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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **31**

01/10/2019 Authored by Kunesch-Podein; Stephenson; Morrison; Carlson, A.; Bahner and others
The bill was read for the first time and referred to the Judiciary Finance and Civil Law Division

- 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.