

No. 190
AN ACT

HB 1513

Amending the act of October 27, 1955 (P. L. 744), entitled, as amended, "An act prohibiting certain practices of discrimination because of race, color, religious creed, ancestry, age or national origin by employers, employment agencies, labor organizations and others as herein defined; creating the Pennsylvania Human Relations Commission in the Department of Labor and Industry; defining its functions, powers and duties; providing for procedure and enforcement; providing for formulation of an educational program to prevent prejudice; providing for judicial review and enforcement and imposing penalties," providing for notification of the licensing authority and request for appropriate action after a commission order against a Commonwealth licensee and providing for appeals to act as supersedeas.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The next to last paragraph of section 9, act of October 27, 1955 (P. L. 744), known as the "Pennsylvania Human Relations Act," amended February 28, 1961 (P. L. 47), is amended to read:

Section 9. Procedure.—* * *

If, upon all the evidence at the hearing, the Commission shall find that a respondent has engaged in or is engaging in any unlawful discriminatory practice as defined in this act, the ¹Commission shall state its findings of fact, and shall issue and cause to be served on such respondent an order requiring such respondent to cease and desist from such unlawful discriminatory practice and to take such affirmative action including but not limited to hiring, reinstatement or upgrading of employes, with or without back pay, admission or restoration to membership in any respondent labor organization, or selling or leasing specified commercial housing upon such equal terms and conditions and with such equal facilities, services and privileges or lending money, whether or not secured by mortgage or otherwise for the acquisition, construction, rehabilitation, repair or maintenance of commercial housing, upon such equal terms and conditions to any person discriminated against or all persons as, in the judgment of the Commission, will effectuate the purposes of this act, and including a requirement for report of the manner of compliance. When the respondent is a licensee of the Commonwealth, the Commission shall inform the appropriate State licensing authority of the order with the request that the licensing authority take such action as it deems appropriate against such licensee. An appeal from the Commission's order shall act as a supersedeas and stay such action by the State

¹ "Commonwealth" in original.

licensing authority until a final decision on said appeal. If, upon all the evidence, the Commission shall find that a respondent has not engaged in any such unlawful discriminatory practice, the Commission shall state its findings of fact, and shall issue and cause to be served on the complainant an order dismissing the said complaint as to such respondent.

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APPROVED—The 11th day of October, A. D. 1967.

RAYMOND P. SHAFER

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No. 191

AN ACT

HB 1516

Amending the act of October 27, 1955 (P. L. 744), entitled, as amended, "An act prohibiting certain practices of discrimination because of race, color, religious creed, ancestry, age or national origin by employers, employment agencies, labor organizations and others as herein defined; creating the Pennsylvania Human Relations Commission in the Department of Labor and Industry; defining its functions, powers and duties; providing for procedure and enforcement; providing for formulation of an educational program to prevent prejudice; providing for judicial review and enforcement and imposing penalties," providing for investigatory hearings by the Commission relating to racial discrimination or tension and for investigations by the Commission relative to civil rights demonstrations.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 7, act of October 27, 1955 (P. L. 744), known as the "Pennsylvania Human Relations Act," is amended by adding after clause (f), two new clauses to read:

Section 7. Powers and Duties of the Commission.—The Commission shall have the following powers and duties:

* * *

(f.1) To investigate where no complaint has been filed but with the consent of at least eight of the members of the Commission any problem of racial discrimination with the intent of avoiding and preventing the development of racial tension.

(f.2) On request of the Governor, to investigate claims of excessive use of force by police in civil rights protest activities.

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Section 2. The act is amended by adding after section 8 a new section to read: