

§4630. Discrimination by public entities prohibited

1. Unlawful discrimination. A public entity may not discriminate against an individual, exclude an individual from participation in a service, program or activity of that public entity or otherwise deny to an individual the benefits of a service, program or activity of that public entity by reason of the individual's race or color, sex, sexual orientation or gender identity, age, physical or mental disability, religion, ancestry or national origin.

[PL 2023, c. 489, §10 (NEW).]

2. Exception; direct threat. This section does not require a public entity to permit an individual to participate in or benefit from a service, program or activity of a public entity when the individual poses a direct threat to the health or safety of others. For the purposes of this subsection, "direct threat" means a significant risk to the health or safety of others that cannot be eliminated by a modification of a policy, practice or procedure or by the provision of an auxiliary aid or service.

[PL 2023, c. 489, §10 (NEW).]

3. Continued applicability. This section does not diminish the applicability of other provisions of this chapter to public entities acting as employers, providing public accommodations or education or acting as providers of credit or housing.

[PL 2023, c. 489, §10 (NEW).]

SECTION HISTORY

PL 2023, c. 489, §10 (NEW).

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