State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **10**

1.1   A bill for an act

1.2   relating to human rights; clarifying the definition of sexual harassment; amending
1.3   Minnesota Statutes 2018, section 363A.03, subdivision 43.

1.4   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5   Section 1. Minnesota Statutes 2018, section 363A.03, subdivision 43, is amended to read:

1.6   Subd. 43. **Sexual harassment.** (a) "Sexual harassment" includes unwelcome sexual

1.7   advances, requests for sexual favors, sexually motivated physical contact or other verbal or

1.8   physical conduct or communication of a sexual nature when:

1.9   (1) submission to that conduct or communication is made a term or condition, either

1.10   explicitly or implicitly, of obtaining employment, public accommodations or public services,

1.11   education, or housing;

1.12   (2) submission to or rejection of that conduct or communication by an individual is used

1.13   as a factor in decisions affecting that individual's employment, public accommodations or

1.14   public services, education, or housing; or

1.15   (3) that conduct or communication has the purpose or effect of substantially interfering

1.16   with an individual's employment, public accommodations or public services, education, or

1.17   housing, or creating an intimidating, hostile, or offensive employment, public

1.18   accommodations, public services, educational, or housing environment.

1.19   (b) An intimidating, hostile, or offensive environment under paragraph (a), clause (3),

1.20   does not require the harassing conduct or communication to be severe or pervasive.

1.21   **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to causes

1.22   of action arising on or after that date.