, and K.C.C. 2.15.010 are
139 hereby amended to read as follows:

140 A. Except as otherwise provided in this section or when otherwise required by law,
141 a Reverend Doctor Martin Luther King, Jr., County office, department, employee, agency
142 or agent shall not condition the provision of county services on the citizenship or
143 immigration status of any person.

144 B. All applications, questionnaires and interview forms used in relation to the
145 provision of county benefits, opportunities or services shall be reviewed by each agency,
146 and any question requiring disclosure of information related to citizenship or immigration
147 status, unless required by state or federal law, or international treaty, shall be, in the
148 agency's best judgment, either deleted in its entirety or revised such that the disclosure of
149 the information is no longer required. Agencies that have a need for the collection of
150 demographic data related to immigration status for performance measurement shall identify
151 mechanisms that will allow for the separation of the demographic information from
152 personally identifying information.

153 C. The Seattle-King County department of public health shall not condition the
154 provision of health benefits, opportunities or services on matters related to citizenship or
155 immigration status. The Seattle-King County department of public health may inquire
156 about or disclose information relating to a person's citizenship or immigration status for the
157 purpose of determining eligibility for benefits or seeking reimbursement from federal, state

158 or other third-party payers.

159 D. Except when otherwise required by law, where the county accepts presentation
160 of a state-issued driver's license or identification card as adequate evidence of identity,
161 presentation of a state-issued document marked as not valid for federal purposes or
162 presentation of a photo identity document issued by the person's nation of origin, such as a
163 driver's license, passport or other consul-issued document, such as a Matricula Consular de
164 Alta Seguridad, shall also be accepted and shall not subject the person to a higher level of
165 scrutiny or different treatment than if the person had provided a Washington state driver's
166 license or identification card. However, a request for translation of such a document to
167 English shall not be deemed a violation of any provision of this chapter. This subsection
168 does not apply to documentation required to complete a federal I-9 employment eligibility
169 verification form.

170 E. A county employee or an agent or agency of King County shall not inquire
171 about or request, from a member of the public information about the citizenship or
172 immigration status or place of birth of any person unless the inquiry, request or
173 investigation is required by state or federal law, regulation or directive or court order or
174 rule, or to ensure compliance with any state or federal law, regulation or directive or court
175 order. When an inquiry, request or investigation into nationality, immigration status or
176 citizenship, including place of birth, is required to be or for any reason is made, the King
177 County agent or county employee shall not attempt to coerce a response. All persons to
178 whom the inquiries are made shall be explicitly informed of their right to decline to
179 respond, free from fear or threat of retaliation.

180 F. Agents of King County and county employees are hereby prohibited from

181 conditioning King County services on immigration status, except where required under
182 applicable federal or state law or regulation or directive or court order or rule. Agents of
183 King County and county employees are prohibited from verbally abusing or coercing
184 persons or threatening to report them or their family members to ICE or threatening to take
185 other immigration-related action against them or their family members.

186 G. Except where necessary to provide King County services, or where otherwise
187 required by state or federal law or regulation or directive or court order, King County
188 agents and employees are not permitted to either maintain or share, or both, personal
189 information or information about national origin, race, ethnicity, language proficiency,
190 religion, sexual orientation, gender identity or expression, disability, housing status,
191 financial status, marital status, status as a victim of domestic violence, criminal history,
192 release date from incarceration or confinement in a secure detention or other custody or
193 status as a veteran.

194 H. Nothing in this chapter shall be construed as to prohibit any county employee,
195 upon request of the noncitizen, from aiding a noncitizen to obtain immigration benefits
196 pursuant federal immigration law.

197 I. An agent of King County or a county employee shall not expend any time,
198 moneys or other resources on facilitating the civil enforcement of federal immigration law
199 or participating in civil immigration enforcement operations, except where state or federal
200 law, regulation or court order shall so require. However, a county agency, employee or
201 agent is not prohibited from sending to, or receiving from, federal immigration authorities,
202 the citizenship or immigration status of a person. Also, nothing in this section prohibits
203 any county agency from sending to, receiving from, requesting from or exchanging with

204 any federal, state or local government agency information regarding the immigration status
205 of a person or from maintaining such information.

206 J. Nothing in this section shall be construed to prohibit any county employee from
207 participating in cross-designation or task force activities with federal law enforcement
208 authorities for criminal law enforcement.

209 K. The executive shall ensure that all King County employees and agents receive
210 appropriate training on the implementation of the provisions of this section.

211 SECTION 3. Ordinance 10159, Section 14, as amended, and K.C.C. 6.27A.120 are
212 hereby amended to read as follows:

213 A. A franchisee (~~and~~) or applicant for a franchise shall not deny cable service, or
214 otherwise discriminate against any subscriber, access programmer(~~;~~) or resident on the
215 basis of race, color, religion, national origin, physical or mental disability, age, political
216 affiliation, marital status, sexual orientation, gender identity or expression, sex or income of
217 the residents of the area in which the person resides. The franchisee shall comply at all
218 times with all other applicable federal, state and local laws, rules(~~;~~) and regulations
219 relating to nondiscrimination.

220 B. A franchisee shall not refuse to employ, nor discharge from employment, nor
221 discriminate against any person in compensation or in terms, conditions or privileges of
222 employment because of race, color, religion, national origin, physical disability, age,
223 political affiliation, marital status, sexual orientation, gender identity or expression, sex or
224 income.

225 C. A franchisee shall comply with all applicable federal, state and local equal
226 employment opportunity requirements.

227 D. The franchisee shall establish, maintain~~((;))~~ and execute an equal employment
228 opportunity plan and a minority/women's business procurement program, which shall be
229 consistent with the intent of the county's affirmative action and minority/women's business
230 procurement policies. Upon request, the franchisee shall file with the cable office a copy of
231 their equal employment opportunity report submitted annually to the FCC and shall file
232 with King County office of civil rights and compliance an annual compliance report
233 detailing its progress with its minority/women's business procurement program during the
234 previous year. The franchisee must also provide the cable office, upon request, copies of
235 all other reports and information filed with federal, state~~((;))~~ or local agencies concerning
236 equal employment opportunity or employment discrimination laws. This subsection shall
237 apply only to franchise agreements entered into after December 2, 1991.

238 ~~((PROVIDED THAT;))~~ E. Despite the other provisions of this section, ~~((N))~~no
239 provision of this section shall invalidate any other section of this chapter.

240 SECTION 4. Ordinance 14509, Section 4, as amended, and K.C.C. 7.01.010 are
241 hereby amended to read as follows:

242 The definitions in this section apply throughout this title and K.C.C. chapter 4.57,
243 unless the context clearly requires otherwise.

244 A. "Advertising" means promotional activity for the financial gain of those
245 undertaking the activity or causing the activity to be undertaken, including, but not limited
246 to, placing signs, posters, placards or any other display device in publicly visible location
247 within a parks and recreation facility. "Advertising" does not include posting of an
248 announcement on a community bulletin board, consistent with any applicable rules for the
249 use of community bulletin boards.

250 B. "Aircraft" means any machine or device designed to travel through the air
251 including, but not limited to, airplanes, helicopters, ultra light type planes, gliders, remote-
252 control planes and gliders, hot air balloons, kites and balloons.

253 C. "Alcoholic beverages" or "liquor" includes the four varieties of liquor defined as
254 alcohol, spirits, wine and beer, all fermented, spirituous, vinous, or malt liquor, and all
255 other intoxicating beverages, and every liquor, solid or semisolid or other substance,
256 patented or not, containing alcohol, spirits, wine or beer; all drinks or drinkable liquids and
257 all preparations or mixtures capable of human consumption. Any liquor, semisolid, solid
258 or other substance that contains more than one percent alcohol by weight shall be
259 conclusively deemed to be intoxicating.

260 D. "Associated marine area" means any water area within one hundred feet of any
261 parks and recreation facility such as a dock, pier, float, buoy, log boom or other object that
262 is part of a parks and recreation facility, only if the area does not include private property.

263 E. "Boat" means any contrivance up to sixty-five feet in length overall, used or
264 capable of being used as a means of transportation on water.

265 F. "Camper" means a motorized vehicle containing either sleeping or housekeeping
266 accommodations, or both, and shall include a pickup truck with camper, a van-type body, a
267 converted bus, or any similar type vehicle.

268 G. "Camping" means erecting a tent or shelter or arranging bedding or both for the
269 purpose of, or in such a way as will permit remaining overnight, or parking a trailer,
270 camper or other vehicle for the purpose of remaining overnight.

271 H. "Campsite" means camping sites designated by the director.

272 I. "Change" a fee means to alter the amount of a fee.

273 J. "Concession" means the privilege or authority to sell goods or services within
274 parks and recreation facilities or to operate parks and recreation facilities or a portion
275 thereof.

276 K. "Concession contract" or "concession agreement" means the agreement granting
277 a person a concession with respect to a parks and recreation facility.

278 L. "Department" means the department of natural resources and parks.

279 M. "Director" means the director of the department of natural resources and parks
280 or the director's designee.

281 N. "Discrimination" means any action or failure to act, whether by single act or
282 part of a practice, the effect of which is to adversely affect or differentiate between or
283 among individuals or groups of individuals, because of race, color, religion, national origin,
284 age, sex, marital status, parental status, sexual orientation, gender identity or expression,
285 the presence of any sensory, mental or physical handicap or the use of ~~((an animal guide by
286 a blind or deaf or otherwise physically or mentally challenged person))~~ a service or
287 assistive animal. For the purposes of this subsection, "service or assistive animal" means
288 any dog guide, signal or hearing dog, seizure response dog, therapeutic companion animal
289 or other animal that does work, performs tasks or provides medically necessary support for
290 the benefit of an individual with a disability.

291 O. "Division" means the parks and recreation division of the department of natural
292 resources and parks.

293 P. "Eliminate" a fee means to remove a fee.

294 Q. "Establish" a fee means to impose a fee for an activity for which a fee was not
295 being charged.

296 R. "Facility," "facilities," "parks and recreation facility," "parks and recreation
297 facilities" or "park area" means any building, structure, park, open space, trail or other
298 property owned or otherwise under the jurisdiction of the parks and recreation division of
299 the department of natural resources and parks.

300 S. "Facility manager" means the person designated to manage a specific parks and
301 recreation facility.

302 T. "High-use areas" means areas of parks and recreation facilities where people
303 congregate. "High-use areas" include athletic fields, off-leash dog parks, parking lots,
304 picnic shelters, playgrounds, sports courts, trailheads, and any other areas designated as
305 high-use areas by the director.

306 U. "Manager" means the manager of the parks and recreation division of the
307 department of natural resources and parks.

308 V. "Motor vehicle" means any self-propelled device capable of being moved upon
309 a road, and in, upon or by which any persons or property may be transported or drawn, and
310 shall include, but not be limited to, automobiles, trucks, motorcycles, motor scooters, jeeps
311 or similar type four-wheel drive vehicles and snowmobiles, whether or not they can be
312 legally operated upon the public highways.

313 W. "Naming rights" means rights to name a facility after a person for a term of
314 years in exchange for consideration.

315 X. "Parks and recreation purposes" means any lawful purpose of the division.

316 Y. "Person" means all natural persons, groups, entities, firms, partnerships,
317 corporations, governmental and quasi-governmental entities, clubs and all associations or
318 combination of persons whether acting for themselves or as an agent, servant or employee.

319 Z. "Permit" means an authorization for the use of parks and recreation facilities that
320 imposes conditions on the permittee in addition to those conditions imposed on the general
321 public.

322 AA. "Rocket" means any device containing a combustible substance that when
323 ignited, propels the device forward.

324 BB. "Set" a fee means to change or eliminate a fee, including determining,
325 changing or eliminating a range for a fee. "Set" does not include selecting a fee in a
326 previously set range for a fee.

327 CC. "Spirits" means any beverage that contains alcohol obtained by distillation,
328 including wines exceeding twenty-four percent of alcohol by volume.

329 DD. "Sponsorship" means providing consideration to support specific parks and
330 recreation facilities or activities, generally in exchange for advertising on county property,
331 through county media, or otherwise, or other promotional consideration.

332 EE. "Tobacco product" means cigarettes, cigars, pipe tobacco and chewing
333 tobacco.

334 FF. "Trail" means any path, track or right-of-way designed for use by pedestrians,
335 bicycles, equestrians or other nonmotorized modes of transportation.

336 GG. "Trailer" means a towed vehicle that contains sleeping or housekeeping
337 accommodations.

338 HH. "Trailer site" means a designated camping site that has either water or
339 electrical facilities, or both, available for hookup.

340 II. "User fee" means a fee charged for the use of parks and recreation facilities,
341 activities and programs, including, but not limited to, general facilities admission, classes

342 and workshops, sponsored leagues and tournaments, gymnasium and field usage for games
343 and practice, field lights and other equipment, concessions, parking, camping, special event
344 admission, rooms for meetings, conference banquets and other indoor activities, kitchen
345 and equipment. "User fee" does not include the cost of purchasing tangible personal
346 property sold by the division. "User fee" also does not include charges made under:

- 347 1. An advertising, sponsorship or naming rights agreement in accordance with
348 K.C.C. 7.08.080;
- 349 2. A concession contract in accordance with K.C.C. chapter 4.57;
- 350 3. A lease, rental or use agreement in accordance with K.C.C. 4.56.150; or
- 351 4. A special use permit in accordance with K.C.C. 7.12.050.

352 SECTION 5. Ordinance 11992, Section 2, as amended, and K.C.C. 12.16.010 are
353 hereby amended to read as follows:

354 The definitions in this section apply throughout this chapter unless the context
355 clearly requires otherwise.

356 A. "Administrator" means the director of the finance and business operations
357 division in the department of executive services.

358 B. "Contract awarding authority" means any person with the power to enter into a
359 contractual arrangement binding the county and also means the particular office, agency or
360 division on whose behalf the contract is executed. In addition, "contract awarding
361 authority" includes, but is not limited to, the county executive, heads of county departments
362 or offices and, as delegated, division directors.

363 C. "Contractor" means any person, firm, business, organization, company,
364 partnership, corporation or other legal entity, excluding real property lessors and lessees

365 and government agencies, contracting to do business with the county including, but not
366 limited to, public work contractors, consultant contractors, providers of professional
367 services, service agencies, vendors and suppliers selling or furnishing materials, equipment
368 or goods or services.

369 D. "Disability" means the presence of a sensory, mental or physical impairment
370 that is medically cognizable or diagnosable; or exists as a record or history; or is perceived
371 to exist whether or not it exists in fact. A disability exists whether it is temporary or
372 permanent, common or uncommon, mitigated or unmitigated, or whether or not it limits the
373 ability to work generally or work at a particular job or whether or not it limits any other
374 activity within the scope of this chapter.

375 E. "Disability access laws" means all laws requiring that county services, programs
376 and activities be accessible by people with disabilities including Title II of the Americans
377 with Disabilities Act, Title II of the Telecommunications Act of 1934, as amended, and
378 Section 504 of the Rehabilitation Act of 1973, as amended.

379 F. "Discriminate" means an action, other than an action taken in accordance with
380 lawful equal employment opportunity efforts, or failure to act, whether by itself or as part
381 of a practice, the effect of which is to adversely affect or differentiate between or among
382 individuals or groups of individuals, by reasons of sex, race, color, marital status, national
383 origin, religious affiliation, disability, sexual orientation, gender identity or expression or
384 age except by minimum age and retirement provisions, unless based upon a bona fide
385 occupational qualification.

386 G. "Discrimination" means differential treatment of or pursuit of policies or
387 practices that have a disproportionate impact upon persons due to their sex, race, color,

388 marital status, national origin, religious affiliation, disability, sexual orientation, gender
389 identity or expression or age except by minimum age and retirement provisions, unless
390 based upon a bona fide occupational qualification.

391 H. "Employment" means any and all terms and conditions and policies and
392 practices of employment including, but not limited to, hiring, firing, upgrading, demotion,
393 recruiting, transfer, lay-off, termination, pay rates and advertisement, hours and conditions
394 of work.

395 I. "Equal employment opportunity" means the availability of employment and
396 advancement of all people based on merit, capability, and potential, and without regard to
397 an individual's sex, race, color, marital status, national origin, religious affiliation,
398 disability, sexual orientation, gender identity or expression or age except by minimum age
399 and retirement provisions, unless based upon a bona fide occupational qualification.

400 "Equal employment opportunity" includes the following components: recruitment,
401 application processing, hiring, job placement, compensation, promotion, transfer,
402 termination and work assignment.

403 J. "Equal employment opportunity efforts" means active efforts to ensure equal
404 opportunity in employment that is free from all forms of discrimination.

405 K. "Equal opportunity" means a system of practices under which individuals are
406 not excluded from any opportunity or benefits because of their sex, race, color, marital
407 status, national origin, religious affiliation, disability, sexual orientation, gender identity or
408 expression or age except by minimum age and retirement provisions, unless based upon a
409 bona fide occupational qualification.

410 L. "Gender identity or expression" means an individual's gender-related identity.

411 appearance or expression, whether or not associated with the individual's sex assigned at
412 birth, and includes an individual's attitudes, preferences, beliefs and practices pertaining to
413 the individual's own gender identity or expression.

414 M. "Lessor" and "lessee" means any person, firm, business, organization,
415 company, partnership, corporation or other legal entity, excluding government agencies,
416 entering into any lease or license for the possession or use of real property with the county.

417 ~~((M.))~~ N. "Minority" or "minorities" means a person who is a citizen of the United
418 States and who is a member of one or more of the following historically disadvantaged
419 racial groups:

420 1. Black or African American: Having origins in any of the Black racial groups
421 of Africa;

422 2. Hispanic: Mexican, Puerto Rican, Cuban, Central American, South American
423 or of other Spanish or Portuguese culture or origin, regardless of race;

424 3. Asian American: Having origins in any of the original peoples of the Far East,
425 Southeast Asia, the Indian subcontinent or the Pacific Islands; or

426 4. American Indian or Alaskan Native: Having origins in any of the original
427 peoples of North America.

428 ~~((N.))~~ O. "Permanent workforce" means those persons employed by a bidder,
429 proposer or contractor for at least six continuous months immediately prior to the bid or
430 proposal opening or the award of a contract by the county, and who are currently employed
431 by the bidder, proposer or contractor.

432 ~~((O.))~~ P. "Reasonable accommodation" means steps taken to modify facilities used
433 by employees or to modify a particular job component which enables an otherwise

434 qualified person with a disability to perform the essential functions of the job.

435 ~~((P-))~~ Q. "Sexual orientation" means an individual's attitudes, preferences, beliefs
436 and practices pertaining to the individual's own sexual orientation including, but not limited
437 to, heterosexuality, homosexuality and bisexuality ~~((or homosexuality, and includes a~~
438 ~~person's attitudes, preferences, beliefs and practices pertaining to sex))~~.

439 ~~((Q-))~~ R. "Underrepresentation" means presence in a contractor's work force of
440 minorities, women and persons with disabilities, in a particular job category in
441 proportionate numbers less than their representation in the county's labor market area.

442 SECTION 6. Ordinance 13981, Section 1, as amended, and K.C.C. 12.17.002 are
443 hereby amended to read as follows:

444 This chapter is an exercise of the police power of King County for the protection of
445 the public welfare, health, peace and safety of the residents of King County and in
446 fulfillment of the provisions of the constitution of this state. The King County council
447 hereby finds and declares that practices of discrimination in contracting by business
448 enterprises against any person on the basis of race, color, age, gender, marital status, sexual
449 orientation, gender identity or expression, religion, ancestry, national origin, disability or
450 use of a service or assistive animal by an individual with a disability constitute matters of
451 local concern and are contrary to the public welfare, health, peace and safety of the
452 residents of King County.

453 SECTION 7. Ordinance 13981, Section 2, as amended, and K.C.C. 12.17.010 are
454 hereby amended to read as follows:

455 The definitions in this section apply throughout this chapter unless the context
456 clearly requires otherwise.

457 A. "Business enterprise" means a licensed business organization located in or
458 doing business in unincorporated King County or that is required to comply with this
459 chapter by the terms of an agreement with King County under K.C.C. 12.17.100.

460 B. "Charging party" means the person aggrieved by an alleged unfair contracting
461 practice or the person making a complaint on another person's behalf, or the office of civil
462 rights when the office of civil rights files a complaint.

463 C. "Commercially significant contract" means a contract for the provision of
464 services, including, but not limited to, construction services, consulting services or bonding
465 or other financial services, or the sale of goods that exceeds five thousand dollars.

466 D. "Contract" means an agreement to perform a service or provide goods that
467 entails a legally binding obligation and that is performed or intended to be wholly or partly
468 performed within unincorporated King County or that includes King County as a party.
469 "Contract" does not include the following: a contract for the purchase and sale of
470 residential real estate; a contract for employment; and a collective bargaining agreement.

471 E. "Contracting agency" means a person who for compensation engages in
472 recruiting, procuring, referral or placement of contracts with a contractor, and that is doing
473 business in King County.

474 F. "Contractor" means a business enterprise, including, but not limited to, a
475 company, partnership, corporation or other legal entity, excluding real property lessors and
476 lessees, contracting to do business within the county. "Contractor" includes, but is not
477 limited to, a public works contractor, a consultant contractor, a provider of professional
478 services, a service agency, a vendor, and a supplier selling or furnishing materials,
479 equipment, goods or services, but does not include a governmental agency other than King

480 County.

481 G. "Discriminate," "discrimination" and "discriminatory act" mean an action, other
482 than an action taken in accordance with a lawful affirmative action program, or failure to
483 act, whether by itself or as part of a practice, the effect of which is to adversely affect or
484 differentiate between or among individuals or groups of individuals, by reasons of race,
485 color, age, gender, marital status, sexual orientation, gender identity or expression, religion,
486 ancestry, national origin, disability or use of a service or assistive animal by an individual
487 with a disability, unless based upon a bona fide contractual qualification.

488 H. "Gender identity or expression" means an individual's gender-related identity,
489 appearance or expression, whether or not associated with the individual's sex assigned at
490 birth, and includes an individual's attitudes, preferences, beliefs and practices pertaining to
491 the individual's own gender identity or expression.

492 I. "Marital status" means the presence or absence of a marital relationship and
493 includes the status of married, separated, divorced, engaged, widowed, single or cohabiting.

494 ~~((F.))~~ J. "Party" includes the person making a complaint alleging an unfair
495 contracting practice and the person alleged to have committed an unfair contracting
496 practice.

497 ~~((F.))~~ K. "Person" includes one or more individuals, partnerships, business
498 enterprises, associations, organizations, corporations, cooperatives, legal representatives,
499 trustees, trustees in bankruptcy, receivers or group of persons and includes King County.

500 ~~((K.))~~ L. "Respondent" means a person who has been alleged or found to have
501 committed an unfair contracting practice prohibited by this chapter.

502 ~~((L.))~~ M. "Retaliate" means to take action against any person because that person

503 has:

- 504 1. Opposed any practice forbidden by this chapter;
- 505 2. Complied or proposed to comply with this chapter or any order issued under
506 this chapter; or
- 507 3. Filed a complaint, testified or assisted in any manner in any investigation,
508 proceeding or hearing initiated under this chapter.

509 N. "Service or assistive animal" means any dog guide, signal or hearing dog,
510 seizure response dog, therapeutic companion animal or other animal that does work,
511 performs tasks or provides medically necessary support for the benefit of an individual with
512 a disability.

513 ~~((M.))~~ O. "Sexual orientation" means an individual's attitudes, preferences, beliefs
514 and practices pertaining to the individual's own sexual orientation including, but not limited
515 to, actual or perceived heterosexuality, homosexuality((;)) and bisexuality((and gender
516 identity. As used in this definition "gender identity" means having or being perceived as
517 having a gender identity different from that traditionally associated with the sex assigned to
518 that person at birth. Protection associated with "gender identity" includes self image,
519 appearance, behavior or expression)).

520 ~~((N.))~~ P. "Trade association" means an association of businesses organizations
521 engaged in similar fields of business that is formed for mutual protection, the interchange
522 of ideas, information and statistics or the maintenance of standards within their industry.

523 SECTION 8. Ordinance 7430, Section 1, as amended, and K.C.C. 12.18.010 are
524 hereby amended to read as follows:

525 This chapter is an exercise of the police power of King County for the protection of

526 the public welfare, health, peace and safety of the residents of King County and in
527 fulfillment of the state Constitution. The King County council hereby finds and declares
528 that practices of employment discrimination against any person on the basis of race, color,
529 age, gender, marital status, sexual orientation, gender identity or expression, religion,
530 ancestry, national origin, disability or use of a service or assistive animal by an individual
531 with a disability constitute matters of local concern and are contrary to the public welfare,
532 health, peace and safety of the residents of King County.

533 SECTION 9. Ordinance 7430, Section 2, as amended, and K.C.C. 12.18.020 are
534 hereby amended to read as follows:

535 The definitions in this section apply throughout this chapter unless the context
536 clearly requires otherwise.

537 A. "Age" means being eighteen years old or older.

538 B. "Aggrieved person" includes any person who claims to have been injured by an
539 act of discrimination in a place of public accommodation;

540 C. "Charging party" means any person alleging an act of discrimination in a place
541 of public accommodation under this chapter by filing a complaint with the office of civil
542 rights.

543 D.1. "Disability" means:

544 a. a physical or mental impairment that substantially limits one or more of a
545 person's major life activities, either temporarily or permanently;

546 b. a person has a record of having such an impairment;

547 c. a person is regarded as having such an impairment; or

548 d. a person has any other condition that is a disability under the Washington state

549 Law Against Discrimination, chapter 49.60 RCW, as it pertains to public accommodations.

550 2. "Disability" does not include current, illegal use of a controlled substance, as
551 defined in section 102 of 21 U.S.C. Sec. 802 as it exists on April 16, 2006.

552 E. "Discrimination" or "discriminatory practice or act" means any action or failure
553 to act, whether by a single act or part of a practice, the effect of which is to adversely affect
554 or differentiate between or among individuals, by reasons of race, color, age, gender,
555 marital status, sexual orientation, gender identity or expression, religion, ancestry, national
556 origin, disability or use of a service or assistive animal by an individual with a disability,
557 unless based upon a bona fide occupational qualification.

558 F. "Employee" means any person who works for another in return for financial or
559 other compensation, and does not include any individual employed by the individual's
560 parents, spouse or child, or in the domestic service of any person.

561 G. "Employer" means King County or any person acting in the interest of an
562 employer, directly or indirectly, who employs eight or more persons in unincorporated
563 King County, and includes neither any religious or sectarian organization not organized
564 for private profit nor any governmental body other than King County.

565 H. "Employment agency" means any person who for compensation engages in
566 recruiting, procuring, referral or placement of employees with an employer.

567 I. "Gender identity or expression" means an individual's gender-related identity,
568 appearance, or expression, whether or not associated with the individual's sex assigned at
569 birth, and includes an individual's attitudes, preferences, beliefs and practices pertaining
570 to the individual's own gender identity or expression.

571 J. "Labor organization" means any organization existing for the purpose of:

572 1. Dealing with employers concerning grievances, terms or conditions of
573 employment; or

574 2. Providing other mutual aid or protection in connection with employment.

575 ~~((J.))~~ K. "Marital status" means the presence or absence of a marital relationship
576 and includes the status of married, separated, divorced, engaged, widowed, single or
577 cohabiting.

578 ~~((K.))~~ L. "Party" includes the person making a complaint or upon whose behalf a
579 complaint is made alleging an unfair employment practice, the person alleged or found to
580 have committed an unfair employment practice and the office of civil rights.

581 ~~((L.))~~ M. "Person" includes one or more individuals, partnerships, associations,
582 organizations, corporations, cooperatives, legal representatives, trustees, trustees in
583 bankruptcy, receivers or groups of persons and includes King County.

584 ~~((M.))~~ N. "Respondent" means any person who is alleged to or found to have
585 committed an unfair employment practice prohibited by this chapter.

586 ~~((N.))~~ O. "Service or assistive animal" means any dog guide, signal or hearing
587 dog, seizure response dog, therapeutic companion animal or other animal that does work,
588 performs tasks or provides medically necessary support for the benefit of an individual with
589 a disability.

590 ~~((O.))~~ P. "Settlement discussions" or "conference, conciliation and persuasion"
591 means the attempted resolution of issues raised by a complaint, or by the investigation of
592 a complaint, through informal negotiations involving the charging party, the respondent
593 and the office of civil rights.

594 ~~((P.))~~ Q. "Sexual orientation" means an individual's attitudes, preferences, beliefs

595 and practices pertaining to the individual's own sexual orientation including, but not
596 limited to, actual or perceived heterosexuality, homosexuality((s)) and bisexuality ((and
597 gender identity. As used in this definition, "gender identity" means having or being
598 perceived as having a gender identity different from that traditionally associated with the
599 sex assigned to that person at birth. Protection associated with "gender identity" includes
600 self image, appearance, behavior or expression)).

601 SECTION 10. Ordinance 5280, Section 1, as amended, K.C.C. 12.20.010 are
602 hereby amended to read as follows:

603 This chapter is an exercise of the police power of King County for the protection of
604 the public welfare, health, peace and safety of the residents of King County and in
605 fulfillment of the state Constitution. The King County council finds and declares that
606 practices of housing discrimination against any persons on the basis of race, color, religion,
607 national origin, ancestry, age, gender, marital status, parental status, participation in the
608 Section 8 program or other housing subsidy program, alternative source of income, sexual
609 orientation, gender identity or expression, disability or use of a service or assistive animal
610 by an individual with a disability constitute matters of local concern and are contrary to the
611 public welfare, health, peace and safety of the residents of King County.

612 SECTION 11. Ordinance 5280, Section 2, as amended, K.C.C. 12.20.020 are
613 hereby amended to read as follows:

614 The definitions in this section apply throughout this chapter unless the context
615 clearly requires otherwise.

616 A. "Aggrieved person" includes any person who claims to have been injured by an
617 act of discrimination in a place of public accommodation;

618 B. "Charging party" means any person alleging an act of discrimination in a place
619 of public accommodation under this chapter by filing a complaint with the office of civil
620 rights.

621 C.1. "Disability" means:

622 a. a physical or mental impairment that substantially limits one or more of a
623 person's major life activities, either temporarily or permanently;

624 b. a person has a record of having such an impairment;

625 c. a person is regarded as having such an impairment; or

626 d. a person has any other condition that is a disability under the Washington state
627 Law Against Discrimination, chapter 49.60 RCW, as it pertains to public accommodations.

628 2. "Disability" does not include current, illegal use of a controlled substance, as
629 defined in section 102 of 21 U.S.C. Sec. 802 as it exists on April 16, 2006.

630 D. "Discrimination" or "discriminatory practice or act" means any action or failure
631 to act, whether by a single act or part of a practice, the effect of which is to adversely affect
632 or differentiate between or among individuals, because of race, color, religion, national
633 origin, ancestry, age, gender, marital status, parental status, participation in the Section 8
634 program, sexual orientation, gender identity or expression, disability or use of a service or
635 assistive animal by an individual with a disability.

636 E. "Dwelling" or "dwelling unit" mean any building, structure or portion of a
637 building or structure that is occupied as, or designed or intended for occupancy as, a
638 residence by one or more families or individuals, and any vacant land that is offered for
639 sale or lease for the construction or location thereon of any such a building, structure or
640 portion of a building or structure.

641 F. "Gender identity or expression" means an individual's gender-related identity,
642 appearance, or expression, whether or not associated with the individual's sex assigned at
643 birth, and includes an individual's attitudes, preferences, beliefs and practices pertaining
644 to the individual's own gender identity or expression.

645 G. "Housing accommodations" means any dwelling or dwelling unit, rooming
646 unit, rooming house, lot or parcel of land in unincorporated King County that is used,
647 intended to be used or arranged or designed to be used as, or improved with, a residential
648 structure for one or more human beings.

649 ~~((G.))~~ H. "Marital status" means the presence or absence of a marital relationship
650 and includes the status of married, separated, divorced, engaged, widowed, single or
651 cohabiting.

652 ~~((H.))~~ I.1. "Parental status" means one or more individuals, who have not attained
653 the age of eighteen years, being domiciled with:

654 a. a parent or another person having legal custody of the individual or
655 individuals; or

656 b. the designee of such a parent or other person having the custody, with the
657 written permission
658 of the parent or other person.

659 2. The protections afforded against discrimination on the basis of familial status
660 apply to a person who is pregnant or is in the process of securing legal custody of an
661 individual who has not attained the age of eighteen years.

662 ~~((I.))~~ J. "Participation in the Section 8 program" means participating in a federal,
663 state or local government program in which a tenant's rent is paid partially by the

664 government, through a direct contract between the government program and the owner or
665 lessor of the real property, and partially by the tenant.

666 ~~((J.))~~ K. "Party" includes the person charging or making a complaint or upon
667 whose behalf a complaint is made alleging an unfair practice, the person alleged or found
668 to have committed an unfair practice and the office of civil rights.

669 ~~((K.))~~ L. "Person" means one or more individuals, partnerships, associations,
670 organizations, corporations, cooperatives, legal representatives, trustees and receivers or
671 any group of persons; including any owner, lessee, proprietor, housing manager, agent or
672 employee whether one or more natural persons. "Person" also includes any political or
673 civil subdivisions of the state and any agency or instrumentality of the state or of any
674 political or civil subdivision [of the state].

675 ~~((L.))~~ M. "Real estate transaction" includes, but is not limited to, the sale,
676 conveyance, exchange, purchase, rental, lease or sublease of real property.

677 ~~((M.))~~ N. "Real estate-related transaction" means any of the following:

678 1. The making or purchasing of loans or providing other financial assistance:

679 a. for purchasing, constructing, improving, repairing or maintaining real
680 property; or

681 b. secured by real property; or

682 2. The selling, brokering or appraising of real property.

683 ~~((N.))~~ O. "Real property" includes, but is not limited to, buildings, structures, real
684 estate, lands, tenements, leaseholds, interests in real estate cooperatives, condominiums,
685 and hereditaments, corporeal and incorporeal, or any interest therein.

686 ~~((O.))~~ P. "Respondent" means any person who is alleged or found to have

687 committed an unfair practice prohibited by this chapter.

688 ((P-)) Q. "Senior citizens" means persons who are sixty-two years of age or older.

689 ((Q-)) R. "Service or assistive animal" means any dog guide, signal or hearing
690 dog, seizure response dog, therapeutic companion animal or other animal that does work,
691 performs tasks or provides medically necessary support for the benefit of an individual with
692 a disability.

693 ((R-)) S. "Settlement discussions" and "conference, conciliation and persuasion"
694 mean the attempted resolution of issues raised by a complaint, or by the investigation of a
695 complaint, through informal negotiations involving the charging party, the respondent
696 and the office of civil rights.

697 ((S-)) T. "Sexual orientation" means an individual's attitudes, preferences, belief
698 and practices pertaining to the individual's own sexual orientation including, but not
699 limited to, actual or perceived heterosexuality, homosexuality((;)) and bisexuality ((and
700 gender identity. As used in this definition, "gender identity" means having or being
701 perceived as having a gender identity different from that traditionally associated with the
702 sex assigned to that person at birth. Protection associated with gender identity¹ includes
703 self-image, appearance, behavior or expression)).

704 SECTION 12. Ordinance 5280, Section 3.A., as amended, K.C.C. 12.20.040 are
705 hereby amended to read as follows:

706 A. It is a discriminatory practice and unlawful for any person, whether acting on
707 the person's own behalf or for another, because of race, color, religion, national origin,
708 ancestry, age, gender, marital status, parental status, participation in the Section 8
709 program or other housing subsidy program, alternative source of income, sexual

710 orientation, gender identity or expression, disability or use of a service or assistive animal
711 by an individual with a disability:

712 1. Except as otherwise provided in subsection A.12. of this section, to refuse to
713 engage in a real estate transaction with a person or to otherwise make unavailable or deny
714 a dwelling to any person;

715 2. To discriminate against a person in the terms, conditions or privileges of a
716 real estate transaction, including financial terms and conditions such as the setting of
717 rents or damage deposits, or in the furnishing of facilities or services in connection with
718 any real estate transaction; however, rents and damage deposits may be adjusted to
719 recognize the number of persons utilizing the property except insofar as such adjustment
720 might discriminate based on race, color, religion, national origin, ancestry, age, gender,
721 marital status, parental status, participation in the Section 8 program or other housing
722 subsidy program, alternative source of income, sexual orientation, gender identity or
723 expression, disability or use of a service or assistive animal by an individual with a
724 disability;

725 3. To refuse to receive or to fail to transmit a bona fide offer to engage in a real
726 estate transaction from a person;

727 4. To refuse to negotiate for a real estate transaction with a person;

728 5. To represent to a person that real property is not available for inspection, sale,
729 rental or lease when in fact it is so available, to fail to bring a property listing to the
730 person's attention or to refuse to permit the person to inspect real property;

731 6. To make, print, circulate, publish, post or mail or cause to be made, printed,
732 circulated, published, posted or mailed a statement, notice, advertisement or sign,

733 pertaining to a real estate transaction or a real estate related transaction that indicates,
734 directly or indirectly, an intent to make a limitation, preference or discrimination with
735 respect to the transaction;

736 7. To use a form of application or to make a record of inquiry regarding a real
737 estate transaction or a real estate related transaction that indicates, directly or indirectly,
738 an intent to make a limitation, preference or discrimination with respect to the
739 transaction;

740 8. To offer, solicit, accept, use or retain a listing of real property with the
741 understanding that a person might be discriminated against in a real estate transaction or
742 in the furnishing of facilities or services in connection with the transaction;

743 9. To expel a person from occupancy of real property;

744 10. To discriminate against in the course of negotiating or executing a real
745 estate transaction whether by mortgage, deed of trust, contract or other instrument
746 imposing a lien or other security in real property or in negotiating or executing any item
747 or service related thereto including issuance of title insurance, mortgage insurance, loan
748 guarantee or other aspect of the transaction;

749 11. To deny any person access to or membership or participation in any
750 multiple-listing service, real estate brokers' organization, or other service, organization,
751 or facility relating to the business of selling or renting dwellings, or to discriminate
752 against any person in the terms or conditions of such access, membership or participation;
753 or

754 12.a. To refuse to lease or rent any real property to any person based on the
755 person's reliance on the Section 8 program or other housing subsidy programs to make

756 rental payments unless:

757 (1) the person's reliance on the Section 8 program or other housing subsidy
758 programs is conditioned on the real property passing inspection;

759 (2) the written estimate of the cost of improvements necessary to pass
760 inspection is more than one thousand five hundred dollars; and

761 (3) the landlord has not received moneys from the state's landlord mitigation
762 program, as set forth in chapter 43.31 RCW, to make the improvements.

763 b. This subsection A.12. shall apply beginning September 30, 2018.

764 B. It is a discriminatory practice and unlawful for any person, whether acting on
765 the person's own behalf or for another, to coerce, intimidate, threaten or interfere with
766 any other person in the exercise or enjoyment of, on account of the other person having
767 exercised or enjoyed, or on account of the other person having aided or encouraged any
768 person in the exercise or enjoyment of, any right granted or protected by this chapter.

769 C. It is a discriminatory practice and unlawful for any person, whether acting on
770 the person's own behalf or for another, to discriminate against in the sale or rental of, or
771 to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a
772 disability of any one or more of:

773 1. That buyer or renter;

774 2. A person residing in or intending to reside in that dwelling after it is so sold,
775 rented or made available; or

776 3. Any person associated with that buyer or renter.

777 D. It is a discriminatory practice and unlawful for any person, whether acting on
778 the person's own behalf or for another, to discriminate against any person in the terms,

779 conditions or privileges of sale or rental of a dwelling, or in the provision of services or
780 facilities in connection with a dwelling, because of a disability of any one or more of:

781 1. That person;

782 2. A person residing in or intending to reside in that dwelling after it is so sold,
783 rented or made available; or

784 3. Any person associated with that person.

785 E. For the purposes of this chapter, discriminatory practices based either on
786 disability or use of a service or assistive animal by an individual with a disability are
787 unlawful and include:

788 1. Refusal to permit, at the expense of an individual with a disability, reasonable
789 modifications of existing premises occupied or to be occupied by the person if the
790 modifications might be necessary to afford the person full enjoyment of the premises.

791 However, for a rental, the landlord may, if it is reasonable to do so, condition permission
792 for a modification on the renter agreeing to restore the interior of the premises to the
793 condition that existed before the modification, reasonable wear and tear excepted;

794 2. Refusal to make reasonable accommodations in rules, policies, practices or
795 services, if the accommodations might be necessary to afford an individual or individuals
796 with disabilities equal opportunity to use and enjoy a dwelling; or

797 3. Failure to design, construct and alter dwellings in conformance with 42
798 U.S.C. 3604 as it exists on April 16, 2006, the Washington State Barrier Free Regulations
799 (chapter 51-50 WAC, pursuant to chapters 19.27 and 70.92 RCW), other regulations
800 adopted under 42 U.S.C. 3604 and chapters 19.27 and 70.92 RCW, and all other
801 applicable laws pertaining to access to individuals with disabilities. If the requirements

802 of applicable laws differ, the requirements that require greater accessibility to individuals
803 with disabilities govern.

804 F. It is discriminatory practice and unlawful for any person, whether acting on
805 the person's own behalf or for another, to retaliate by taking action against another person
806 because the other person:

807 1. Opposed any practice forbidden by this chapter;

808 2. Complied or proposed to comply with this chapter or any order issued under
809 this chapter; or

810 3. Filed a complaint, testified or assisted in any manner in any investigation,
811 proceeding or hearing initiated under this chapter.

812 SECTION 13. Ordinance 5280, Section 3.B., as amended, K.C.C. 12.20.050 are
813 hereby amended to read as follows:

814 It is a discriminatory practice and unlawful for any person acting for monetary
815 gain, whether acting on the person's own behalf or for another in connection with any real
816 estate-related transaction, whose business includes engaging in real estate-related
817 transactions to discriminate against any person in making available such a transaction, or
818 in the terms or conditions of such a transaction, because of race, color, religion, national
819 origin, ancestry, age, gender, marital status, parental status, participation in Section 8
820 program or other housing subsidy program, alternative source of income, sexual
821 orientation, gender identity or expression, disability or use of a service or assistive animal
822 by an individual with a disability.

823 SECTION 14. Ordinance 5280, Section 3.C, as amended, K.C.C. 12.20.060 are
824 hereby amended to read as follows:

825 It is a discriminatory practice and unlawful for any person acting for monetary
826 gain, whether acting on the person's own behalf or others, directly or indirectly, to engage
827 in the practices of blockbusting or steering, including the commission of any one or more
828 of the following acts:

829 A. Inducing or attempting to induce any person to sell or rent any real property
830 by representation regarding the entry or prospective entry into the neighborhood or area
831 of a person or persons of a particular race, color, religion, national origin, ancestry, age,
832 gender, marital status, participation in the Section 8 program or other housing subsidy
833 program, alternative source of income, sexual orientation, gender identity or expression,
834 parental status, disability or use of a service or assistive animal by an individual with a
835 disability; or

836 B. Showing or otherwise taking any action, the intention or effect of which is to
837 steer a person or persons to any section of the county or to particular real property in a
838 manner tending to segregate or maintain segregation on the basis of race, color, religion,
839 national origin, ancestry, age, gender, marital status, sexual orientation, gender identity or
840 expression, parental status, participation in Section 8 program or other housing subsidy
841 program, alternative source of income, disability or use of a service or assistive animal by
842 a an individual with a disability.

843 SECTION 15. Ordinance 5280, Section 10, as amended, K.C.C. 12.20.130 are
844 hereby amended to read as follows:

845 A. Nothing in this chapter:

846 1. Prohibits treating any person or persons meeting the definition of parental
847 status or any individual with a disability or individuals with disabilities more favorably

848 than others if the favorable treatment does not discriminate against persons on the basis
849 of race, color, religion, national origin, ancestry, age, gender, marital status, parental
850 status, participation in the Section 8 program or other housing subsidy program,
851 alternative source of income, sexual orientation, gender identity or expression, disability
852 or use of a service or assistive animal by an individual with a disability;

853 2. Prohibits a religious organization, association or society, or any nonprofit
854 institution or organization operated, supervised or controlled by or in conjunction with a
855 religious organization, association or society, from limiting the sale, rental or occupancy
856 of dwellings that it owns or operates for other than a commercial purpose, to persons of
857 the same religion, or from giving preference to persons of the same religion, but only if:

858 a. membership in the religion is not restricted on account of race, color,
859 ancestry or national origin; and

860 b. the limitation or preference is reasonably in the furtherance of a religious
861 purpose or activity;

862 3. Prohibits any person from limiting the rental or occupancy of housing
863 accommodations in any collegiate Greek system residence, school dormitory or similar
864 residential facility to persons of one gender if considerations of personal privacy exist;

865 4. Prohibits any person from limiting, on the basis of age or parental status, the
866 sale, rental or occupancy of housing accommodations that fully qualify as housing for
867 older persons age fifty-five and over under 42 U.S.C. Sec. 3607 as it exists on April 16,
868 2006;

869 5. Prohibits any person from limiting the sale, rental or occupancy of housing
870 accommodations to:

871 a. individuals with disabilities in any housing facility operated for individuals
872 with disabilities;

873 b. senior citizens in any housing facility operated exclusively for senior
874 citizens; or

875 c. elderly persons in any housing provided under any state or federal program
876 that meets the requirements of 42 U.S.C. Sec. 3607(b)(2)(A) as it exists on April 16,
877 2006;

878 6. Requires any person to rent or lease a housing accommodation to a minor;

879 7. Requires or permit any sale, rental or occupancy otherwise prohibited by law;

880 8. May be interpreted to prohibit any person from making a choice among
881 prospective purchasers or tenants of real property on the basis of factors other than race,
882 color, religion, ancestry, national origin, age, gender, marital status, parental status,
883 sexual orientation, gender identity or expression, participation in the Section 8 program
884 or other housing subsidy program, alternative source of income, disability or use of a
885 service or assistive animal by an individual with a disability; or

886 9. Prohibits any person from placing limitations on the maximum number of
887 tenants permitted per unit on account of reasonable space limitations or requirements of
888 law.

889 B. Nothing in this chapter, except K.C.C. 12.20.040.A.6., 12.20.040.A.7.,
890 12.20.040.A.8., 12.20.040.B. and 12.20.050, applies to the renting, subrenting, leasing or
891 subleasing of a single-family or duplex dwelling unit in which the owner normally
892 maintains a permanent residence, home or abode.

893 C. Nothing in this chapter prohibits any party to a real estate transaction or real

894 estate-related transaction from considering the capacity to pay and credit history of any
895 individual applicant.

896 D. Nothing in this chapter prohibits any party to a real estate transaction or real
897 estate related transaction from considering or taking reasonable action based on the
898 application of ~~((the))~~ community property law to ~~((the))~~ an individual case.

899 SECTION 16. Ordinance 8625, Section 1, as amended, and K.C.C. 12.22.010 are
900 hereby amended to read as follows:

901 This chapter is an exercise of the police power of King County for the protection of
902 the public welfare, health, peace and safety of the residents of King County and in
903 fulfillment of the state Constitution. The King County council hereby finds and declares
904 that the practice of discrimination against any person on the basis of race, color, gender,
905 marital status, parental status, sexual orientation, gender identity or expression, religion,
906 ancestry, age, national origin, disability or use of a service or assistive animal by an
907 individual with a disability in places of public accommodation constitute matters of local
908 concern and are contrary to the public welfare, health, peace and safety of the residents of
909 King County.

910 SECTION 17. Ordinance 8625, Section 2, as amended, and K.C.C. 12.22.020 are
911 hereby amended to read as follows:

912 The definitions in this section apply throughout this chapter unless the context
913 clearly requires otherwise.

914 A. "Aggrieved person" includes any person who claims to have been injured by an
915 act of discrimination in a place of public accommodation;

916 B. "Charging party" means any person alleging an act of discrimination in a place

917 of public accommodation under this chapter by filing a complaint with the office of civil
918 rights.

919 C.1. "Disability" means:

920 a. a physical or mental impairment that substantially limits one or more of a

921 person's major life activities, either temporarily or permanently;

922 b. a person has a record of having such an impairment;

923 c. a person is regarded as having such an impairment; or

924 d. a person has any other condition that is a disability under the Washington state

925 Law Against Discrimination, chapter 49.60 RCW, as it pertains to public accommodations.

926 2. "Disability" does not include current, illegal use of a controlled substance, as

927 defined in section 102 of 21 U.S.C. Sec. 802 as it exists on April 16, 2006.

928 D. "Discrimination" or "discriminatory practice or act" means any action or failure

929 to act, whether by a single act or part of a practice, the effect of which is to adversely affect

930 or differentiate between or among individuals, because of race, color, religion, national

931 origin, ancestry, age, gender, marital status, parental status, sexual orientation, gender

932 identity or expression, disability or use of a service or assistive animal by an individual

933 with a disability.

934 E. "Gender identity or expression" means an individual's gender-related identity,

935 appearance, or expression, whether or not associated with the individual's sex assigned at

936 birth, and includes an individual's attitudes, preferences, beliefs and practices pertaining to

937 the individual's own gender identity or expression.

938 F. "Marital status" means the presence or absence of a marital relationship and

939 includes the status of married, separated, divorced, engaged, widowed, single or cohabiting.

940 ~~((F.))~~ G. "Owner" includes a person who owns, leases, subleases, rents, operates,
941 manages, has charge of, controls or has the right of ownership, possession, management,
942 charge or control of real property on the person's own behalf or on behalf of another.

943 ~~((G.))~~ H. "Parental status" means being a parent, step-parent, adoptive parent,
944 guardian, foster parent or custodian of a minor child or children.

945 ~~((H.))~~ I. "Party" includes a person making a complaint or upon whose behalf a
946 complaint is made alleging an unfair public accommodations practice, a person alleged or
947 found to have committed an unfair public accommodations practice and the office of civil
948 rights.

949 ~~((I.))~~ J. "Person" means one or more individuals, partnerships, associations,
950 organizations, corporations, cooperatives, legal representatives, trustees, trustees in
951 bankruptcy, receivers or any group of persons, and includes King County but no
952 governmental body other than King County. "Person" also includes any owner, lessee,
953 proprietor, manager, agent or employee whether one or more natural persons.

954 ~~((J.))~~ K. "Place of public accommodation" means any place, store or other
955 establishment, either licensed or unlicensed, that supplies goods or services to the general
956 public. "Place of public accommodation" includes, but is not limited to, the following
957 types of services or facilities: hotels, or other establishments provide lodging to transient
958 guests; restaurants, cafeterias, lunchrooms, lunch counters, soda fountains or other facilities
959 principally engaged in selling or offering for sale food for consumption upon the premises;
960 motion picture houses, theatres, concert halls, convention halls, sport arenas, stadiums or
961 other places of exhibition or entertainment; bowling alleys and amusement parks; retail
962 establishments; transportation carriers; barber shop; beauty shops; bars or taverns or other

963 facilities engaged in selling or offering for sale alcoholic beverages for consumption upon
964 the premises; food banks, senior citizens centers and other social service organizations and
965 establishments; places of public accommodation operated by King County; and public
966 burial facilities if the facilities are owned and operated by any cemetery corporation or
967 burial association.

968 ~~((K-))~~ L. "Respondent" means a person who is alleged or found to have
969 discriminated in a place of public accommodation.

970 ~~((L-))~~ M. "Senior citizen" means an individual as old or older than an age set for a
971 senior category. The minimum age for the senior category is fifty-five years.

972 ~~((M-))~~ N. "Service or assistive animal" means any dog guide, signal or hearing dog,
973 seizure response dog, therapeutic companion animal or other animal that does work,
974 performs tasks or provides medically necessary support for the benefit of an individual with
975 a disability.

976 ~~((N-))~~ O. "Settlement discussions" or "conference, conciliation and persuasion"
977 means the attempted resolution of issues raised by a complaint, or by the investigation of a
978 complaint, through informal negotiations involving the charging party, the respondent and
979 the office of civil rights.

980 ~~((O-))~~ P. "Sexual orientation" means an individual's attitudes, preferences, beliefs
981 and practices pertaining to the individual's own sexual orientation including, but not
982 limited to, actual or perceived heterosexuality, homosexuality(~~(;))~~ and bisexuality(~~(and~~
983 gender identity. As used in this definition, "gender identity" means having or being
984 perceived as having a gender identity different from that traditionally associated with the
985 sex assigned to that person at birth. Protection associated with "gender identity" includes

986 ~~self image, appearance, behavior or expression~~)).

987 SECTION 18. Ordinance 8625, Section 3, as amended, and K.C.C. 12.22.030 are
988 hereby amended to read as follows:

989 It is unlawful for any person to engage in, or cause or allow another to engage in,
990 any of the acts listed in this section, which are hereby designated as discrimination, in
991 places of public accommodation located in unincorporated King County or operated by
992 King County wherever located.

993 A. It is a discriminatory practice for any person, whether acting on the person's
994 own behalf or for another, because of race, color, religion, national origin, ancestry, age,
995 gender, marital status, parental status, sexual orientation, gender identity or expression,
996 disability or use of a service or assistive animal by an individual with a disability:

997 1. As owner, custodial agent or employee of a place of public accommodation,
998 to discriminate in denying, refusing, rejecting or granting any privilege, service, goods,
999 merchandise, commodity or accommodation;

1000 2. As owner, custodial agent or employee of a place of public accommodation,
1001 to discriminate by segregating or requiring the placing of any person in any separate
1002 section or area of the premises or facilities of the place of public accommodation; or

1003 3. To place, post, maintain or display any written or printed advertisement,
1004 notice or sign to the effect that any of the accommodations, advantages, facilities,
1005 privileges, goods or merchandise of any place of public accommodation, will or might be
1006 refused, withheld from or denied to any person.

1007 B. It is a discriminatory practice and unlawful for any person , whether acting on
1008 the person's own behalf or for another, to retaliate by taking action against another person

1009 because the other person:

1010 1. Opposed any practice forbidden by this chapter;

1011 2. Complied or proposed to comply with this chapter or any order issued under
1012 this chapter; or

1013 3. Filed a complaint, testified or assisted in any manner in any investigation,
1014 proceeding or hearing initiated under this chapter.

1015 C. Nothing in this section:

1016 1. Applies to any non-commercial facility operated or maintained by a bona fide
1017 religious institution;

1018 2. May be construed to prohibit treating individuals with disabilities more
1019 favorably than individuals without disabilities or to prohibit treating senior citizens more
1020 favorably than nonsenior citizens; or

1021 3. May be construed to prohibit offering discounts, special prices or other

1022 special arrangements to children or families or imposing age limits for individuals up to
1023 twenty-one years old.
1024

Ordinance 19026 was introduced on 7/24/2019 and passed as amended by the Metropolitan King County Council on 11/20/2019, by the following vote:

Yes: 8 - Mr. Gossett, Ms. Lambert, Mr. Dunn, Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles and Ms. Balducci
Excused: 1 - Mr. von Reichbauer



KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Rod Dembowski, Chair

ATTEST:

Melani Pedroza, Clerk of the Council

APPROVED this 4 day of DECEMBER, 2019.

Dow Constantine, County Executive

Attachments: None

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