

MOTION TO AMEND NO. 1

I hereby move to amend Bill No. 12-45 in the following manner:

1. On pages 13 and 14, beginning after the period on Page 13, Line 23 through the end of line 4 on Page 14, delete the underlined language and insert in lieu thereof the following:

The provisions concerning discriminatory practices that relate to sexual orientation and gender identity shall not apply to any place of public accommodation owned by or operated on behalf of a religious organization.

2. On page 18, between lines 9 and 10, insert the following:

Section 10.5. That Section 11.06.070 of the Lincoln Municipal be amended to read as follows:

11.06.070 Exceptions; Religious or Private Clubs; Private Homes; Housing for Older Persons.

(a) Nothing in this chapter shall prohibit a religious organization, association, or society or any non-profit institutional organization operated, supervised, or controlled by or in conjunction with a religious organization, association, or society from limiting the sale, rental, or occupancy of a dwelling which it owns or operates for other than commercial purposes to persons of the same religion, or from giving preferences to such persons, unless membership in such religion is restricted on account of race, color, or national origin. The provisions concerning discriminatory practices that relate to sexual orientation and gender identity shall not apply to any sale, rental or occupancy of a dwelling

which is owned, leased or operated by or on behalf of a religious organization, association or society, or any non-profit institutional organization acting in conjunction with a religious organization, association or society.

(b) Nothing in this chapter shall prohibit a private club not in fact open to the public, which, as an instance to its primary purpose or purposes, provides lodging, which it owns or operates for other than commercial purposes, from limiting the rental or occupancy of such lodging to its members or from giving preference to its members.

(c) Nothing in this chapter (except Section 11.06.020(c)) shall prohibit or limit the right of any person or their authorized representative to refuse to rent a room or rooms in such person's own home for any reason, or for no reason, or to change the tenants in such home as often as may be desired; provided, that this exception shall not apply to any person who makes available for rental or occupancy more than four sleeping rooms to a person or a family within such home.

(d) Nothing in this chapter shall limit the applicability of restrictions regarding the maximum number of occupants permitted to occupy a dwelling, and nothing in this chapter regarding familial status shall apply with respect to housing for older persons as defined in Section 11.01.010.

(e) Nothing in this chapter shall prohibit conduct against a person because such person has been convicted by any court of competent jurisdiction of the illegal manufacture or distribution of a controlled substance as defined by state law.

3. On Page 24, Line 23, between 11.06.065 and 11.08.010, insert "11.06.070."

Approved as to Form & Legality:

City Attorney

Requested by: Councilman Carl Eskridge

Reason for Request: To address concerns raised by the Catholic Diocese of Lincoln regarding housing and public accommodations provisions.