

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2025

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Legislative Document

No. 1036

H.P. 665

House of Representatives, March 14, 2025

### **An Act to Protect Recipients of Public Assistance from Housing Discrimination**

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Received by the Clerk of the House on March 12, 2025. Referred to the Committee on Housing and Economic Development pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative RANA of Bangor.  
Cosponsored by Senator BALDACCI of Penobscot and  
Representatives: ARFORD of Brunswick, GATTINE of Westbrook, GOLEK of Harpswell,  
LOOKNER of Portland, SATO of Gorham, SINCLAIR of Bath, STOVER of Boothbay,  
Senator: TALBOT ROSS of Cumberland.

1       **Be it enacted by the People of the State of Maine as follows:**

2               **Sec. 1. 5 MRSA §4553, sub-§9-A-1** is enacted to read:

3               **9-A-1. Status as recipient of federal, state or local public assistance.** For purposes  
4       of subchapter 4, "status as a recipient of federal, state or local public assistance" means an  
5       individual's status as having federal, state or local public assistance as a source of income,  
6       including medical assistance and housing subsidies, and includes the individual's having to  
7       meet any requirements for the individual to use the income.

8               **Sec. 2. 5 MRSA §4581-A**, as amended by PL 2021, c. 366, §§8 to 10 and c. 476,  
9       §3, is further amended to read:

10       **§4581-A. Unlawful housing discrimination**

11               It is unlawful housing discrimination, in violation of this Act:

12               **1. Sale or rental of housing and other prohibited practices.** For any owner, lessee,  
13       sublessee, managing agent or other person having the right to sell or rent or manage a  
14       housing accommodation, or any agent of these, to:

15               A. Make or cause to be made any written or oral inquiry concerning the race or color,  
16       sex, sexual orientation or gender identity, physical or mental disability, religion,  
17       ancestry, national origin, familial status, status as a recipient of federal, state or local  
18       public assistance or any previous actions seeking and receiving an order of protection  
19       under Title 19-A, former section 4007 or Title 19-A, section 4110 of any prospective  
20       purchaser, occupant or tenant of the housing accommodation;

21               B. Refuse to show or refuse to sell, rent, lease, let or otherwise deny to or withhold  
22       from any person the housing accommodation because of race or color, sex, sexual  
23       orientation or gender identity, physical or mental disability, religion, ancestry, national  
24       origin ~~or~~, familial status or status as a recipient of federal, state or local public  
25       assistance or because the person sought and received an order of protection under Title  
26       19-A, former section 4007 or Title 19-A, section 4110;

27               C. Make, print or publish or cause to be made, printed or published any notice,  
28       statement or advertisement relating to the sale, rental or lease of the housing  
29       accommodation that indicates any preference, limitation or discrimination based upon  
30       race or color, sex, sexual orientation or gender identity, physical or mental disability,  
31       religion, ancestry, national origin, familial status, status as a recipient of federal, state  
32       or local public assistance or any previous actions seeking and receiving an order of  
33       protection under Title 19-A, former section 4007 or Title 19-A, section 4110 or an  
34       intention to make any such preference, limitation or discrimination;

35               D. Discriminate against any person because of race or color, sex, sexual orientation or  
36       gender identity, physical or mental disability, religion, ancestry, national origin ~~or~~,  
37       familial status or status as a recipient of federal, state or local public assistance or  
38       because the person sought and received an order of protection under Title 19-A, former  
39       section 4007 or Title 19-A, section 4110 in the price, terms, conditions or privileges of  
40       the sale, rental or lease of any housing accommodations or in the furnishing of facilities  
41       or services in connection with any housing accommodations; or

42               E. Evict or attempt to evict any tenant of any housing accommodation because of the  
43       race or color, sex, sexual orientation or gender identity, physical or mental disability,

1 religion, ancestry, national origin ~~or~~, familial status or status as a recipient of federal,  
2 state or local public assistance of the tenant or because the tenant sought and received  
3 an order of protection under Title 19-A, former section 4007 or Title 19-A, section  
4 4110;

5 **2. Selling, brokering or appraising of housing.** For any real estate broker or real  
6 estate salesperson, or any agent of these, to:

7 A. Fail or refuse to show any person a housing accommodation listed for sale, lease or  
8 rent because of race or color, sex, sexual orientation or gender identity, physical or  
9 mental disability, religion, ancestry, national origin ~~or~~, familial status or status as a  
10 recipient of federal, state or local public assistance or because the person sought and  
11 received an order of protection under Title 19-A, former section 4007 or Title 19-A,  
12 section 4110;

13 B. Misrepresent, for the purpose of discriminating because of race or color, sex, sexual  
14 orientation or gender identity, physical or mental disability, religion, ancestry, national  
15 origin, familial status, status as a recipient of federal, state or local public assistance or  
16 any previous actions seeking and receiving an order of protection under Title 19-A,  
17 former section 4007 or Title 19-A, section 4110, the availability or asking price of a  
18 housing accommodation listed for sale, lease or rent or for such reason to fail to  
19 communicate to the person having the right to sell, rent or lease the housing  
20 accommodation any offer for the same made by any applicant;

21 C. In any other manner to discriminate against any applicant for a housing  
22 accommodation because of race or color, sex, sexual orientation or gender identity,  
23 physical or mental disability, religion, ancestry, national origin ~~or~~, familial status or  
24 status as a recipient of federal, state or local public assistance or because the applicant  
25 sought and received an order of protection under Title 19-A, former section 4007 or  
26 Title 19-A, section 4110;

27 D. Make or cause to be made any written or oral inquiry or record concerning the race  
28 or color, sex, sexual orientation or gender identity, physical or mental disability,  
29 religion, ancestry, national origin, familial status, status as a recipient of federal, state  
30 or local public assistance or any previous actions seeking and receiving an order of  
31 protection under Title 19-A, former section 4007 or Title 19-A, section 4110 of any  
32 applicant for or intended occupant of a housing accommodation; or

33 E. Accept for listing any housing accommodation when the person having the right to  
34 sell, rent or lease the housing accommodation has directly or indirectly indicated an  
35 intention of discriminating among prospective tenants or purchasers on the ground of  
36 race or color, sex, sexual orientation or gender identity, physical or mental disability,  
37 religion, ancestry, national origin, familial status, status as a recipient of federal, state  
38 or local public assistance or any previous actions seeking and receiving an order of  
39 protection under Title 19-A, former section 4007 or Title 19-A, section 4110, or when  
40 the broker or salesperson knows or has reason to know that the person having the right  
41 to sell, rent or lease the housing accommodation has made a practice of discrimination  
42 since July 1, 1972; or

43 **3. Making of loans; other financial assistance.** For any person to whom application  
44 is made for a loan or other form of financial assistance for the acquisition, construction,

1 rehabilitation, repair or maintenance of any housing accommodation, whether secured or  
2 unsecured, or agent of the person, to:

3 A. Make or cause to be made any oral or written inquiry concerning the race or color,  
4 sex, sexual orientation or gender identity, physical or mental disability, religion,  
5 ancestry, national origin, familial status, status as a recipient of federal, state or local  
6 public assistance or any previous actions seeking and receiving an order of protection  
7 under Title 19-A, former section 4007 or Title 19-A, section 4110 of any applicant for  
8 financial assistance or of existing or prospective occupants or tenants of housing  
9 accommodations; or

10 B. Discriminate in the granting of financial assistance, or in the terms, conditions or  
11 privileges relating to obtaining or the use of any financial assistance, against any  
12 applicant because of race or color, sex, sexual orientation or gender identity, physical  
13 or mental disability, religion, ancestry, national origin, familial status, status as a  
14 recipient of federal, state or local public assistance or any previous actions seeking and  
15 receiving an order of protection under Title 19-A, former section 4007; or Title 19-A,  
16 section 4110.

17 ~~**4. Receipt of public assistance.** For any person furnishing rental premises or public~~  
18 ~~accommodations to refuse to rent or impose different terms of tenancy to any individual~~  
19 ~~who is a recipient of federal, state or local public assistance, including medical assistance~~  
20 ~~and housing subsidies, primarily because of the individual's status as recipient.~~

## 21 SUMMARY

22 This bill makes it unlawful to discriminate, in housing or public accommodation,  
23 against an individual because of the individual's receipt of public assistance in the same  
24 manner as it is unlawful to discriminate against other protected classes. The bill defines  
25 "status as a recipient of federal, state or local public assistance" as an individual's status as  
26 having federal, state or local public assistance as a source of income, including medical  
27 assistance and housing subsidies and the individual's having to meet any requirements for  
28 the individual to use the income.