



Legislation Text

File #: 2025-0018, **Version:** 1

AN ORDINANCE relating to antidiscrimination text and making technical corrections, amending Ordinance 18665, Section 1, as amended, and K.C.C. 2.15.005, Ordinance 16692, Section 2, as amended, and K.C.C. 2.15.010, Ordinance 12014, Section 18, as amended, and K.C.C. 3.12.180, Ordinance 18757, Section 2, as amended, and K.C.C. 3.12D.010, Ordinance 18757, Section 4, as amended, and K.C.C. 3.12D.020, Ordinance 10159, Section 14, as amended, and K.C.C. 6.27A.120, Ordinance 11992, Section 2, as amended, and K.C.C. 12.16.010, Ordinance 11992, Section 2, as amended, and K.C.C. 12.16.020, Ordinance 11992, Section 7, as amended, and K.C.C. 12.16.050, Ordinance 11992, Section 9, as amended, and K.C.C. 12.16.070, Ordinance 10849, Section 19, as amended, and K.C.C. 12.16.125, Ordinance 13981, Section 1, as amended, and K.C.C. 12.17.002, Ordinance 13981, Section 2, as amended, and K.C.C. 12.17.010, Ordinance 7430, Section 1, as amended, and K.C.C. 12.18.010, Ordinance 7430, Section 2, as amended, and K.C.C. 12.18.020, Ordinance 5280, Section 1, as amended, and K.C.C. 12.20.010, Ordinance 5280, Section 2, as amended, and K.C.C. 12.20.020, Ordinance 5280, Section 3, as amended, and K.C.C. 12.20.040, Ordinance 5280, Section 3, as amended, and K.C.C. 12.20.050, Ordinance 5280, Section 3, as amended, and K.C.C. 12.20.060, Ordinance 5280, Section 10, as amended, and K.C.C. 12.20.130, Ordinance 8625, Section 1, as amended, and K.C.C. 12.22.010, Ordinance 8625, Section 2, as

amended, and K.C.C. 12.22.020, Ordinance 8625, Section 3, as amended, and K.C.C. 12.22.030, Ordinance 8034, Section 3, as amended, and K.C.C. 22.16.030.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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

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

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

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

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

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

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

information.

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

1. Civil immigration detention;
2. Removal proceedings; and
3. Removal from the United States.

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

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

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

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

K. "Immigration detainer" means a request by ICE to a federal, state, or local law enforcement agency, such as the King County department of adult and juvenile detention, to provide notice of release or maintain

custody of a person based on an alleged violation of a civil immigration law. "Immigration detainer" includes a detainer issued under Sections 236 or 287 of the Immigration and Nationality Act or 287.7 or 236.1 of Title 8 of the Code of Federal Regulations. "Immigration detainer" includes a detainer issued under DHS form I-274A entitled Immigration Detainer- Notice of Action, as well as predecessor and successor versions.

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

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

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

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

1. Home address;
2. Work address;
3. Telephone number;
4. Electronic mail address;
5. Social media handle or other identifying social media information;
6. Any other means of contacting a person;
7. Social security number;
8. Driver's license number or Washington identification card number;
9. Bank account number or credit or debit card number;
10. Information or data collected through the use or operation of an automated license plate

recognition system; and

11. User name that, in combination with a password or security question and answer, would permit

access to an online account.

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

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

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

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

1. Race, color, sex, ~~((religion))~~ religious affiliation, national origin, English proficiency, disability, age except by minimum age and retirement provisions, status as a family caregiver, sexual orientation, ((ø#)) gender identity or expression ((of the person)), or military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression; or

2. Citizenship or immigration status of the person or the person's family member.

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

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

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

B. All applications, questionnaires, and interview forms used in relation to the provision of county

benefits, opportunities, or services shall be reviewed by each agency, and any question requiring disclosure of information related to citizenship, immigration status, or national origin unless required by state or federal law, or international treaty, shall be deleted. Agencies that are required by state or federal law, or international treaty, to collect immigration status or national origin information must separate that information from personal information in the agencies' records as soon as is practicable.

C. The department of public health shall not condition the provision of health benefits, opportunities, or services on matters related to citizenship, national origin, or immigration status. The department of public health may inquire about or disclose information relating to a person's citizenship, national origin, or immigration status for the purpose of determining eligibility for benefits or seeking reimbursement from federal, state, or other third-party payers.

D. Except when otherwise required by law, where the county accepts presentation of a state-issued driver's license or identification card as adequate evidence of identity, presentation of a state-issued document marked as not valid for federal purposes or presentation of a photo identity document issued by the person's nation of origin, such as a driver's license, passport, or other consul-issued document, such as a Matricula Consular de Alta Seguridad, shall also be accepted and shall not subject the person to a higher level of scrutiny or different treatment than if the person had provided a Washington state driver's license or identification card. A request for translation of such a document to English shall not be deemed a violation of any provision of this chapter; however, translation services may not be provided by any federal immigration authority. This subsection does not apply to documentation required to complete a federal I-9 employment eligibility verification form. Once the county agency's legitimate purpose in viewing the required documentation is completed, the documentation shall be promptly returned to its owner. Copies of the required documentation shall not be made or maintained by a county agency unless otherwise required by law.

E. A county employee or an agent or agency of King County shall not inquire about or request, from a member of the public information about the citizenship, national origin, or immigration status or place of birth

of any person unless the inquiry, request, or investigation is required by state or federal law, regulation, or directive or court order or rule, or to ensure compliance with any state or federal law, regulation, or directive or court order. When an inquiry, request, or investigation into nationality, immigration status or citizenship, including place of birth, is required to be or for any reason is made, the King County agent or county employee shall not attempt to coerce a response. All persons to whom the inquiries are made shall be explicitly informed of their right to decline to respond, free from fear or threat of retaliation.

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

G. Except where necessary to provide King County services, for performance measurement purposes including data analysis conducted to ensure services are being provided in an equitable and nondiscriminatory manner, or where otherwise required by state or federal law or regulation or directive or court order, King County agents and employees are not permitted to obtain, maintain, or share information about a person's race, color, sex, national origin, ethnicity, language proficiency, ~~((religion))~~ religious affiliation, sexual orientation, gender identity or expression, disability, housing status, financial status, marital status, status as a victim of domestic violence, criminal history, release date from incarceration or confinement in a secure detention or other custody, age except by minimum age and retirement provisions, status as a family caregiver, or military status or status as a veteran.

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

I. An agent of King County or a county employee shall not expend any time, moneys, or other resources on facilitating the civil enforcement of federal immigration law or participating in civil immigration

enforcement operations, except where state or federal law, regulation, or court order shall so require. However, a county agency, employee or agent is not prohibited from sending to, or receiving from, federal immigration authorities, information regarding the citizenship or immigration status of a person. Also, nothing in this section prohibits any county agency from sending to, receiving from, requesting from, or exchanging with any federal, state, or local government agency information regarding the immigration status of a person or from maintaining such information.

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

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

SECTION 3. Ordinance 12014, Section 18, as amended, and K.C.C. 3.12.180 are hereby amended to read as follows:

A. For purposes of this section:

1. "County work force" means persons employed by King County executive departments;
2. "Job group" means a grouping of jobs as defined by the United States Department of Labor;
3. "Labor force availability rate" means the percentage of persons of color or women with requisite job skills in King County as reported by the United States Census Bureau;
4. "Persons of color" means persons in each of the following groups: Blacks; Hispanics; Asian/Pacific Islanders; and Native Americans; and
5. "Placement goal" shall equal the labor force availability rate.

B. The county is an equal opportunity employer and shall carry out federal, state, and local laws and regulations prohibiting discrimination in employment on the basis of race, color, religion, religious affiliation, creed, national origin, ancestry, sex, sexual orientation, gender identity or expression, age (except by minimum age and retirement provisions), marital status, status as a family caregiver, ~~((honorably discharged veteran or~~

~~military status))~~ military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression, or the presence of a sensory, mental, or physical disability. Further, it is the intent of the county to ensure that employment is based on the principle of equal opportunity and that such a principle shall be implemented in all county personnel-related actions including, but not limited to, recruitment, hiring, testing, training, promotion, compensation, transfer, and all other terms and conditions of employment in all job classifications.

C. In order to comply with federal contracting requirements and to ensure equal opportunity for all persons, all county departments shall establish and maintain an effective equal employment opportunity affirmative action plan, as adopted by the council by ordinance. Such an equal employment opportunity affirmative action plan shall promote the objectives of public policy set forth in applicable federal and state laws relating to nondiscrimination, equal employment opportunity, affirmative action, and civil rights. Specifically, the plan shall promote the objectives of the State Law Against Discrimination, chapter 49.60 RCW (applicable parts), and provisions of the Washington Administrative Code adopted thereunder. As part of the county's equal employment opportunity affirmative action plan, the executive shall submit by June 1 of every fourth year, commencing with 2018, a proposed ordinance for the approval of an equal employment opportunity affirmative action plan pertaining to executive county departments and agencies to be approved, or modified, by the council by ordinance, or rejected by the council, by January 1 following the plan's submittal to council. The equal employment opportunity affirmative action plan shall include:

1. Information related to county work force statistics, which shall include:

a. a comparison of labor force availability for women and persons of color to the county's actual labor force for women and persons of color as a summary across all departments. The plan shall also compare labor force availability for women and persons of color to the county's actual labor force for women and persons of color by departments and job group. The plan shall also summarize the percentage of total goal setting areas which meet or exceed the labor force availability rate;

- b. a summary of the county work force by job group and by race and gender;
- c. a discussion of the methodology by which the labor force availability and county work force data is developed and a listing of the county job classifications that are included in each job group;
- d. the total number of persons with disabilities in each job group within the county work force and the total number of persons with disabilities by department voluntarily reported by individuals for equal employment opportunity affirmative action purposes. The plan shall include the number of positions for which an accommodation is currently in effect;
- e. the total number and percentage of employees by salary range and by race and gender. Salary ranges shall be reported in a manner consistent with the equal employment opportunity data reported by the United States Census Bureau. The plan shall include data reported by the United States Census bureau on the total number and percentage of the labor force working in King County by salary range and by race and gender;
- f. an analysis by race and gender of the positions filled by promotion during the prior plan period. For the purposes of this subsection, "promotions" means those instances in which an individual advances in salary level because the individual changed to a position with a higher pay range assignment;
- g. a summary by year for the prior plan period on executive branch discrimination complaints by basis of complaint and complaint status. The summary shall also include data by department on the number of complaints filed by complaint type and the number of people filing complaints; and
- h. historical data on the county work force by race and gender. Historical data before 2014 is required only to the extent it is readily available;

2. Placement goals for the plan period. For those job groups within departments where the actual number of women and persons of color employed is less than projected by labor force availability, a placement goal by race and gender shall be established for the entire plan period. A placement goal shall equal the labor force availability rate. Placement goals are used to measure progress toward achieving equal employment opportunity. Placement goals may not be quotas, which must be met, nor do they create set-asides for specific

groups. Placement goals may not be used to supersede merit selection principles. Further, existence of a placement goal does not constitute evidence of discrimination. If a placement goal has been established, the plan shall identify the labor force availability rate;

3. Implementation plans for departments. Each implementation plan shall:

a. identify the activities proposed each year during the plan period to meet the department's placement goals. The plan shall discuss how the proposed activities will help the department achieve its placement goals;

b. identify the activities proposed during the plan period by year to recruit, retain and promote women and persons of color in the work force; and

c. identify the specific activities during the plan period, by year, that each department will undertake to increase its hiring, retention, and promotion of persons with disabilities; and

4. A summary of the results of the prior equal employment opportunity affirmative action plan, which shall include:

a. a description of the progress of each department in completing the activities listed in subsection C.3. a. through c. of this section proposed in the previous implementation plan. The outcomes of each activity shall be reported. The department of human resources shall provide an evaluation of the effectiveness of each department's implementation activities during the plan period;

b. the status of each placement goal established in the prior equal employment opportunity affirmative action plan. For each identified placement goal, the status report shall report the:

(1) labor force availability rate;

(2) total number of positions filled for the corresponding job group within a department;

(3) of the total number reported under subsection C.4.b.(2) of this section, the number of positions that were filled by each race and gender category; and

(4) an actual hiring rate for each race and gender category calculated by dividing the number of

positions filled by the number of positions filled by each race and gender category; and

c. a separate listing of those placement goals for the plan period that were not achieved. Placement goals are considered not achieved when the actual hiring rate is less than the availability rate for the overall plan period. For each placement goal not achieved, the plan shall provide an analysis of why the goals were not met including whether the planned implementation activities were completed. Placement goals shall only be considered not achieved in those instances in which the total number of hires is large enough such that it is statistically reasonable to expect under conditions of equal employment opportunity that the number of hires by race and gender will reflect work force availability.

D. The executive shall submit a proposed ordinance approving a new four-year equal employment opportunity affirmative action plan to the council within twelve months of the publication of the appropriate data from the ten-year United States Census.

SECTION 4. Ordinance 18757, Section 2, as amended, and K.C.C. 3.12D.010 are hereby amended to read as follows:

A. It is the policy of King County to promote a respectful, nondiscriminatory work environment, free of behavior that is illegal or contributes to interpersonal conflicts, poor performance, or poor morale. Therefore, King County prohibits discrimination and harassment, including sexual harassment, and inappropriate conduct, toward any employee on the basis of the employee's race, color, gender, age, creed, disability, marital status, national origin, ~~((religion))~~religious affiliation, pregnancy, gender identity or expression, sex, domestic violence victimization, sexual orientation, ~~((honorably discharged veteran or military status))~~, status as a family caregiver, military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression, use of a service or assistive animal by a person with a disability, or any other status protected by federal, state, or local law. Additionally, King County prohibits retaliation of any kind against anyone who in good faith reports incidents of harassment, discrimination, or inappropriate conduct.

B. The executive, assessor, director of elections, council, and prosecuting attorney, shall revise their current policies or develop new policies, procedures, and training to prevent and respond to discrimination and harassment, including sexual harassment, and inappropriate conduct. The policies, procedures, and training shall be developed in consultation with subject matter experts and employees and are intended to promote respectful, nondiscriminatory work environments throughout the King County government. The policies, procedures, and training should reflect the recommendations included in the Report of the Co-Chairs of the EEOC Select Task Force on the Study of Harassment in the Workplace. The policies and procedures shall include:

1. Definitions of discrimination and harassment, including sexual harassment, and inappropriate conduct;
2. A clear and easy-to-understand nondiscrimination, antiharassment and inappropriate conduct policy that includes:
 - a. a description of prohibited conduct, including examples;
 - b. a statement that the reporting system will provide a prompt, thorough, and impartial investigation;
 - c. a statement that the identity of an individual who submits a report, a witness who provides information regarding a report, and the subject of the complaint, will be kept confidential to the extent possible;
 - d. an assurance that King County will take prompt and proportionate corrective action if it determines that harassment or discrimination has occurred;
 - e. an assurance that an individual who submits a report or a witness who provides information regarding a report will be protected from retaliation; and
 - f. a statement that any employee who retaliates against any individual who submits a report or provides information regarding a report will be disciplined appropriately;
3. A description of a reporting system for employees that encourages those who experience workplace discrimination and harassment, including sexual harassment, and inappropriate conduct as well as those who

observe such behavior to report it. The reporting system shall provide multiple options for reporting such behavior, including county, state, and federal reporting options, as well as an informal mechanism, such as the county's employee assistance program, that allows employees to make inquiries and to resolve issues informally when appropriate;

4. Guidelines for how to handle a complaint. The guidelines should cover: how to handle a complaint promptly, effectively, and in way that respects the vulnerability and privacy of the individual reporting the incident; the application and limitations of confidentiality; the legal duties required as an employer; and how to determine the appropriate scope of the investigation process; and

5. A plan to require managers and supervisors to promote an inclusive and respectful workplace culture that is free of discrimination and harassment, including sexual harassment, and inappropriate conduct. The executive, assessor, director of elections, council, and prosecuting attorney, shall assist each manager and supervisor within their agencies with compliance with this subsection B.5. and evaluate each manager and supervisor's progress and performance either independently or as part of the ((their)) agencies' performance evaluation process.

C.1. The executive, assessor, director of elections, council, and prosecuting attorney shall develop options, including cost information, to deliver training and communications on the county's policies and procedures and on recognizing and preventing discrimination and harassment, including sexual harassment, and inappropriate conduct, and educating employees on the resources and procedures available if such behavior is experienced or observed. Each option may be phased in over time and shall:

- a. address how the policies and procedures will be regularly communicated to all employees, as well as to all new employees. Resources for employees to understand the policy and procedures shall be easily locatable on-line;
- b. include training to foster an equitable, respectful, and inclusive workplace; and
- c. include training for those handling complaints.

2. At least one of the training options must be a plan for a regular, interactive training program that includes all of the following:

a. in-person or interactive on-line training;

b. a plan to address the specific needs of the county's workplaces, considering risk factors of harassment and discrimination, including those identified in the Report of the Co-Chairs of the EEOC Select Task Force on the Study of Harassment in the Workplace, such as those with a disproportionate number of males among its employees and youth employed in a workplace;

c. supervisor and manager training that specifically addresses power dynamics and building a healthy workplace culture; and

d. a plan to partner with unions representing county employees in order for unions to become aware of county policies and procedures and be encouraged to foster an environment that is free from discrimination and harassment, including sexual harassment, and inappropriate conduct.

D. The policies, procedures, and training developed by the executive, assessor, director of elections, council, and prosecuting attorney shall specifically address the power dynamics involving staff and elected officials and how to respond to and prevent discrimination, harassment, sexual harassment, and inappropriate conduct by their elected officials.

SECTION 5. Ordinance 18757, Section 4, as amended, and K.C.C. 3.12D.020 are hereby amended to read as follows:

The executive, assessor, director of elections, council, and prosecuting attorney shall report biennially on the number of workplace discrimination and harassment complaints, including sexual harassment, and inappropriate conduct complaints and, when possible, informal inquiries, received by each department each year. The report shall indicate the basis or bases of the complaint, which may be race, color, gender, sex, age, creed, disability, marital status, national origin, ~~((religion))~~ religious affiliation, sexual orientation, pregnancy, gender identity or expression, domestic violence victimization, sexual orientation, honorably discharged

veteran or veteran who was discharged solely as a result of the person's sexual orientation or gender identity or expression or military status, status as a family caregiver, use of service or assistive animal by a person with a disability, or any other status protected by federal, state, or local law. The office of equity and racial and social justice shall report on the number of unfair employment practice complaints filed, the basis or bases of the complaint, the number of investigations of unfair employment practices in the reporting year, and the number of findings that reasonable cause exists to believe that an unfair employment practice occurred. The first report shall be transmitted to the council by December 31, 2019. All reports under this section shall be electronically filed with the clerk of the council who shall retain an electronic copy and provide an electronic copy to all councilmembers, the council chief of staff and the council chief policy officer.

SECTION 6. Ordinance 10159, Section 14, as amended, and K.C.C. 6.27A.120 are hereby amended to read as follows:

A. A franchisee or applicant for a franchise shall not deny cable service, or otherwise discriminate against any subscriber, access programmer or resident on the basis of race, color, (~~religion~~)religious affiliation, national origin, physical or mental disability, age, political affiliation, marital status, sexual orientation, gender identity or expression, sex, status as a family caregiver, military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression, or income of the residents of the area in which the person resides. The franchisee shall comply at all times with all other applicable federal, state, and local laws, rules, and regulations relating to nondiscrimination.

B. A franchisee shall not refuse to employ, nor discharge from employment, nor discriminate against any person in compensation or in terms, conditions or privileges of employment because of race, color, (~~religion~~)religious affiliation, national origin, physical disability, age, political affiliation, marital status, sexual orientation, gender identity or expression, sex, status as a family caregiver, military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or

gender identity or expression, or income.

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

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

E. Despite the other provisions of this section, no provision of this section shall invalidate any other section of this chapter.

SECTION 7. Ordinance 11992, Section 2, as amended, and K.C.C. 12.16.010 are hereby amended to read as follows:

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

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

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

C. "Contractor" means any person, firm, business, organization, company, partnership, corporation, or other legal entity, excluding real property lessors and lessees and government agencies, contracting to do business with the county including, but not limited to, public work contractors, consultant contractors, providers of professional services, service agencies, vendors, and suppliers selling or furnishing materials, equipment, or goods or services.

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

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

F. "Discriminate" means an action, other than an action taken in accordance with lawful equal employment opportunity efforts, or failure to act, whether by itself or as part of a practice, the effect of which is to adversely affect or differentiate between or among individuals or groups of individuals, by reasons of sex, race, color, marital status, national origin, religious affiliation, disability, sexual orientation, gender identity or expression, status as a family caregiver, military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression, or age except by minimum age and retirement provisions, unless based upon a bona fide occupational qualification.

G. "Discrimination" means differential treatment of or pursuit of policies or practices that have a disproportionate impact upon persons due to their sex, race, color, marital status, national origin, religious affiliation, disability, sexual orientation, gender identity or expression, status as a family caregiver, military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the

person's sexual orientation or gender identity or expression, or age except by minimum age and retirement provisions, unless based upon a bona fide occupational qualification.

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

I. "Equal employment opportunity" means the availability of employment and advancement of all people based on merit, capability, and potential, and without regard to an individual's sex, race, color, marital status, national origin, religious affiliation, disability, sexual orientation, gender identity or expression, status as a family caregiver, military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression, or age except by minimum age and retirement provisions, unless based upon a bona fide occupational qualification. "Equal employment opportunity" includes the following components: recruitment, application processing, hiring, job placement, compensation, promotion, transfer, termination, and work assignment.

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

K. "Equal opportunity" means a system of practices under which individuals are not excluded from any opportunity or benefits because of their sex, race, color, marital status, national origin, religious affiliation, disability, sexual orientation, gender identity or expression, status as a family caregiver, military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression, or age except by minimum age and retirement provisions, unless based upon a bona fide occupational qualification.

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

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

N. "Minority" or "minorities" means a person who is a citizen of the United States and who is a member of one or more of the following historically disadvantaged racial groups:

1. Black or African American: Having origins in any of the Black racial groups of Africa;
2. Hispanic: Mexican, Puerto Rican, Cuban, Central American, South American or of other Spanish or Portuguese culture or origin, regardless of race;
3. Asian American: Having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands; or
4. American Indian or Alaskan Native: Having origins in any of the original peoples of North America.

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

P. "Reasonable accommodation" means steps taken to modify facilities used by employees or to modify a particular job component which enables an otherwise qualified person with a disability to perform the essential functions of the job.

Q. "Sexual orientation" means an individual's attitudes, preferences, beliefs, and practices pertaining to the individual's own sexual orientation including, but not limited to, heterosexuality, homosexuality, and bisexuality.

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

SECTION 8. Ordinance 11992, Section 2, as amended, and K.C.C. 12.16.020 are hereby amended to read as follows:

No contractor, subcontractor, or union doing business with the county or a county contractor, who furnishes workers or services in connection therewith, shall discriminate against any person on the basis of sex, race, color, marital status, national origin, religious affiliation, disability, sexual orientation, gender identity or expression, status as a family caregiver, military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression, or age except by minimum age and retirement provisions, unless based upon a bona fide occupational qualification, and no such contractor, subcontractor, or union shall violate any of the terms of chapter 49.60 RCW, Title VII of the Civil Rights Act of 1964, or any other applicable federal, state, or local law or regulation regarding nondiscrimination in employment.

SECTION 9. Ordinance 11992, Section 7, as amended, and K.C.C. 12.16.050 are hereby amended to read as follows:

A. The county's policy, as stated in this chapter, requiring nondiscrimination in contractor and subcontractor employment and equal employment opportunity shall be included in all county contracts, except real property sale and lease transactions and government agency contracts. The requirement of compliance with disability access laws shall be included in all applicable county contracts. A violation of this chapter shall be deemed a breach of a material provision of the contract between the county and the contractor. Such a breach shall be grounds for cancellation, termination, or suspension, in whole or in part, of the contract by the county, or for invoking the enforcement provisions of this chapter providing for penalties, liquidated damages or other remedies, and may result in ineligibility for county contracts. The burden is on the contractor to demonstrate its compliance with this chapter.

B. Invitations to bid and requests for proposals for all county contracts, except real property leases, may require the bidder or proposer to comply specifically with equal employment opportunity efforts to follow in

the event a contract is awarded to the bidder or proposer. Such efforts shall ensure the contractor and its subcontractors while performing the contract for the county affords equal opportunity in employment.

C. Whenever the administrator determines that a contractor's obligations under this chapter need review or updating, the administrator shall notify the contractor, who shall take such steps as are necessary to review or update its equal employment opportunity policies and practices to meet county requirements.

D. A bidder may also be required, after award of a contract, to submit permanent workforce information including, but not limited to, the total number of employees for all business locations, a personnel inventory by job category and other such data as may be determined by the administrator.

E. Contractors performing under construction contracts shall submit monthly employment reports on such forms and by methods, including electronic submission, as may be established by the administrator. The reports shall include information sufficient to demonstrate the extent to which the contractor has complied with this chapter.

F. Neither the provisions of any collective bargaining agreement nor the failure by a union with whom the contractor has a collective bargaining agreement to shall excuse the contractor's obligation under this chapter.

G. The following provisions shall be included in contracts awarded by the county, except as provided otherwise in this chapter:

1. During performance of the contract, the contractor agrees that it will not discriminate against any employee or applicant for employment because of the employee or applicant's sex, race, color, marital status, national origin, religious affiliation, disability, sexual orientation, gender identity or expression, status as a family caregiver, military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression, or age except by minimum age and retirement provisions, unless based upon a bona fide occupational qualification. The contractor will take equal employment opportunity efforts to ensure that applicants and employees are treated, without regard

to their sex, race, color, marital status, national origin, religious affiliation, disability, sexual orientation, gender identity or expression, status as a family caregiver, military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression, or age. The equal employment opportunity efforts shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeships. The contractor agrees to post in conspicuous places available to employees and applicants for employment notices setting forth this nondiscrimination clause;

2. The contractor shall permit access by the administrator to the contractor's records of employment, employment advertisements, application forms, other pertinent data and records related to the contract for the purpose of monitoring, audit, and investigation to determine compliance with this chapter; and

3. The contractor shall implement and carry out the obligations in this chapter and the contract regarding equal employment opportunity. The county shall consider the failure to implement and carry out such obligations in good faith as a material breach of the contract and grounds for withholding payment and/or termination of the contract and dismissal of the contractor.

I. All contracts and agreements with the county, under which a contractor provides a service, program, or activity to the general public or under which a contractor provides a service, program, or activity directly to county employees on behalf of the county as the employer shall include the following provisions:

1. The contractor agrees to provide to persons with disabilities access to programs, activities, and services provided under the contract or agreement, as required by the disability access laws; and

2. The contractor shall not discriminate against persons with disabilities in providing the work under the contract. In any subcontracts for the programs, activities, and services under their contract or agreement with the county, the contractor shall include the requirement that the subcontractor provide to persons with disabilities access to programs, activities, and services provided under the contract or agreement, as required by

the disability access laws, that the subcontractor shall not discriminate against persons with disabilities in providing the work under the contract and that the subcontractor shall provide that the county is a third-party beneficiary to that required provision.

SECTION 10. Ordinance 11992, Section 9, as amended, and K.C.C. 12.16.070 are hereby amended to read as follows:

All labor unions or agencies that refer workers or employees or provide or supervise apprenticeship or other training programs from whom the contractor obtains employees must comply with this chapter, which requires the organization have no discriminatory practices or policies based on sex, race, color, marital status, national origin, religious affiliation, disability, sexual orientation, gender identity or expression, status as a family caregiver, military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression, or age except by minimum age and retirement provisions, unless based upon a bona fide occupational qualification.

SECTION 11. Ordinance 10849, Section 19, as amended, and K.C.C. 12.16.125 are hereby amended to read as follows:

No lessor or lessee doing business with the county shall discriminate on the basis of sex, race, color, marital status, national origin, religious affiliation, disability, sexual orientation, gender identity or expression, status as a family caregiver, military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression, or age except by minimum age and retirement provisions, unless based upon a bona fide occupational qualification, in the employment or application for employment or in the administration or delivery of services or any other benefits under this chapter. The lessor or lessee shall comply fully with all applicable federal, state, and local laws, ordinances, executive orders, and regulations that prohibit such discrimination. These laws include, but are not limited to, chapter 49.60 RCW, and Titles VI and VII of the Civil Rights Act of 1964. The language in this section shall be included in all lease or license agreements for the possession or use of real property, except for

agreements with government agencies.

SECTION 12. Ordinance 13981, Section 1, as amended, and K.C.C. 12.17.002 are hereby amended to read as follows:

This chapter is an exercise of the police power of King County for the protection of the public welfare, health, peace, and safety of the residents of King County and in fulfillment of the provisions of the constitution of this state. The King County council hereby finds and declares that practices of discrimination in contracting by business enterprises against any person on the basis of sex, race, color, age, gender, marital status, sexual orientation, gender identity or expression, ~~((religion))~~religious affiliation, ancestry, national origin, disability or use of a service or assistive animal by an individual with a disability, status as a family caregiver, or military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression constitute matters of local concern and are contrary to the public welfare, health, peace, and safety of the residents of King County.

SECTION 13. Ordinance 13981, Section 2, as amended, and K.C.C. 12.17.010 are hereby amended to read as follows:

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

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

B. "Charging party" means the person aggrieved by an alleged unfair contracting practice or the person making a complaint on another person's behalf, or the office of equity and racial and social justice when the office of equity and racial and social justice files a complaint.

C. "Commercially significant contract" means a contract for the provision of services, including, but not limited to, construction services, consulting services, or bonding or other financial services, or the sale of

goods that exceeds five thousand dollars.

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

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

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

G. "Discriminate," "discrimination," and "discriminatory act" mean an action, other than an action taken in accordance with a lawful affirmative action program, or failure to act, whether by itself or as part of a practice, the effect of which is to adversely affect or differentiate between or among individuals or groups of individuals, by reasons of sex, race, color, age, gender, marital status, sexual orientation, ~~((religion))~~religious affiliation, ancestry, national origin, disability or use of a service or assistive animal by an individual with a disability, status as a family caregiver, or military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression unless based upon a bona fide contractual qualification.

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

I. "Marital status" means the presence or absence of a marital relationship and includes the status of

married, separated, divorced, engaged, widowed, single, or cohabiting.

J. "Party" includes the person making a complaint alleging an unfair contracting practice and the person alleged to have committed an unfair contracting practice.

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

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

M. "Retaliate" means to take action against any person because that person has:

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

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

O. "Sexual orientation" means an individual's attitudes, preferences, beliefs, and practices pertaining to the individual's own sexual orientation including, but not limited to, actual or perceived heterosexuality, homosexuality, and bisexuality.

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

SECTION 14. Ordinance 7430, Section 1, as amended, and K.C.C. 12.18.010 are hereby amended to read as follows:

This chapter is an exercise of the police power of King County for the protection of the public welfare, health, peace, and safety of the residents of King County and in fulfillment of the state Constitution. The King County council hereby finds and declares that practices of employment discrimination against any person on the basis of sex, race, color, age, gender, marital status, sexual orientation, gender identity or expression, ((~~religion~~))religious affiliation, ancestry, national origin, disability or use of a service or assistive animal by an individual with a disability, status as a family caregiver, or military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression constitute matters of local concern and are contrary to the public welfare, health, peace, and safety of the residents of King County.

SECTION 15. Ordinance 7430, Section 2, as amended, and K.C.C. 12.18.020 are hereby amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise:

- A. "Age" means being eighteen years old or older.
- B. "Aggrieved person" includes a person who claims to have been injured by an unfair employment practice.
- C. "Charging party" means any person alleging an unfair employment practice under this chapter by filing a complaint with the office of equity and racial and social justice.
- D.1. "Disability" means:
 - a. a physical or mental impairment that substantially limits one or more of a person's major life activities, either temporarily or permanently;
 - b. a person has a record of having such an impairment;
 - c. a person is regarded as having such an impairment; or
 - d. a person has any other condition that is a disability under the Washington state Law Against

Discrimination, chapter 49.60 RCW, as it pertains to employment.

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

E. "Discrimination," "discriminate," or "discriminatory act" means any action or failure to act, whether by itself or as part of a practice, the effect of which is to adversely affect or differentiate between or among, individuals or groups of individuals, by reasons of sex, race, color, age, gender, marital status, sexual orientation, gender identity or expression, ((religion))religious affiliation, ancestry, national origin, disability or use of a service or assistive animal by an individual with a disability, status as a family caregiver, or military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression unless based upon a bona fide occupational qualification.

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

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

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

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

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

1. Dealing with employers concerning grievances, terms, or conditions of employment; or
2. Providing other mutual aid or protection in connection with employment.

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

L. "Party" includes the person making a complaint or upon whose behalf a complaint is made alleging an unfair employment practice, the person alleged or found to have committed an unfair employment practice, and the office of equity and racial and social justice.

M. "Person" includes one or more individuals, partnerships, associations, organizations, corporations, cooperatives, legal representatives, trustees, trustees in bankruptcy, receivers, or groups of persons, and includes King County.

N. "Respondent" means any person who is alleged to or found to have committed an unfair employment practice prohibited by this chapter.

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

P. "Settlement discussions" or "conference, conciliation, and persuasion" means the attempted resolution of issues raised by a complaint, or by the investigation of a complaint, through informal negotiations involving the charging party, the respondent and the office of equity and racial and social justice.

Q. "Sexual orientation" means an individual's attitudes, preferences, beliefs, and practices pertaining to the individual's own sexual orientation including, but not limited to, actual or perceived heterosexuality, homosexuality, and bisexuality.

SECTION 16. Ordinance 5280, Section 1, as amended, and K.C.C. 12.20.010 are hereby amended to read as follows:

This chapter is an exercise of the police power of King County for the protection of the public welfare,

health, peace, and safety of the residents of King County and in fulfillment of the state Constitution. The King County council finds and declares that practices of housing discrimination against any persons on the basis of sex, race, color, ((~~religion~~))religious affiliation, national origin, ancestry, age, gender, marital status, ((~~parental status~~)), participation in the Section 8 program or other housing subsidy program, alternative source of income, sexual orientation, gender identity or expression, disability or use of a service or assistive animal by an individual with a disability, status as a family caregiver, or military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression constitute matters of local concern and are contrary to the public welfare, health, peace, and safety of the residents of King County.

SECTION 17. Ordinance 5280, Section 2, as amended, and K.C.C. 12.20.020 are hereby amended to read as follows:

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

A. "Aggrieved person" includes a person who:

1. Claims to have been injured by an unfair housing practice; or
2. Believes that the person will be injured by an unfair housing practice that is about to occur.

B. "Alternative source of income" means lawful, verifiable income derived from sources other than wages, salaries, or other compensation for employment. It includes but is not limited to moneys derived from Social Security benefits, other retirement programs, supplemental security income, unemployment benefits, child support, the state Aged, Blind, or Disabled Cash Assistance Program, state Refugee Cash Assistance and any other federal, state, local government, private, or nonprofit-administered cash benefit program.

C. "Charging party" means any person alleging an unfair housing practice under this chapter by filing a complaint with the office of equity and racial and social justice.

D.1. "Disability" means:

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

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

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

d. a person has any other condition that is a disability under the Washington state Law Against Discrimination, chapter 49.60 RCW, as it pertains to real estate and housing.

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

E. "Discriminate" means any action or failure to act, whether by single act or as part of a practice, the effect of which is to adversely affect or differentiate between or among individuals or groups of individuals, because of sex, race, color, ~~((religion))~~ religious affiliation, national origin, ancestry, age, gender, marital status, ~~((parental status))~~, participation in the Section 8 program or other housing subsidy program, alternative source of income, sexual orientation, gender identity or expression, disability~~((s))~~ or use of a service or assistive animal by an individual with a disability, status as a family caregiver, or military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression.

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

G. "Family caregiver" means being a parent, step parent, adoptive parent, guardian, foster parent, custodian of a minor child or children, spouse, or relative who has primary responsibility for the care or supervision of an adult or child who does not receive direct, public, or private payment such as a wage for the caregiving services they provide.

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

~~((H))~~I. "Housing accommodations" means any dwelling or dwelling unit, rooming unit, rooming house, lot, or parcel of land in unincorporated King County that is used, intended to be used or arranged or designed to be used as, or improved with, a residential structure for one or more human beings.

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

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

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

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

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

K. "Participation in the Section 8 program or other housing subsidy program" means participating in a short- or long-term federal, state, or local government, private, nonprofit, or other assistance program in which a tenant's rent is paid either partially or completely by the program, through a direct arrangement between the program and the owner or lessor of the real property. Other housing subsidy programs include, but are not limited to, the federal Veteran Affairs Supportive Housing vouchers, state Housing and Essential Needs funds and short-term rental assistance provided by rapid rehousing subsidies.

L. "Party" includes the person charging or making a complaint or upon whose behalf a complaint is made alleging an unfair practice, the person alleged or found to have committed an unfair practice and the

office of equity and racial and social justice.

M. "Person" means one or more individuals, partnerships, associations, organizations, corporations, cooperatives, legal representatives, trustees and receivers, or any group of persons; including any owner, lessee, proprietor, housing manager, agent, or employee whether one or more natural persons. "Person" also includes any political or civil subdivisions of the state and any agency or instrumentality of the state or of any political or civil subdivision of the state.

N. "Real estate transaction" includes, but is not limited to, the sale, conveyance, exchange, purchase, rental, lease, or sublease of real property.

O. "Real estate-related transaction" means any of the following:

1. The making or purchasing of loans or providing other financial assistance:
 - a. for purchasing, constructing, improving, repairing, or maintaining real property; or
 - b. secured by real property; or
2. The selling, brokering, or appraising of real property.

P. "Real property" includes, but is not limited to, buildings, structures, real estate, lands, tenements, leaseholds, interests in real estate cooperatives, condominiums, and hereditaments, corporeal and incorporeal, or any interest therein.

Q. "Respondent" means any person who is alleged or found to have committed an unfair practice prohibited by this chapter.

R. "Senior citizens" means persons who are sixty-two years of age or older.

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

T. "Settlement discussions" and "conference, conciliation, and persuasion" mean the attempted resolution of issues raised by a complaint, or by the investigation of a complaint, through informal negotiations

involving the charging party, the respondent, and the office of equity and racial and social justice.

U. "Sexual orientation" means an individual's attitudes, preferences, beliefs, and practices pertaining to the individual's own sexual orientation including, but not limited to, actual or perceived heterosexuality, homosexuality, and bisexuality.

V. "Verifiable" means the source of income can be confirmed as to its amount or receipt.

SECTION 18. Ordinance 5280, Section 3, as amended, and K.C.C. 12.20.040 are hereby amended to read as follows:

A. It is a discriminatory practice and unlawful for any person, whether acting on the person's own behalf or for another, because of sex, race, color, ~~((religion))~~religious affiliation, national origin, ancestry, age, gender, marital status, ~~((parental status))~~, participation in the Section 8 program or other housing subsidy program, alternative source of income, sexual orientation, gender identity or expression, disability or use of a service or assistive animal by an individual with a disability, status as a family caregiver, or military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression:

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

2. To discriminate against a person in the terms, conditions or privileges of a real estate transaction, including financial terms and conditions such as the setting of rents or damage deposits, or in the furnishing of facilities or services in connection with any real estate transaction; however, rents and damage deposits may be adjusted to recognize the number of persons utilizing the property except insofar as such adjustment might discriminate based on sex, race, color, ~~((religion))~~religious affiliation, national origin, ancestry, age, gender, marital status, ~~((parental status))~~, participation in the Section 8 program or other housing subsidy program, alternative source of income, sexual orientation, gender identity or expression, disability or use of a service or

assistive animal by an individual with a disability, status as a family caregiver, or military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression;

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

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

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

6. To make, print, circulate, publish, post or mail or cause to be made, printed, circulated, published, posted, or mailed a statement, notice, advertisement, or sign, pertaining to a real estate transaction or a real estate related transaction that indicates, directly or indirectly, an intent to make a limitation, preference or discrimination with respect to the transaction;

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

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

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

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

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

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

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

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

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

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

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

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

1. That buyer or renter;

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

3. Any person associated with that buyer or renter.

D. It is a discriminatory practice and unlawful for any person, whether acting on the person's own behalf or for another, to discriminate against any person in the terms, conditions or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with a dwelling, because of a disability of any one or more of:

1. That person;

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

3. Any person associated with that person.

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

1. Refusal to permit, at the expense of an individual with a disability, reasonable modifications of existing premises occupied or to be occupied by the person if the modifications might be necessary to afford the person full enjoyment of the premises. However, for a rental, the landlord may, if it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted;

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

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

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

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

initiated under this chapter.

SECTION 19. Ordinance 5280, Section 3, as amended, and K.C.C. 12.20.050 are hereby amended to read as follows:

It is a discriminatory practice and unlawful for any person acting for monetary gain, whether acting on the person's own behalf or for another in connection with any real estate-related transaction, whose business includes engaging in real estate-related transactions to discriminate against any person in making available such a transaction, or in the terms or conditions of such a transaction, because of sex, race, color, ~~((religion))~~ religious affiliation, national origin, ancestry, age, gender, marital status, ~~((parental status))~~ status as a family caregiver, participation in Section 8 program or other housing subsidy program, alternative source of income, sexual orientation, gender identity or expression, disability or use of a service or assistive animal by an individual with a disability, or military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression.

SECTION 20. Ordinance 5280, Section 3, as amended, and K.C.C. 12.20.060 are hereby amended to read as follows:

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

A. Inducing or attempting to induce any person to sell or rent any real property by representation regarding the entry or prospective entry into the neighborhood or area of a person or persons of a particular sex,

race, color, ~~((religion))~~religious affiliation, national origin, ancestry, age, gender, marital status, participation in the Section 8 program or other housing subsidy program, alternative source of income, sexual orientation, gender identity or expression, ~~((parental status))~~status as a family caregiver, disability or use of a service or assistive animal by an individual with a disability, or military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression; or

B. Showing or otherwise taking any action, the intention or effect of which is to steer a person or persons to any section of the county or to particular real property in a manner tending to segregate or maintain segregation on the basis of sex, race, color, ~~((religion))~~religious affiliation, national origin, ancestry, age, gender, marital status, sexual orientation, gender identity or expression, ~~((parental status))~~status as a family caregiver, participation in Section 8 program or other housing subsidy program, alternative source of income, disability or use of a service or assistive animal by a an individual with a disability, or military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression.

SECTION 21. Ordinance 5280, Section 10, as amended, and K.C.C. 12.20.130 are hereby amended to read as follows:

A. Nothing in this chapter:

1. Prohibits treating any person or persons meeting the definition of parental status or any individual with a disability or individuals with disabilities more favorably than others if the favorable treatment does not discriminate against persons on the basis of sex, race, color, ~~((religion))~~religious affiliation, national origin, ancestry, age, gender, marital status, ~~((parental status))~~status as a family caregiver, participation in the Section 8 program or other housing subsidy program, alternative source of income, sexual orientation, gender identity or expression, disability or use of a service or assistive animal by an individual with a disability, or military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's

sexual orientation or gender identity or expression;

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

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

and

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

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

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

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

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

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

c. elderly persons in any housing provided under any state or federal program that meets the

requirements of 42 U.S.C. Sec. 3607(b)(2)(A) as it exists on April 16, 2006;

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

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

8. May be interpreted to prohibit any person from making a choice among prospective purchasers or tenants of real property on the basis of factors other than sex, race, color, ~~((religion))~~religious affiliation, ancestry, national origin, age, gender, marital status, ~~((parental status))~~status as a family caregiver, sexual

orientation, gender identity or expression, participation in the Section 8 program or other housing subsidy program, alternative source of income, disability or use of a service or assistive animal by an individual with a disability, military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression; or

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

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

C. Nothing in this chapter prohibits any party to a real estate transaction or real estate-related transaction from considering the capacity to pay and credit history of any individual applicant.

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

SECTION 22. Ordinance 8625, Section 1, as amended, and K.C.C. 12.22.010 are hereby amended to read as follows:

This chapter is an exercise of the police power of King County for the protection of the public welfare, health, peace, and safety of the residents of King County and in fulfillment of the state Constitution. The King County council hereby finds and declares that the practice of discrimination against any person on the basis of sex, race, color, gender, marital status, ~~((parental status))~~status as a family caregiver, sexual orientation, gender identity or expression, ~~((religion))~~religious affiliation, ancestry, age, national origin, disability or use of a service or assistive animal by an individual with a disability, or military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression in places of public accommodation constitute matters of local concern and are contrary to

the public welfare, health, peace, and safety of the residents of King County.

SECTION 23. Ordinance 8625, Section 2, as amended, and K.C.C. 12.22.020 are hereby amended to read as follows:

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

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

B. "Charging party" means any person alleging an act of discrimination in a place of public accommodation under this chapter by filing a complaint with the office of equity and racial and social justice.

C.1. "Disability" means:

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

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

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

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

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

D. "Discrimination" or "discriminatory practice or act" means any action or failure to act, whether by a single act or part of a practice, the effect of which is to adversely affect or differentiate between or among individuals, because of sex, race, color, ~~((religion))~~religious affiliation, national origin, ancestry, age, gender, marital status, ~~((parental-status))~~status as a family caregiver, sexual orientation, gender identity or expression, disability or use of a service or assistive animal by an individual with a disability, or military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual

orientation or gender identity or expression.

E. "Family caregiver" means being a parent, step parent, adoptive parent, guardian, foster parent, custodian of a minor child or children, spouse, or relative who has primary responsibility for the care or supervision of an adult or child who does not receive direct, public, or private payment such as a wage for the caregiving services they provide.

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

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

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

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

I. "Party" includes a person making a complaint or upon whose behalf a complaint is made alleging an unfair public accommodations practice, a person alleged or found to have committed an unfair public accommodations practice, and the office of equity and racial and social justice.

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

K. "Place of public accommodation" means any place, store, or other establishment, either licensed or unlicensed, that supplies goods or services to the general public. "Place of public accommodation" includes,

but is not limited to, the following types of services or facilities: hotels, or other establishments provide lodging to transient guests; restaurants, cafeterias, lunchrooms, lunch counters, soda fountains, or other facilities principally engaged in selling or offering for sale food for consumption upon the premises; motion picture houses, theatres, concert halls, convention halls, sport arenas, stadiums, or other places of exhibition or entertainment; bowling alleys and amusement parks; retail establishments; transportation carriers; barber shops; beauty shops; bars or taverns, or other facilities engaged in selling or offering for sale alcoholic beverages for consumption upon the premises; food banks, senior citizens centers, and other social service organizations and establishments; places of public accommodation operated by King County; and public burial facilities if the facilities are owned and operated by any cemetery corporation or burial association.

L. "Respondent" means a person who is alleged or found to have discriminated in a place of public accommodation.

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

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

O. "Settlement discussions" or "conference, conciliation, and persuasion" means the attempted resolution of issues raised by a complaint, or by the investigation of a complaint, through informal negotiations involving the charging party, the respondent, and the office of equity and racial and social justice.

P. "Sexual orientation" means an individual's attitudes, preferences, beliefs, and practices pertaining to the individual's own sexual orientation including, but not limited to, actual or perceived heterosexuality, homosexuality, and bisexuality.

SECTION 24. Ordinance 8625, Section 3, as amended, and K.C.C. 12.22.030 are hereby amended to read as follows:

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

A. It is a discriminatory practice for any person, whether acting on the person's own behalf or for another, because of sex, race, color, ~~((religion))~~religious affiliation, national origin, ancestry, age, gender, marital status, ~~((parental status))~~status as a family caregiver, sexual orientation, gender identity or expression, disability or use of a service or assistive animal by an individual with a disability, or military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression:

1. As owner, custodial agent or employee of a place of public accommodation, to discriminate in denying, refusing, rejecting, or granting any privilege, service, goods, merchandise, commodity, or accommodation;
2. As owner, custodial agent, or employee of a place of public accommodation, to discriminate by segregating or requiring the placing of any person in any separate section or area of the premises or facilities of the place of public accommodation; or
3. To place, post, maintain, or display any written or printed advertisement, notice or sign to the effect that any of the accommodations, advantages, facilities, privileges, goods, or merchandise of any place of public accommodation, will or might be refused, withheld from, or denied to any person.

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

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

C. Nothing in this section:

1. Applies to any non-commercial facility operated or maintained by a bona fide religious institution;
2. May be construed to prohibit treating individuals with disabilities more favorably than individuals without disabilities or to prohibit treating senior citizens more favorably than nonsenior citizens; or
3. May be construed to prohibit offering discounts, special prices, or other special arrangements to children or families, or imposing age limits for individuals up to twenty-one years old.

SECTION 25. Ordinance 8034, Section 3, as amended, and K.C.C. 22.16.030 are hereby amended to read as follows:

The Stadium Advisory Board shall consist of nine (9) members. Appointments and terms shall be as follows:

- A. Five (5) members shall be appointed at-large by the King County executive.
- B. Four (4) members shall be appointed by the King County executive from a list of candidates compiled by the King County council.
- C. Appointments shall be for three year terms except original appointments which shall be staggered in accordance with K.C.C. 2.28. All appointments shall be subject to confirmation by a majority of the King County council. All terms shall expire on September 30th of the last year of the respective term.
- D. Appointments shall be representative of the county population(s) and have interest, experience, and a demonstrated commitment in the area of sporting and entertainment events. Appointment shall be made without regard to discrimination based on sex, color, race, national origin, ~~((religion))~~religious affiliation, sexual orientation, gender, gender identity or expression, age except by minimum age and retirement provisions, sexual preference, ~~((and/or))~~ disability, status as a family caregiver, or military status or status as a veteran who was honorably discharged or who was discharged solely as a result of the person's sexual orientation or gender identity or expression.
- E. There shall be no fee required for membership, nor shall any member receive any financial

remuneration for their services.

F. Members shall be eligible for reappointment to one additional term, for a period not to exceed a total of six years.

G. Vacancies shall be filled by appointment of the King County executive.