

year plan whenever it shall determine that further development of any project, regardless of location or functional class, may be incompatible with the modified procedures prescribed by this 1975 amendatory act and the long range plan and the six year plan being developed pursuant thereto for the periods 1977 to 1991 and 1977 to 1983 respectively.

Passed the Senate March 31, 1975.

Passed the House May 24, 1975.

Approved by the Governor June 2, 1975.

Filed in Office of Secretary of State June 2, 1975.

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#### CHAPTER 144

[Substitute Senate Bill No. 2725]

#### STATE OFFICERS AND EMPLOYEES— DEFENSE AGAINST CRIMINAL PROSECUTION

AN ACT Relating to state officers and employees; and adding a new section to chapter 10.01 RCW.

Be it enacted by the Legislature of the State of Washington:

**NEW SECTION.** Section 1. There is added to chapter 10.01 RCW a new section to read as follows:

Whenever a state officer or employee is charged with a criminal offense arising out of the performance of an official act which was fully in conformity with established written rules, policies, and guidelines of the state or state agency, the employing agency may request the attorney general to defend the officer or employee. If the agency finds, and the attorney general concurs, that the officer's or employee's conduct was fully in accordance with established written rules, policies, and guidelines of the state or a state agency and the act performed was within the scope of employment, then the request shall be granted and the costs of defense shall be paid by the requesting agency: PROVIDED, HOWEVER, If the agency head is the person charged, then approval must be obtained from both the attorney general and the state auditor. If the court finds that the officer or employee was performing an official act, or was within the scope of employment, and that his actions were in conformity with the established rules, regulations, policies, and guidelines of the state and the state agency, the cost of any monetary fine assessed shall be paid from the tort claims revolving fund.

Passed the Senate April 22, 1975.

Passed the House May 23, 1975.

Approved by the Governor June 2, 1975.

Filed in Office of Secretary of State June 2, 1975.

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#### CHAPTER 145

[Senate Bill No. 2861]

#### LAW AGAINST DISCRIMINATION—STUDENT HOUSING

AN ACT Relating to the laws against discrimination; and amending section 4, chapter 167, Laws of 1969 ex. sess. as amended by section 13, chapter 141, Laws of 1973 and RCW 49.60.222.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 4, chapter 167, Laws of 1969 ex. sess. as amended by section 13, chapter 141, Laws of 1973 and RCW 49.60.222 are each amended to read as follows:

It is an unfair practice for any person, whether acting for himself or another, because of sex, marital status, race, creed, color or national origin:

- (1) To refuse to engage in a real estate transaction with a person;
- (2) To discriminate against a person in the terms, conditions or privileges of a real estate transaction or in the furnishing of facilities or services in connection therewith;
- (3) To refuse to receive or to fail to transmit a bona fide offer to engage in a real estate transaction from a person;
- (4) To refuse to negotiate for a real estate transaction with a person;
- (5) To represent to a person that real property is not available for inspection, sale, rental, or lease when in fact it is so available, or to fail to bring a property listing to his attention, or to refuse to permit him to inspect real property;
- (6) To print, circulate, post or mail or cause to be so published a statement, advertisement or sign, or to use a form of application for a real estate transaction, or to make a record or inquiry in connection with a prospective real estate transaction, which indicates, directly or indirectly, an intent to make a limitation, specification, or discrimination with respect thereto;
- (7) To offer, solicit, accept, use or retain a listing of real property with the understanding that a person may be discriminated against in a real estate transaction or in the furnishing of facilities or services in connection therewith;
- (8) To expel a person from occupancy of real property; ~~((or))~~
- (9) To discriminate in the course of negotiating, executing ~~((of [or]))~~ or financing a real estate transaction whether by mortgage, deed of trust, contract or other instrument imposing a lien or other security in real property or in negotiating or executing any item or service related thereto including issuance of title insurance, mortgage insurance, loan guarantee, or other aspect of the transaction. Nothing in this section shall limit the effect of RCW 49.60.176 relating to unfair practices in credit transactions~~((:))~~; or
- (10) To attempt to do any of the unfair practices defined in this section.

Notwithstanding any other provision of law, it shall not be an unfair practice or a denial of civil rights for any public or private educational institution to separate the sexes or give preference to or limit use of dormitories, residence halls or other student housing to persons of one sex or to make distinctions on the basis of marital or family status.

Passed the Senate April 9, 1975.

Passed the House May 24, 1975.

Approved by the Governor June 2, 1975.

Filed in Office of Secretary of State June 2, 1975.