

Westlaw Delivery Summary Report for MORGAN LEWIS & B

Date/Time of Request:	Tuesday, December 16, 2008 10:22 Central
Client Identifier:	55020-088755-0004F&P
Database:	CT-ST-ANN
Citation Text:	CT ST s 46a-54
Lines:	311
Documents:	1
Images:	0

The material accompanying this summary is subject to copyright. Usage is governed by contract with Thomson Reuters, West and their affiliates.

C

Connecticut General Statutes Annotated [Currentness](#)

Title 46A. Human Rights ([Refs & Annos](#))

Chapter 814C. Human Rights and Opportunities

Part I. General Provisions ([Refs & Annos](#))

§ 46a-54. Commission powers

The commission shall have the following powers and duties:

- (1) To establish and maintain such offices as the commission may deem necessary;
- (2) To organize the commission into a division of affirmative action monitoring and contract compliance, a division of discriminatory practice complaints and such other divisions, bureaus or units as may be necessary for the efficient conduct of business of the commission;
- (3) To employ legal staff and commission legal counsel as necessary to perform the duties and responsibilities under [section 46a-55](#). One commission legal counsel shall serve as supervising attorney. Each commission legal counsel shall be admitted to practice law in this state;
- (4) To appoint such investigators and other employees and agents as it deems necessary, fix their compensation within the limitations provided by law and prescribe their duties;
- (5) To adopt, publish, amend and rescind regulations consistent with and to effectuate the provisions of this chapter;
- (6) To establish rules of practice to govern, expedite and effectuate the procedures set forth in this chapter;
- (7) To recommend policies and make recommendations to agencies and officers of the state and local subdivisions of government to effectuate the policies of this chapter;
- (8) To receive, initiate as provided in [section 46a-82](#), investigate and mediate discriminatory practice complaints;
- (9) By itself or with or by hearing officers or human rights referees, to hold hearings, subpoena witnesses and compel their attendance, administer oaths, take the testimony of any person under oath and require the production for examination of any books and papers relating to any matter under investigation or in question;

(10) To make rules as to the procedure for the issuance of subpoenas by individual commissioners, hearing officers and human rights referees;

(11) To require written answers to interrogatories under oath relating to any complaint under investigation pursuant to this chapter alleging any discriminatory practice as defined in [subdivision \(8\) of section 46a-51](#), and to adopt regulations, in accordance with the provisions of chapter 54, [\[FN1\]](#) for the procedure for the issuance of interrogatories and compliance with interrogatory requests;

(12) To utilize such voluntary and uncompensated services of private individuals, agencies and organizations as may from time to time be offered and needed and with the cooperation of such agencies, (A) to study the problems of discrimination in all or specific fields of human relationships, and (B) to foster through education and community effort or otherwise good will among the groups and elements of the population of the state;

(13) To require the posting by an employer, employment agency or labor organization of such notices regarding statutory provisions as the commission shall provide;

(14) To require the posting, by any respondent or other person subject to the requirements of section 46a-64, 46a-64c, 46a-81d or 46a-81e, of such notices of statutory provisions as it deems desirable;

(15) (A) To require an employer having three or more employees to post in a prominent and accessible location information concerning the illegality of sexual harassment and remedies available to victims of sexual harassment; and (B) to require an employer having fifty or more employees to provide two hours of training and education to all supervisory employees within one year of October 1, 1992, and to all new supervisory employees within six months of their assumption of a supervisory position, provided any employer who has provided such training and education to any such employees after October 1, 1991, shall not be required to provide such training and education a second time. Such training and education shall include information concerning the federal and state statutory provisions concerning sexual harassment and remedies available to victims of sexual harassment. As used in this subdivision, “sexual harassment” shall have the same meaning as set forth in [subdivision \(8\) of subsection \(a\) of section 46a-60](#), and “employer” shall include the General Assembly;

(16) To require each state agency that employs one or more employees to (A) provide a minimum of three hours of diversity training and education (i) to all supervisory and nonsupervisory employees, not later than July 1, 2002, with priority for such training to supervisory employees, and (ii) to all newly hired supervisory and nonsupervisory employees, not later than six months after their assumption of a position with a state agency, with priority for such training to supervisory employees. Such training and education shall include information concerning the federal and state statutory provisions concerning discrimination and hate crimes directed at protected classes and remedies available to victims of discrimination and hate crimes, standards for working with and serving persons from diverse populations and strategies for addressing differences that may arise from diverse work environments; and (B) submit an annual report to the Commission on Human Rights and Opportunities concerning the status of the diversity training and education required under subparagraph (A) of this subdivision. The information in such annual reports shall be reviewed by the commission for the purpose of submitting an annual summary report to the General Assembly. Notwithstanding the provisions of this section, if a state

agency has provided such diversity training and education to any of its employees prior to October 1, 1999, such state agency shall not be required to provide such training and education a second time to such employees. The requirements of this subdivision shall be accomplished within available appropriations. As used in this subdivision, “employee” shall include any part-time employee who works more than twenty hours per week;

(17) To require each agency to submit information demonstrating its compliance with subdivision (16) of this section as part of its affirmative action plan and to receive and investigate complaints concerning the failure of a state agency to comply with the requirements of subdivision (16) of this section; and

(18) To enter into contracts for and accept grants of private or federal funds and to accept gifts, donations or bequests, including donations of service by attorneys.

CREDIT(S)

(1949 Rev., § 7404; 1957, Sept.Sp.Sess., P.A. 11, § 13; 1958 Rev., § 31-125; 1967, P.A. 210, § 1; 1967, P.A. 715, § 1; 1975, P.A. 75-216, § 1, eff. May 28, 1975; 1975, P.A. 75-597; 1977, P.A. 77-452, § 62, eff. July 1, 1978; 1978, P.A. 78-280, § 1, eff. July 1, 1978; 1980, P.A. 80-422, § 3; 1980, P.A. 80-483, § 91, eff. June 6, 1980; 1981, P.A. 81-81, § 4; 1984, P.A. 84-88; 1988, P.A. 88-317, § 97; 1989, P.A. 89-332, § 2, eff. July 1, 1989; 1990, P.A. 90-246, § 6; 1991, P.A. 91-58, § 21; 1991, P.A. 91-302, § 2, eff. July 1, 1991; 1992, P.A. 92-85; 1998, P.A. 98-245, § 9, eff. July 1, 1998; 1999, P.A. 99-180, § 1; 2001, P.A. 01-53, § 3; 2003, June 30 Sp.Sess., P.A. 03-6, § 190, eff. Aug. 20, 2003; 2005, P.A. 05-201, § 1, eff. July 6, 2005.)

[FN1] C.G.S.A. § 4-166 et seq.

HISTORICAL AND STATUTORY NOTES

2008 Electronic Pocket Part Update

Codification

Technical changes were made to conform to Gen.St., Rev. to 2005.

Technical changes were made to conform to the 2006 Supplement to the Connecticut General Statutes.

Amendments

2005 Amendment. 2005, P.A. 05-201, § 1, in subd. (3), inserted “and commission legal counsel” in the first sentence and added the final two sentences.

2004 Main Volume

Transfer of Section

This section, formerly set out as [C.G.S.A. § 31-125](#), was transferred to C.G.S.A. § 46a-54 in Gen.St., Rev. to 1981.

Codification

“County” and “county or judicial district” was changed to “judicial district” pursuant to 1978, P.A. 78-280, § 1.

Amendments

1967 Amendments. 1967, P.A. 210, § 1, added the requirement of posting notices in former subd. (i).

1967, P.A. 715, § 1, in former subd. (a), substituted “such offices as the commission may deem necessary” for “an office in the city of Hartford”.

1975 Amendments. 1975, P.A. 75-216, § 1, inserted subd. (j), relating to interrogatories.

1975, P.A. 75-597, inserted another subd. (j), relating to contracts for and acceptance of grants of federal funds.

1977 Amendment. 1977, P.A. 77-452, § 62, substituted, “superior court” for “court of common pleas” in former subsec. (j).

1980 Amendments. 1980, P.A. 80-422, § 3, redesignated former subd. (a) as subd. (1); redesignated former subd. (b) as subd. (3) and inserted subd. (2); redesignated former subd. (c) as subd. (4); redesignated former subd. (d) as subd. (6) and inserted subd. (5); redesignated former subd. (e) as subd. (7); amended subd. (7) by inserting “as provided in section 31-127,” following “initiate”, and by substituting “discriminatory practice complaints;” for “complaints of unfair employment practices;” following “and mediate”; designated first sentence of former subd. (f) as subd. (8); designated second sentence of former subd. (f) as subd. (9) and substituted “To” for “The commission may”; deleted former third through the fifth sentences of former subd. (f) which read “Contumacy or refusal to obey subpoena issued pursuant to this section shall constitute contempt punishable, upon the application of the authority issuing such subpoena, by the superior court for the judicial district in which the hearing is held or in which the witness resides or transacts business. No person shall be excused from attending and testifying or from producing records, correspondence, documents or other evidence in obedience to subpoena, on the ground that the testimony or evidence required of him may tend to incriminate him or subjected to a penalty or forfeiture but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such person so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying. The immunity herein provided shall extend only to natural persons so compelled to testify;”; redesignated former subd. (g) as subd. (11) and inserted subd. (10); redesignated former subd. (h) as part of subd. (11) by substituting “and” for “; (h)” following “be offered and needed”, and redesignated pars. (1) and (2) as pars. (A) and (B) therein; redesignated former subd. (i) as subd. (12) and deleted “, failure to post which shall be subject to a fine of not more than two hundred fifty dollars” following “the commission shall provide”; deleted former subd. (j) which read “(j) to require written answers to interrogatories relating to a complaint under investigation pursuant to section 31-127, 36-348 or 53-36 alleging a violation of section 31-126, 36-437, 53-35 or 53-35a. Upon failure of any person to answer such interrogatories the commission may file a petition with the interrogatories attached with the superior court of the judicial district in which the violation is alleged to have occurred or where such person resides or transacts business, requesting the court to order that an answer be filed. The commission shall cause a copy of such petition to be sent by registered or certified mail to the person from whom such answers are sought or his legal representative. The court shall assume jurisdiction over such proceedings and may, after hearing, or in the ab-

sence of objection, enter an order which it deems appropriate. Such proceedings shall conform to the rules of practice of said court;”; redesignated former subd. (k) as subd. (14) and inserted subd. (13); and deleted, from subd. (14), former second sentence which read “From time to time, but not less than once a year, as provided in section 4-60, the commission shall report to the governor, making such recommendations as it deems advisable and describing the investigations, proceedings and hearings it has conducted and their outcome, the decisions it has rendered and the other work performed by it.”

1980, P.A. 80-483, § 91, substituted, in former subd. (j), “36-438” for “36-348” following “31-127,”.

1981 Amendment. 1981, P.A. 81-81, § 4, added the reference to § 47a-2a in subd. (10).

1984 Amendment. 1984, P.A. 84-88, amended subd. (10) by inserting “under oath”, substituting “any” for “a” preceding “complaint”, deleting “a violation of section 46a-59, 46a-60, 46a-64, 46a-64a or 46a-66” following “chapter alleging” and inserting “any discriminatory practice as defined in subdivision (8) of section 46a-51, and to adopt regulations in accordance with the provisions of chapter 54 for the procedure for the issuance of interrogatories and compliance with interrogatory requests.”

1988 Amendment. 1988, P.A. 88-317, § 97, in subds. (8) and (9), substituted “hearing officers” for “hearing examiners”, wherever appearing.

1989 Amendment. 1989, P.A. 89-332, § 2, added subd. (2) and redesignated subds. (2) to (14) as subds. (3) to (15).

1990 Amendment. 1990, P.A. 90-246, § 6, in subd. (14), substituted requirement that notices be posted by any respondent or other person subject to requirements of [C.G.S.A. § 46a-64](#) or [C.G.S.A. § 46a-64c](#), for requirement that notices be posted at any place of public accommodation, resort or amusement, as defined in [C.G.S.A. § 46a-63](#).

1991 Amendments. 1991, P.A. 91-58, § 21, in subsec. (14), added reference to [C.G.S.A. §§ 46a-81d](#) and [46a-81e](#).

1991, P.A. 91-302, § 2, without reference to amendment of section by 1991, P.A. 91-58, § 21, in subsec. 15, authorized the acceptance of private funds, gifts, donations, bequests, and donations of service by attorneys.

1992 Amendment. 1992, P.A. 92-85, added subd. (15) and redesignated former subd. (15) as (16).

1998 Amendment. 1998, P.A. 98-245, § 9, in subds. (9) and (10), inserted “human rights referees”; and made other nonsubstantive changes.

1999 Amendment. 1999, P.A. 99-180, § 1, added subds. (16) and (17) and redesignated former subd. (16) as new subd. (18).

2001 Amendment. 2001, P.A. 01-53, § 3, substituted “July 1, 2002” for “January 1, 2001” and added the final sentence in subd. (16); inserted “require each agency to submit information demonstrating its compliance with subdivision (16) of this section as part of its affirmative action plan and to” in subd. (17); and made other non-substantive changes.

2003 Amendment. 2003, June 30 Sp.Sess., P.A. 03-6, § 190, rewrote subd. (3), which prior thereto read:

“(3) To employ a commission counsel who shall not be subject to the provisions of chapter 67.”

Effective Dates

1988 Act. 1988, P.A. 88-317, § 107, provided:

“This act shall take effect July 1, 1989, and shall be applicable to all agency proceedings commenced on or after such date.”

1998 Act. 1998, P.A. 98-245, § 14, provided:

“This act shall take effect October 1, 1998, except that sections 1 to 12, inclusive, shall take effect July 1, 1998, and shall be applicable to all cases pending with the commission or in the courts and cases filed on or after said date.”

Derivation:

1947, Supp. § 1363i.

CROSS REFERENCES

Diversity training program, see [C.G.S.A. § 4a-2c](#).

Procedure upon summons for infraction or violation under this section, payment by mail, and procedure at trial, see [C.G.S.A. § 51-164n](#).

Sexual harassment with respect to individuals enrolled at an institution of higher education, see [C.G.S.A. § 10a-55c](#).

ADMINISTRATIVE CODE REFERENCES

Decision on petition for declaratory ruling, see [Regs. Conn. State Agencies, § 46a-54-126](#).

Delegation of authority, [Regs. Conn. State Agencies, §§ 46a-68-65, 46a-68j-38](#).

Employee and applicant personnel records, see [Regs. Conn. State Agencies, § 46a-54-145](#).

Procedure after filing, see [Regs. Conn. State Agencies, § 46a-54-121](#).

LAW REVIEW AND JOURNAL COMMENTARIES

[Administrative exercise of subpoena power. 52 Yale L.J. 175 \(1942\).](#)

Current state of the Commission on Human Rights and Opportunities: Expanding rights and diminishing opportunities. Emanuel Margolis, 62 Conn.B.J. 231 (1988).

LIBRARY REFERENCES

2004 Main Volume

[Civil Rights](#) 🔑 1705.

[States](#) 🔑 66.

Westlaw Topic Nos. 78, 360.

C.J.S. Civil Rights §§ 188 to 189.

C.J.S. States § 124.

UNITED STATES SUPREME COURT

Public contracts, programs designed to assist disadvantaged business enterprises, see [Adarand Constructors, Inc. v. Peña, 1995, 115 S.Ct. 2097, 515 U.S. 200, 132 L.Ed.2d 158, on remand 965 F.Supp. 1556.](#)

C. G. S. A. § 46a-54, CT ST § 46a-54

Current through the 2008 Feb. Reg. Sess., June 11 Sp. Sess., June Veto Sess., and Aug. Sp. Sess.

Copr (c) 2008 Thomson Reuters/West

END OF DOCUMENT

Westlaw Delivery Summary Report for MORGAN LEWIS & B

Date/Time of Request:	Tuesday, December 16, 2008 10:22 Central
Client Identifier:	55020-088755-0004F&P
Database:	CT-ST-ANN
Citation Text:	CT ST s 46a-54
Lines:	311
Documents:	1
Images:	0

The material accompanying this summary is subject to copyright. Usage is governed by contract with Thomson Reuters, West and their affiliates.

C

Connecticut General Statutes Annotated [Currentness](#)

Title 46A. Human Rights ([Refs & Annos](#))

Chapter 814C. Human Rights and Opportunities

Part I. General Provisions ([Refs & Annos](#))

§ 46a-54. Commission powers

The commission shall have the following powers and duties:

- (1) To establish and maintain such offices as the commission may deem necessary;
- (2) To organize the commission into a division of affirmative action monitoring and contract compliance, a division of discriminatory practice complaints and such other divisions, bureaus or units as may be necessary for the efficient conduct of business of the commission;
- (3) To employ legal staff and commission legal counsel as necessary to perform the duties and responsibilities under [section 46a-55](#). One commission legal counsel shall serve as supervising attorney. Each commission legal counsel shall be admitted to practice law in this state;
- (4) To appoint such investigators and other employees and agents as it deems necessary, fix their compensation within the limitations provided by law and prescribe their duties;
- (5) To adopt, publish, amend and rescind regulations consistent with and to effectuate the provisions of this chapter;
- (6) To establish rules of practice to govern, expedite and effectuate the procedures set forth in this chapter;
- (7) To recommend policies and make recommendations to agencies and officers of the state and local subdivisions of government to effectuate the policies of this chapter;
- (8) To receive, initiate as provided in [section 46a-82](#), investigate and mediate discriminatory practice complaints;
- (9) By itself or with or by hearing officers or human rights referees, to hold hearings, subpoena witnesses and compel their attendance, administer oaths, take the testimony of any person under oath and require the production for examination of any books and papers relating to any matter under investigation or in question;

(10) To make rules as to the procedure for the issuance of subpoenas by individual commissioners, hearing officers and human rights referees;

(11) To require written answers to interrogatories under oath relating to any complaint under investigation pursuant to this chapter alleging any discriminatory practice as defined in [subdivision \(8\) of section 46a-51](#), and to adopt regulations, in accordance with the provisions of chapter 54, [\[FN1\]](#) for the procedure for the issuance of interrogatories and compliance with interrogatory requests;

(12) To utilize such voluntary and uncompensated services of private individuals, agencies and organizations as may from time to time be offered and needed and with the cooperation of such agencies, (A) to study the problems of discrimination in all or specific fields of human relationships, and (B) to foster through education and community effort or otherwise good will among the groups and elements of the population of the state;

(13) To require the posting by an employer, employment agency or labor organization of such notices regarding statutory provisions as the commission shall provide;

(14) To require the posting, by any respondent or other person subject to the requirements of section 46a-64, 46a-64c, 46a-81d or 46a-81e, of such notices of statutory provisions as it deems desirable;

(15) (A) To require an employer having three or more employees to post in a prominent and accessible location information concerning the illegality of sexual harassment and remedies available to victims of sexual harassment; and (B) to require an employer having fifty or more employees to provide two hours of training and education to all supervisory employees within one year of October 1, 1992, and to all new supervisory employees within six months of their assumption of a supervisory position, provided any employer who has provided such training and education to any such employees after October 1, 1991, shall not be required to provide such training and education a second time. Such training and education shall include information concerning the federal and state statutory provisions concerning sexual harassment and remedies available to victims of sexual harassment. As used in this subdivision, “sexual harassment” shall have the same meaning as set forth in [subdivision \(8\) of subsection \(a\) of section 46a-60](#), and “employer” shall include the General Assembly;

(16) To require each state agency that employs one or more employees to (A) provide a minimum of three hours of diversity training and education (i) to all supervisory and nonsupervisory employees, not later than July 1, 2002, with priority for such training to supervisory employees, and (ii) to all newly hired supervisory and nonsupervisory employees, not later than six months after their assumption of a position with a state agency, with priority for such training to supervisory employees. Such training and education shall include information concerning the federal and state statutory provisions concerning discrimination and hate crimes directed at protected classes and remedies available to victims of discrimination and hate crimes, standards for working with and serving persons from diverse populations and strategies for addressing differences that may arise from diverse work environments; and (B) submit an annual report to the Commission on Human Rights and Opportunities concerning the status of the diversity training and education required under subparagraph (A) of this subdivision. The information in such annual reports shall be reviewed by the commission for the purpose of submitting an annual summary report to the General Assembly. Notwithstanding the provisions of this section, if a state

agency has provided such diversity training and education to any of its employees prior to October 1, 1999, such state agency shall not be required to provide such training and education a second time to such employees. The requirements of this subdivision shall be accomplished within available appropriations. As used in this subdivision, “employee” shall include any part-time employee who works more than twenty hours per week;

(17) To require each agency to submit information demonstrating its compliance with subdivision (16) of this section as part of its affirmative action plan and to receive and investigate complaints concerning the failure of a state agency to comply with the requirements of subdivision (16) of this section; and

(18) To enter into contracts for and accept grants of private or federal funds and to accept gifts, donations or bequests, including donations of service by attorneys.

CREDIT(S)

(1949 Rev., § 7404; 1957, Sept.Sp.Sess., P.A. 11, § 13; 1958 Rev., § 31-125; 1967, P.A. 210, § 1; 1967, P.A. 715, § 1; 1975, P.A. 75-216, § 1, eff. May 28, 1975; 1975, P.A. 75-597; 1977, P.A. 77-452, § 62, eff. July 1, 1978; 1978, P.A. 78-280, § 1, eff. July 1, 1978; 1980, P.A. 80-422, § 3; 1980, P.A. 80-483, § 91, eff. June 6, 1980; 1981, P.A. 81-81, § 4; 1984, P.A. 84-88; 1988, P.A. 88-317, § 97; 1989, P.A. 89-332, § 2, eff. July 1, 1989; 1990, P.A. 90-246, § 6; 1991, P.A. 91-58, § 21; 1991, P.A. 91-302, § 2, eff. July 1, 1991; 1992, P.A. 92-85; 1998, P.A. 98-245, § 9, eff. July 1, 1998; 1999, P.A. 99-180, § 1; 2001, P.A. 01-53, § 3; 2003, June 30 Sp.Sess., P.A. 03-6, § 190, eff. Aug. 20, 2003; 2005, P.A. 05-201, § 1, eff. July 6, 2005.)

[FN1] C.G.S.A. § 4-166 et seq.

HISTORICAL AND STATUTORY NOTES

2008 Electronic Pocket Part Update

Codification

Technical changes were made to conform to Gen.St., Rev. to 2005.

Technical changes were made to conform to the 2006 Supplement to the Connecticut General Statutes.

Amendments

2005 Amendment. 2005, P.A. 05-201, § 1, in subd. (3), inserted “and commission legal counsel” in the first sentence and added the final two sentences.

2004 Main Volume

Transfer of Section

This section, formerly set out as [C.G.S.A. § 31-125](#), was transferred to C.G.S.A. § 46a-54 in Gen.St., Rev. to 1981.

Codification

“County” and “county or judicial district” was changed to “judicial district” pursuant to 1978, P.A. 78-280, § 1.

Amendments

1967 Amendments. 1967, P.A. 210, § 1, added the requirement of posting notices in former subd. (i).

1967, P.A. 715, § 1, in former subd. (a), substituted “such offices as the commission may deem necessary” for “an office in the city of Hartford”.

1975 Amendments. 1975, P.A. 75-216, § 1, inserted subd. (j), relating to interrogatories.

1975, P.A. 75-597, inserted another subd. (j), relating to contracts for and acceptance of grants of federal funds.

1977 Amendment. 1977, P.A. 77-452, § 62, substituted, “superior court” for “court of common pleas” in former subsec. (j).

1980 Amendments. 1980, P.A. 80-422, § 3, redesignated former subd. (a) as subd. (1); redesignated former subd. (b) as subd. (3) and inserted subd. (2); redesignated former subd. (c) as subd. (4); redesignated former subd. (d) as subd. (6) and inserted subd. (5); redesignated former subd. (e) as subd. (7); amended subd. (7) by inserting “as provided in section 31-127,” following “initiate”, and by substituting “discriminatory practice complaints;” for “complaints of unfair employment practices;” following “and mediate”; designated first sentence of former subd. (f) as subd. (8); designated second sentence of former subd. (f) as subd. (9) and substituted “To” for “The commission may”; deleted former third through the fifth sentences of former subd. (f) which read “Contumacy or refusal to obey subpoena issued pursuant to this section shall constitute contempt punishable, upon the application of the authority issuing such subpoena, by the superior court for the judicial district in which the hearing is held or in which the witness resides or transacts business. No person shall be excused from attending and testifying or from producing records, correspondence, documents or other evidence in obedience to subpoena, on the ground that the testimony or evidence required of him may tend to incriminate him or subjected to a penalty or forfeiture but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such person so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying. The immunity herein provided shall extend only to natural persons so compelled to testify;”; redesignated former subd. (g) as subd. (11) and inserted subd. (10); redesignated former subd. (h) as part of subd. (11) by substituting “and” for “; (h)” following “be offered and needed”, and redesignated pars. (1) and (2) as pars. (A) and (B) therein; redesignated former subd. (i) as subd. (12) and deleted “, failure to post which shall be subject to a fine of not more than two hundred fifty dollars” following “the commission shall provide”; deleted former subd. (j) which read “(j) to require written answers to interrogatories relating to a complaint under investigation pursuant to section 31-127, 36-348 or 53-36 alleging a violation of section 31-126, 36-437, 53-35 or 53-35a. Upon failure of any person to answer such interrogatories the commission may file a petition with the interrogatories attached with the superior court of the judicial district in which the violation is alleged to have occurred or where such person resides or transacts business, requesting the court to order that an answer be filed. The commission shall cause a copy of such petition to be sent by registered or certified mail to the person from whom such answers are sought or his legal representative. The court shall assume jurisdiction over such proceedings and may, after hearing, or in the ab-

sence of objection, enter an order which it deems appropriate. Such proceedings shall conform to the rules of practice of said court;”; redesignated former subd. (k) as subd. (14) and inserted subd. (13); and deleted, from subd. (14), former second sentence which read “From time to time, but not less than once a year, as provided in section 4-60, the commission shall report to the governor, making such recommendations as it deems advisable and describing the investigations, proceedings and hearings it has conducted and their outcome, the decisions it has rendered and the other work performed by it.”

1980, P.A. 80-483, § 91, substituted, in former subd. (j), “36-438” for “36-348” following “31-127,”.

1981 Amendment. 1981, P.A. 81-81, § 4, added the reference to § 47a-2a in subd. (10).

1984 Amendment. 1984, P.A. 84-88, amended subd. (10) by inserting “under oath”, substituting “any” for “a” preceding “complaint”, deleting “a violation of section 46a-59, 46a-60, 46a-64, 46a-64a or 46a-66” following “chapter alleging” and inserting “any discriminatory practice as defined in subdivision (8) of section 46a-51, and to adopt regulations in accordance with the provisions of chapter 54 for the procedure for the issuance of interrogatories and compliance with interrogatory requests.”

1988 Amendment. 1988, P.A. 88-317, § 97, in subds. (8) and (9), substituted “hearing officers” for “hearing examiners”, wherever appearing.

1989 Amendment. 1989, P.A. 89-332, § 2, added subd. (2) and redesignated subds. (2) to (14) as subds. (3) to (15).

1990 Amendment. 1990, P.A. 90-246, § 6, in subd. (14), substituted requirement that notices be posted by any respondent or other person subject to requirements of [C.G.S.A. § 46a-64](#) or [C.G.S.A. § 46a-64c](#), for requirement that notices be posted at any place of public accommodation, resort or amusement, as defined in [C.G.S.A. § 46a-63](#).

1991 Amendments. 1991, P.A. 91-58, § 21, in subsec. (14), added reference to [C.G.S.A. §§ 46a-81d](#) and [46a-81e](#).

1991, P.A. 91-302, § 2, without reference to amendment of section by 1991, P.A. 91-58, § 21, in subsec. 15, authorized the acceptance of private funds, gifts, donations, bequests, and donations of service by attorneys.

1992 Amendment. 1992, P.A. 92-85, added subd. (15) and redesignated former subd. (15) as (16).

1998 Amendment. 1998, P.A. 98-245, § 9, in subds. (9) and (10), inserted “human rights referees”; and made other nonsubstantive changes.

1999 Amendment. 1999, P.A. 99-180, § 1, added subds. (16) and (17) and redesignated former subd. (16) as new subd. (18).

2001 Amendment. 2001, P.A. 01-53, § 3, substituted “July 1, 2002” for “January 1, 2001” and added the final sentence in subd. (16); inserted “require each agency to submit information demonstrating its compliance with subdivision (16) of this section as part of its affirmative action plan and to” in subd. (17); and made other non-substantive changes.

2003 Amendment. 2003, June 30 Sp.Sess., P.A. 03-6, § 190, rewrote subd. (3), which prior thereto read:

“(3) To employ a commission counsel who shall not be subject to the provisions of chapter 67.”

Effective Dates

1988 Act. 1988, P.A. 88-317, § 107, provided:

“This act shall take effect July 1, 1989, and shall be applicable to all agency proceedings commenced on or after such date.”

1998 Act. 1998, P.A. 98-245, § 14, provided:

“This act shall take effect October 1, 1998, except that sections 1 to 12, inclusive, shall take effect July 1, 1998, and shall be applicable to all cases pending with the commission or in the courts and cases filed on or after said date.”

Derivation:

1947, Supp. § 1363i.

CROSS REFERENCES

Diversity training program, see [C.G.S.A. § 4a-2c](#).

Procedure upon summons for infraction or violation under this section, payment by mail, and procedure at trial, see [C.G.S.A. § 51-164n](#).

Sexual harassment with respect to individuals enrolled at an institution of higher education, see [C.G.S.A. § 10a-55c](#).

ADMINISTRATIVE CODE REFERENCES

Decision on petition for declaratory ruling, see [Regs. Conn. State Agencies, § 46a-54-126](#).

Delegation of authority, [Regs. Conn. State Agencies, §§ 46a-68-65, 46a-68j-38](#).

Employee and applicant personnel records, see [Regs. Conn. State Agencies, § 46a-54-145](#).

Procedure after filing, see [Regs. Conn. State Agencies, § 46a-54-121](#).

LAW REVIEW AND JOURNAL COMMENTARIES

[Administrative exercise of subpoena power. 52 Yale L.J. 175 \(1942\).](#)

Current state of the Commission on Human Rights and Opportunities: Expanding rights and diminishing opportunities. Emanuel Margolis, 62 Conn.B.J. 231 (1988).

LIBRARY REFERENCES

2004 Main Volume

[Civil Rights](#) 🔑 1705.

[States](#) 🔑 66.

Westlaw Topic Nos. 78, 360.

C.J.S. Civil Rights §§ 188 to 189.

C.J.S. States § 124.

UNITED STATES SUPREME COURT

Public contracts, programs designed to assist disadvantaged business enterprises, see [Adarand Constructors, Inc. v. Peña, 1995, 115 S.Ct. 2097, 515 U.S. 200, 132 L.Ed.2d 158, on remand 965 F.Supp. 1556.](#)

C. G. S. A. § 46a-54, CT ST § 46a-54

Current through the 2008 Feb. Reg. Sess., June 11 Sp. Sess., June Veto Sess., and Aug. Sp. Sess.

Copr (c) 2008 Thomson Reuters/West

END OF DOCUMENT