

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2023

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Legislative Document

No. 1663

S.P. 668

In Senate, April 13, 2023

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**An Act to Add Political Affiliation as a Protected Class to the Maine  
Human Rights Act**

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Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator LIBBY of Cumberland.  
Cosponsored by Representative SAMPSON of Alfred and  
Senator: KEIM of Oxford.

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

2 **Sec. 1. 5 MRSA §4552**, as amended by PL 2021, c. 366, §1, is further amended to  
3 read:

4 **§4552. Policy**

5 To protect the public health, safety and welfare, it is declared to be the policy of this  
6 State to keep continually in review all practices infringing on the basic human right to a  
7 life with dignity, and the causes of these practices, so that corrective measures may, where  
8 possible, be promptly recommended and implemented, and to prevent discrimination in  
9 employment, housing, education, extension of credit or access to public accommodations  
10 on account of an individual's actual or perceived race, color, sex, sexual orientation or  
11 gender identity, physical or mental disability, religion, political affiliation, ancestry or  
12 national origin and in employment, extension of credit and access to public  
13 accommodations on the basis of age; and in employment and housing on the basis of  
14 familial status; and in employment because of the previous assertion of a claim or right  
15 against a prior employer under former Title 39 or Title 39-A and because of protected  
16 activity under Title 26, chapter 7, subchapter 5-B; and to prevent discrimination or  
17 retaliation on the basis of an assertion of rights under this Act or interference with an  
18 individual's right to be free from discrimination prohibited under this Act.

19 **Sec. 2. 5 MRSA §4553, sub-§6-B** is enacted to read:

20 **6-B. Party.** "Party" has the same meaning as in Title 21-A, section 1, subsection 28.

21 **Sec. 3. 5 MRSA §4553, sub-§8-I** is enacted to read:

22 **8-I. Political affiliation.** "Political affiliation" means belonging to or endorsing a  
23 party or a particular political philosophy, creed or ideal.

24 **Sec. 4. 5 MRSA §4571**, as amended by PL 2021, c. 366, §4, is further amended to  
25 read:

26 **§4571. Right to freedom from discrimination in employment**

27 The opportunity for an individual to secure employment without discrimination  
28 because of race, color, sex, sexual orientation or gender identity, physical or mental  
29 disability, religion, political affiliation, age, ancestry, national origin or familial status is  
30 recognized as and declared to be a civil right. The provisions of this subchapter regarding  
31 political affiliation do not apply to an employer who is a party or is affiliated with, is an  
32 agent of or who performs services on behalf of a party.

33 **Sec. 5. 5 MRSA §4572, sub-§1**, as amended by PL 2021, c. 293, Pt. B, §2; c. 366,  
34 §5 and c. 476, §1, is further amended to read:

35 **1. Unlawful employment discrimination.** It is unlawful employment discrimination,  
36 in violation of this Act, except when based on a bona fide occupational qualification:

37 A. For any employer to fail or refuse to hire or otherwise discriminate against any  
38 applicant for employment because of race or color, sex, sexual orientation or gender  
39 identity, physical or mental disability, religion, political affiliation, age, ancestry,  
40 national origin or familial status, because of the applicant's previous assertion of a  
41 claim or right under former Title 39 or Title 39-A, because of previous actions taken  
42 by the applicant that are protected under Title 26, chapter 7, subchapter 5-B or because

1 the applicant sought and received an order of protection under Title 19-A, section 4007;  
2 or, because of those reasons, to discharge an employee or discriminate with respect to  
3 hire, tenure, promotion, transfer, compensation, terms, conditions or privileges of  
4 employment or any other matter directly or indirectly related to employment; or, in  
5 recruiting of individuals for employment or in hiring them, to utilize any employment  
6 agency that the employer knows or has reasonable cause to know discriminates against  
7 individuals because of their race or color, sex, sexual orientation or gender identity,  
8 physical or mental disability, religion, political affiliation, age, ancestry, national origin  
9 or familial status, because of their previous assertion of a claim or right under former  
10 Title 39 or Title 39-A, because of previous actions that are protected under Title 26,  
11 chapter 7, subchapter 5-B or because the applicant sought and received an order of  
12 protection under Title 19-A, section 4007.

13 (1) This paragraph does not apply to discrimination governed by Title 39-A,  
14 section 353;

15 B. For any employment agency to fail or refuse to classify properly, refer for  
16 employment or otherwise discriminate against any individual because of race or color,  
17 sex, sexual orientation or gender identity, physical or mental disability, religion,  
18 political affiliation, age, ancestry, national origin or familial status, because of the  
19 individual's previous assertion of a claim or right under former Title 39 or Title 39-A,  
20 because of previous actions taken by the individual that are protected under Title 26,  
21 chapter 7, subchapter 5-B or because the individual sought and received an order of  
22 protection under Title 19-A, section 4007; or to comply with an employer's request for  
23 the referral of job applicants if a request indicates either directly or indirectly that the  
24 employer will not afford full and equal employment opportunities to individuals  
25 regardless of their race or color, sex, sexual orientation or gender identity, physical or  
26 mental disability, religion, political affiliation, age, ancestry, national origin or familial  
27 status, because of previous assertion of a claim or right under former Title 39 or Title  
28 39-A, because of previous actions that are protected under Title 26, chapter 7,  
29 subchapter 5-B or because the individual sought and received an order of protection  
30 under Title 19-A, section 4007;

31 C. For any labor organization to exclude from apprenticeship or membership or to  
32 deny full and equal membership rights to any applicant for membership because of race  
33 or color, sex, sexual orientation or gender identity, physical or mental disability,  
34 religion, political affiliation, age, ancestry, national origin or familial status, because  
35 of the applicant's previous assertion of a claim or right under former Title 39 or Title  
36 39-A, because of previous actions taken by the applicant that are protected under Title  
37 26, chapter 7, subchapter 5-B or because the applicant sought and received an order of  
38 protection under Title 19-A, section 4007; or, because of those reasons, to deny a  
39 member full and equal membership rights, expel from membership, penalize or  
40 otherwise discriminate with respect to hire, tenure, promotion, transfer, compensation,  
41 terms, conditions or privileges of employment, representation, grievances or any other  
42 matter directly or indirectly related to membership or employment, whether or not  
43 authorized or required by the constitution or bylaws of that labor organization or by a  
44 collective labor agreement or other contract; to fail or refuse to classify properly or  
45 refer for employment or otherwise discriminate against any member because of race or  
46 color, sex, sexual orientation or gender identity, physical or mental disability, religion,

1 political affiliation, age, ancestry, national origin or familial status, because of the  
2 member's previous assertion of a claim or right under former Title 39 or Title 39-A,  
3 because of previous actions taken by the member that are protected under Title 26,  
4 chapter 7, subchapter 5-B or because the applicant sought and received an order of  
5 protection under Title 19-A, section 4007; or to cause or attempt to cause an employer  
6 to discriminate against an individual in violation of this section, except that it is lawful  
7 for labor organizations and employers to adopt a maximum age limitation in  
8 apprenticeship programs, if the employer or labor organization obtains prior approval  
9 from the Maine Human Rights Commission of any maximum age limitation employed  
10 in an apprenticeship program. The commission shall approve the age limitation if a  
11 reasonable relationship exists between the maximum age limitation employed and a  
12 legitimate expectation of the employer in receiving a reasonable return upon the  
13 employer's investment in an apprenticeship program. The employer or labor  
14 organization bears the burden of demonstrating that such a relationship exists;

15 D. For any employer, employment agency or labor organization, prior to employment  
16 or admission to membership of any individual, to:

17 (1) Elicit or attempt to elicit information directly or indirectly pertaining to race  
18 or color, sex, sexual orientation or gender identity, physical or mental disability,  
19 religion, political affiliation, age, ancestry, national origin or familial status, any  
20 previous assertion of a claim or right under former Title 39 or Title 39-A, any  
21 previous actions that are protected under Title 26, chapter 7, subchapter 5-B or any  
22 previous actions seeking and receiving an order of protection under Title 19-A,  
23 section 4007;

24 (2) Make or keep a record of race or color, sex, sexual orientation or gender  
25 identity, physical or mental disability, religion, political affiliation, age, ancestry,  
26 national origin or familial status, any previous assertion of a claim or right under  
27 former Title 39 or Title 39-A, any previous actions that are protected under Title  
28 26, chapter 7, subchapter 5-B or any previous actions seeking and receiving an  
29 order of protection under Title 19-A, section 4007, except that, in relation to  
30 physical or mental disability, when an employer requires a physical or mental  
31 examination prior to employment, a privileged record of that examination is  
32 permissible if made and kept in compliance with this Act;

33 (3) Use any form of application for employment, or personnel or membership  
34 blank containing questions or entries directly or indirectly pertaining to race or  
35 color, sex, sexual orientation or gender identity, physical or mental disability,  
36 religion, political affiliation, age, ancestry, national origin or familial status, any  
37 previous assertion of a claim or right under former Title 39 or Title 39-A, any  
38 previous actions that are protected under Title 26, chapter 7, subchapter 5-B or any  
39 previous actions seeking and receiving an order of protection under Title 19-A,  
40 section 4007. This section does not prohibit any officially recognized government  
41 agency from keeping records permitted to be kept under this Act in order to provide  
42 free services to individuals requesting rehabilitation or employment assistance;

43 (4) Print, publish or cause to be printed or published any notice or advertisement  
44 relating to employment or membership indicating any preference, limitation,  
45 specification or discrimination based upon race or color, sex, sexual orientation or  
46 gender identity, physical or mental disability, religion, political affiliation, age,

1 ancestry, national origin or familial status, any previous assertion of a claim or  
2 right under former Title 39 or Title 39-A, any previous actions that are protected  
3 under Title 26, chapter 7, subchapter 5-B or any previous actions seeking and  
4 receiving an order of protection under Title 19-A, section 4007; or

5 (5) Establish, announce or follow a policy of denying or limiting, through a quota  
6 system or otherwise, employment or membership opportunities of any group  
7 because of the race or color, sex, sexual orientation or gender identity, physical or  
8 mental disability, religion, political affiliation, age, ancestry, national origin or  
9 familial status, because of the previous assertion of a claim or right under former  
10 Title 39 or Title 39-A, because of previous actions that are protected under Title  
11 26, chapter 7, subchapter 5-B or because of any previous actions seeking and  
12 receiving an order of protection under Title 19-A, section 4007, of that group; or

13 E. For an employer, employment agency or labor organization to discriminate in any  
14 manner against individuals because they have opposed a practice that would be a  
15 violation of this Act or because they have made a charge, testified or assisted in any  
16 investigation, proceeding or hearing under this Act. This paragraph does not limit the  
17 liability of persons pursuant to section 4633.

18 **Sec. 6. 5 MRSA §4581, first ¶**, as amended by PL 2021, c. 366, §7 and c. 476, §2,  
19 is further amended to read:

20 The opportunity for an individual to secure housing in accordance with the individual's  
21 ability to pay, and without discrimination because of race, color, sex, sexual orientation or  
22 gender identity, physical or mental disability, religion, political affiliation, ancestry,  
23 national origin or familial status or because the individual has sought and received an order  
24 of protection under Title 19-A, section 4007, is hereby recognized as and declared to be a  
25 civil right.

26 **Sec. 7. 5 MRSA §4581-A**, as amended by PL 2021, c. 366, §§8 to 10 and c. 476, §3,  
27 is further amended to read:

28 **§4581-A. Unlawful housing discrimination**

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

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

33 A. Make or cause to be made any written or oral inquiry concerning the race or color,  
34 sex, sexual orientation or gender identity, physical or mental disability, religion,  
35 political affiliation, ancestry, national origin, familial status or any previous actions  
36 seeking and receiving an order of protection under Title 19-A, section 4007 of any  
37 prospective purchaser, occupant or tenant of the housing accommodation;

38 B. Refuse to show or refuse to sell, rent, lease, let or otherwise deny to or withhold  
39 from any person the housing accommodation because of race or color, sex, sexual  
40 orientation or gender identity, physical or mental disability, religion, political  
41 affiliation, ancestry, national origin or familial status or because the person sought and  
42 received an order of protection under Title 19-A, section 4007;

- 1 C. Make, print or publish or cause to be made, printed or published any notice,  
2 statement or advertisement relating to the sale, rental or lease of the housing  
3 accommodation that indicates any preference, limitation or discrimination based upon  
4 race or color, sex, sexual orientation or gender identity, physical or mental disability,  
5 religion, political affiliation, ancestry, national origin, familial status or any previous  
6 actions seeking and receiving an order of protection under Title 19-A, section 4007 or  
7 an intention to make any such preference, limitation or discrimination;
- 8 D. Discriminate against any person because of race or color, sex, sexual orientation or  
9 gender identity, physical or mental disability, religion, political affiliation, ancestry,  
10 national origin or familial status or because the person sought and received an order of  
11 protection under Title 19-A, section 4007 in the price, terms, conditions or privileges  
12 of the sale, rental or lease of any housing accommodations or in the furnishing of  
13 facilities or services in connection with any housing accommodations; or
- 14 E. Evict or attempt to evict any tenant of any housing accommodation because of the  
15 race or color, sex, sexual orientation or gender identity, physical or mental disability,  
16 religion, political affiliation, ancestry, national origin or familial status of the tenant or  
17 because the tenant sought and received an order of protection under Title 19-A, section  
18 4007;
- 19 **2. Selling, brokering or appraising of housing.** For any real estate broker or real  
20 estate salesperson, or any agent of these, to:
- 21 A. Fail or refuse to show any person a housing accommodation listed for sale, lease or  
22 rent because of race or color, sex, sexual orientation or gender identity, physical or  
23 mental disability, religion, political affiliation, ancestry, national origin or familial  
24 status or because the person sought and received an order of protection under Title  
25 19-A, section 4007;
- 26 B. Misrepresent, for the purpose of discriminating because of race or color, sex, sexual  
27 orientation or gender identity, physical or mental disability, religion, political  
28 affiliation, ancestry, national origin, familial status or any previous actions seeking and  
29 receiving an order of protection under Title 19-A, section 4007, the availability or  
30 asking price of a housing accommodation listed for sale, lease or rent or for such reason  
31 to fail to communicate to the person having the right to sell, rent or lease the housing  
32 accommodation any offer for the same made by any applicant;
- 33 C. In any other manner to discriminate against any applicant for a housing  
34 accommodation because of race or color, sex, sexual orientation or gender identity,  
35 physical or mental disability, religion, political affiliation, ancestry, national origin or  
36 familial status or because the applicant sought and received an order of protection under  
37 Title 19-A, section 4007;
- 38 D. Make or cause to be made any written or oral inquiry or record concerning the race  
39 or color, sex, sexual orientation or gender identity, physical or mental disability,  
40 religion, political affiliation, ancestry, national origin, familial status or any previous  
41 actions seeking and receiving an order of protection under Title 19-A, section 4007 of  
42 any applicant for or intended occupant of a housing accommodation; or
- 43 E. Accept for listing any housing accommodation when the person having the right to  
44 sell, rent or lease the housing accommodation has directly or indirectly indicated an

1 intention of discriminating among prospective tenants or purchasers on the ground of  
2 race or color, sex, sexual orientation or gender identity, physical or mental disability,  
3 religion, political affiliation, ancestry, national origin, familial status or any previous  
4 actions seeking and receiving an order of protection under Title 19-A, section 4007, or  
5 when the broker or salesperson knows or has reason to know that the person having the  
6 right to sell, rent or lease the housing accommodation has made a practice of  
7 discrimination since July 1, 1972;

8 **3. Making of loans; other financial assistance.** For any person to whom application  
9 is made for a loan or other form of financial assistance for the acquisition, construction,  
10 rehabilitation, repair or maintenance of any housing accommodation, whether secured or  
11 unsecured, or agent of the person, to:

12 A. Make or cause to be made any oral or written inquiry concerning the race or color,  
13 sex, sexual orientation or gender identity, physical or mental disability, religion,  
14 political affiliation, ancestry, national origin, familial status or any previous actions  
15 seeking and receiving an order of protection under Title 19-A, section 4007 of any  
16 applicant for financial assistance or of existing or prospective occupants or tenants of  
17 housing accommodations; or

18 B. Discriminate in the granting of financial assistance, or in the terms, conditions or  
19 privileges relating to obtaining or the use of any financial assistance, against any  
20 applicant because of race or color, sex, sexual orientation or gender identity, physical  
21 or mental disability, religion, political affiliation, ancestry, national origin, familial  
22 status or any previous actions seeking and receiving an order of protection under Title  
23 19-A, section 4007; or

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

28 **Sec. 8. 5 MRSA §4583**, as amended by PL 2021, c. 366, §11, is further amended to  
29 read:

30 **§4583. Application**

31 Nothing in this Act may be construed to prohibit or limit the exercise of the privilege  
32 of every person and the agent of any person having the right to sell, rent, lease or manage  
33 a housing accommodation to set up and enforce specifications in the selling, renting,  
34 leasing or letting or in the furnishings of facilities or services in connection with the  
35 facilities that are consistent with business necessity and are not based on the race, color,  
36 sex, sexual orientation or gender identity, physical or mental disability, religion, political  
37 affiliation, country of ancestral origin or familial status of or the receipt of public assistance  
38 payments by any prospective or actual purchaser, lessee, tenant or occupant. Nothing in  
39 this Act may be construed to prohibit or limit the exercise of the privilege of every person  
40 and the agent of any person making loans for or offering financial assistance in the  
41 acquisition, construction, rehabilitation, repair or maintenance of housing accommodations  
42 to set standards and preferences, terms, conditions, limitations or specifications for the  
43 granting of loans or financial assistance that are consistent with business necessity and are  
44 not based on the race, color, sex, sexual orientation or gender identity, physical or mental  
45 disability, religion, political affiliation, country of ancestral origin or familial status of or



1 the receipt of public assistance payments by the applicant for a loan or financial assistance  
2 or of any existing or prospective owner, lessee, tenant or occupant of a housing  
3 accommodation.

4 **Sec. 9. 5 MRSA §4591**, as amended by PL 2021, c. 366, §12, is further amended to  
5 read:

6 **§4591. Equal access to public accommodations**

7 The opportunity for every individual to have equal access to places of public  
8 accommodation without discrimination because of race, color, sex, sexual orientation or  
9 gender identity, age, physical or mental disability, religion, political affiliation, ancestry or  
10 national origin is recognized as and declared to be a civil right.

11 **Sec. 10. 5 MRSA §4592, sub-§1**, as amended by PL 2021, c. 366, §13, is further  
12 amended to read:

13 **1. Denial of public accommodations.** For any public accommodation or any person  
14 who is the owner, lessor, lessee, proprietor, operator, manager, superintendent, agent or  
15 employee of any place of public accommodation to directly or indirectly refuse,  
16 discriminate against or in any manner withhold from or deny the full and equal enjoyment  
17 to any person, on account of race or color, sex, sexual orientation or gender identity, age,  
18 physical or mental disability, religion, political affiliation, ancestry or national origin, any  
19 of the accommodations, advantages, facilities, goods, services or privileges of public  
20 accommodation, or in any manner discriminate against any person in the price, terms or  
21 conditions upon which access to accommodations, advantages, facilities, goods, services  
22 and privileges may depend.

23 For purposes of this subsection, unlawful discrimination also includes, but is not limited  
24 to:

25 A. The imposition or application of eligibility criteria that screen out or tend to screen  
26 out an individual with a disability or any class of individuals with disabilities from fully  
27 and equally enjoying any goods, services, facilities, privileges, advantages or  
28 accommodations, unless the criteria can be shown to be necessary for the provision of  
29 the goods, services, facilities, privileges, advantages or accommodations being offered;

30 B. A failure to make reasonable modifications in policies, practices or procedures,  
31 when modifications are necessary to afford the goods, services, facilities, privileges,  
32 advantages or accommodations to individuals with disabilities, unless, in the case of a  
33 private entity, the private entity can demonstrate that making the modifications would  
34 fundamentally alter the nature of the goods, services, facilities, privileges, advantages  
35 or accommodations;

36 C. A failure to take steps that may be necessary to ensure that no individual with a  
37 disability is excluded, denied services, segregated or otherwise treated differently than  
38 other individuals because of the absence of auxiliary aids and services, unless, in the  
39 case of a private entity, the private entity can demonstrate that taking those steps would  
40 fundamentally alter the nature of the good, service, facility, privilege, advantage or  
41 accommodation being offered or would result in an undue burden;

42 D. A private entity's failure to remove architectural barriers and communication  
43 barriers that are structural in nature in existing facilities and transportation barriers in

1 existing vehicles and rail passenger cars used by an establishment for transporting  
2 individuals, not including barriers that can be removed only through the retrofitting of  
3 vehicles or rail passenger cars by the installation of a hydraulic or other lift, where the  
4 removal is readily achievable.

5 When the entity can demonstrate that the removal of a barrier under this paragraph is  
6 not readily achievable, a failure to make the goods, services, facilities, privileges,  
7 advantages or accommodations available through alternative methods if alternative  
8 methods are readily achievable; and

9 E. A qualified individual with a disability, by reason of that disability, being excluded  
10 from participation in or being denied the benefits of the services, programs or activities  
11 of a public entity, or being subjected to discrimination by any such entity;

12 **Sec. 11. 5 MRSA §4592, sub-§2**, as amended by PL 2021, c. 366, §14, is further  
13 amended to read:

14 **2. Communication, notice or advertisement.** For any person to directly or indirectly  
15 publish, display or communicate any notice or advertisement to the effect that any of the  
16 accommodations, advantages, facilities and privileges of any place of public  
17 accommodation are refused, withheld from or denied to any person on account of race or  
18 color, sex, sexual orientation or gender identity, age, physical or mental disability, religion,  
19 political affiliation, ancestry or national origin, or that the patronage or custom of any  
20 person belonging to or purporting to be of any particular race or color, sex, sexual  
21 orientation or gender identity, age, physical or mental disability, religion, political  
22 affiliation, ancestry or national origin is unwelcome, objectionable or not acceptable,  
23 desired or solicited, or that the clientele is restricted to any particular race or color, sex,  
24 sexual orientation or gender identity, age, physical or mental disability, religion, political  
25 affiliation, ancestry or national origin. The production of any communication, notice or  
26 advertisement purporting to relate to any place of accommodation is presumptive evidence  
27 in any action that the action was authorized by its owner, manager or proprietor;

28 **Sec. 12. 5 MRSA §4595**, as amended by PL 2021, c. 366, §16, is further amended  
29 to read:

30 **§4595. Right to freedom from discrimination solely on basis of age, race, color, sex,**  
31 **sexual orientation or gender identity, marital status, ancestry, religion,**  
32 **political affiliation or national origin in any credit transaction**

33 The opportunity for every individual to be extended credit without discrimination  
34 solely because of any one or more of the following factors: age; race; color; sex; sexual  
35 orientation or gender identity; marital status; ancestry; religion; political affiliation; or  
36 national origin is recognized as and declared to be a civil right.

37 **Sec. 13. 5 MRSA §4596**, as amended by PL 2021, c. 366, §17, is further amended  
38 to read:

39 **§4596. Unlawful credit extension discrimination**

40 It is unlawful credit discrimination for any creditor to refuse the extension of credit to  
41 any person solely on the basis of any one or more of the following factors: age; race; color;  
42 sex; sexual orientation or gender identity; marital status; ancestry; religion; political  
43 affiliation; or national origin in any credit transaction. It is not unlawful credit

1 discrimination to comply with the terms and conditions of any bona fide group credit life,  
2 accident and health insurance plan, for a financial institution extending credit to a married  
3 person to require both the husband and the wife to sign a note and a mortgage and to deny  
4 credit to persons under 18 years of age or to consider a person's age in determining the  
5 terms upon which credit will be extended.

6 **Sec. 14. 5 MRSA §4601**, as amended by PL 2021, c. 366, §18, is further amended  
7 to read:

8 **§4601. Right to freedom from discrimination in education**

9 The opportunity for an individual at an educational institution to participate in all  
10 educational, counseling and vocational guidance programs, all apprenticeship and on-the-  
11 job training programs and all extracurricular activities without discrimination because of  
12 sex, sexual orientation or gender identity, a physical or mental disability, ancestry, national  
13 origin, race, color or religion or political affiliation is recognized and declared to be a civil  
14 right.

15 **Sec. 15. 5 MRSA §4602, sub-§1**, as amended by PL 2021, c. 366, §19, is further  
16 amended to read:

17 **1. Unlawful educational discrimination.** It is unlawful educational discrimination  
18 in violation of this Act, on the basis of sex, sexual orientation or gender identity, physical  
19 or mental disability, ancestry, national origin, race, color, political affiliation or religion,  
20 to:

- 21 A. Exclude a person from participation in, deny a person the benefits of, or subject a  
22 person to, discrimination in any academic, extracurricular, research, occupational  
23 training or other program or activity;
- 24 B. Deny a person equal opportunity in athletic programs;
- 25 C. Apply any rule concerning the actual or potential familial status or marital status of  
26 a person or to exclude any person from any program or activity because of pregnancy  
27 or related conditions or because of sex or sexual orientation or gender identity;
- 28 D. Deny a person admission to the institution or program or to fail to provide equal  
29 access to and information about an institution or program through recruitment; or
- 30 E. Deny a person financial assistance availability and opportunity.

31 **SUMMARY**

32 This bill adds political affiliation as a protected class under the Maine Human Rights  
33 Act.