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An Act Concerning Discriminatory Housing Practices and Policies... (1959)

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Introduced by—

Senators McWeeney, Sgambato,
Davies, Jr., Donnelly and De-
Stefano

Ordered Printed by—

Senate Committee on Judiciary

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State of Rhode Island and Providence Plantations

JANUARY SESSION, A. D. 1959

AN ACT Concerning Discriminatory Housing Practices and Policies Based upon Race or Color, Religion or Country of Ancestral Origin, and Defining Further the Functions, Powers and Duties of the Commission Against Discrimination Relative Thereto.

It is enacted by the General Assembly as follows:

Section 1. Finding and declaration of policy.

2 (A) In the State of Rhode Island and Providence

3 Plantations, hereinafter referred to as the state, many
4 people are forced to live in circumscribed areas be-
5 cause of discriminatory housing practices based upon
6 race or color, religion or country of ancestral origin.
7 Such practices tend unjustly to condemn large groups
8 of inhabitants to dwell in segregated districts under
9 depressed living conditions in crowded, insanitary, sub-
10 standard and unhealthful accommodations. Such
11 conditions breed intergroup tension as well as vice,
12 disease, juvenile delinquency and crime; increase the
13 fire hazard; endanger the public health; jeopardize
14 the public safety, general welfare and good order of
15 the entire state; and impose substantial burdens on
16 the public revenues for the abatement and relief of
17 conditions so created. Such discriminatory and segre-
18 gative housing practices are inimical to and subvert
19 the basic principles upon which the Colony of Rhode
20 Island and Providence Plantations was founded and

21 upon which the state and the United States were later
22 established. Discrimination and segregation in hous-
23 ing tend to result in segregation in our public schools
24 and other public facilities, which is contrary to the
25 policy of the state and the constitution of the United
26 States. In order to aid in the correction of these evils,
27 it is necessary to safeguard the right of all individuals
28 to equal opportunity in obtaining housing accommoda-
29 tions free of such discrimination.

30 (B) It is hereby declared to be the policy of the
31 state to assure to all individuals regardless of race
32 or color, religion or country of ancestral origin equal
33 opportunity to live in decent, safe, sanitary and health-
34 ful accommodations anywhere within the state in order
35 that the peace, health, safety and general welfare of
36 all the inhabitants of the state may be protected and
37 insured.

38 (C) This act shall be deemed an exercise of the

39 police power of the state for the protection of the pub-
40 lic welfare, prosperity, health and peace of the peo-
41 ple of the state.

Sec. 2. Right to equal housing opportunities.

2 The right of all individuals in the state to equal
3 housing opportunities regardless of race or color, re-
4 ligion or country of ancestral origin, is hereby recog-
5 nized as, and declared to be, a civil right.

Sec. 3. Definitions.

2 When used in this act

3 (A) the term "person" includes one or more in-
4 dividuals, partnerships, associations, organizations,
5 corporations, legal representatives, trustees, or other
6 fiduciaries.

7 (B) the term "housing accommodation" includes
8 any building or structure, or portion thereof, or any
9 parcel of land, developed or undeveloped, which is
10 occupied, or is intended to be occupied, or to be de-

11 veloped for occupancy, for residential purposes, but
12 does not include a room or rooms rented or let to a
13 roomer or lodger within a dwelling unit occupied by
14 the owner or tenant; neither does it include any ac-
15 commodation owned or controlled by any religious or
16 denominational institution or organization when used
17 by such institution or organization for a non-profit
18 program for its own membership.

19 (C) the term "commission" means the Rhode Island
20 commission against discrimination created by sections
21 28-5-1 to 28-5-39, inclusive, of the general laws of 1956.

22 (D) the term "discriminate" includes segregate or
23 separate.

Sec. 4. Unlawful housing practices.

2 (A) No owner, lessee, sublessee, assignee, managing
3 agent, or other person having the right to sell, rent
4 or lease a housing accommodation as defined in sec-
5 tion 3 (B) of this act, or an agent of any of these,

6 shall make or cause to be made any written or oral
7 inquiry concerning the race or color, religion or coun-
8 try of ancestral origin of any prospective purchaser,
9 occupant or tenant of such housing accommodation;
10 or shall refuse to sell, rent, lease or otherwise deny
11 to or withhold from any individual such housing ac-
12 commodation because of the race or color, religion or
13 country of ancestral origin of such individual; or shall
14 discriminate against any individual because of his race
15 or color, religion or country of ancestral origin in
16 the terms, conditions or privileges of the sale, rental
17 or lease of any such housing accommodation or in
18 the furnishing of facilities or services in connection
19 therewith.

20 (B) No person to whom application is made for a
21 loan or other form of financial assistance for the ac-
22 quisition, construction, rehabilitation, repair or main-
23 tenance of any housing accommodation, whether se-

24 cured or unsecured, shall make or cause to be made
25 any written or oral inquiry concerning the race or
26 color, religion or country of ancestral origin of any
27 individual seeking such financial assistance, or of
28 existing or prospective occupants or tenants of such
29 housing accommodation; nor shall any such person
30 to whom such application is made in the manner here-
31 inbefore provided discriminate in the terms, conditions
32 or privileges relating to the obtaining or use of any
33 such financial assistance against any applicant be-
34 cause of race or color, religion or country of ancestral
35 origin or such applicant or of the existing or prospec-
36 tive occupants or tenants.

Sec. 5. Prevention of unlawful housing practices.

2 The Rhode Island commission against discrimina-
3 tion is empowered and directed, as hereinafter pro-
4 vided, to prevent any person from violating any of
5 the provisions of this act, provided that before insti-

6 tuting a formal hearing it shall attempt by informal
7 methods of conference, persuasion and conciliation, to
8 induce compliance with the said sections. Upon the
9 commission's own initiative or whenever an aggrieved
10 individual or an organization chartered for the pur-
11 pose of combating discrimination or racism or of
12 safeguarding civil liberties, such individual or or-
13 ganization being hereinafter referred to as the com-
14 plainant, makes a charge to the said commission that
15 any person, agency, bureau, corporation or associa-
16 tion, hereinafter referred to as the respondent, has
17 violated or is violating any of the provisions of this
18 act, the said commission may proceed in the same man-
19 ner and with the same powers as provided in sections
20 28-5-16 to 28-5-27, inclusive, of the general laws of
21 1956; and the provisions of sections 28-5-13 and 28-5-
22 16 to 28-5-36, inclusive, of the general laws of 1956
23 as to the powers, duties and rights of the commission,

24 its members, hearing examiners, the complainant, in-
25 tervener, respondent and the court shall apply in any
26 proceedings under this section.

Sec. 6. Construction.

2 The provisions of this act shall be construed liberally
3 for the accomplishment of the purposes intended and
4 any provisions of any law inconsistent with any pro-
5 visions hereof shall not apply. Nothing contained in
6 this act shall be deemed to repeal any of the provisions
7 of any law of the state prohibiting discrimination
8 based on race or color, religion or country of ancestral
9 origin.

Sec. 7. Separability.

2 If any clause, sentence, paragraph, or part of this
3 act or the application thereof to any person or cir-
4 cumstance shall, for any reason, be adjudged by a
5 court of competent jurisdiction to be invalid, such
6 judgment shall not affect, impair, or invalidate the

7 remainder of this act or its application to other per-
8 sons or circumstances.

Sec. 8. Short title.

2 This act may be cited as the Rhode Island fair hous-
3 ing practices act.

Sec. 9. Effective date.

2 This act shall take effect July 1, 1959.

