

SENATE BILL NO. 243

INTRODUCED BY K. REGIER

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE DENIAL OF ACCESS TO REAL ESTATE BROKERS' ORGANIZATIONS OR MULTIPLE LISTING SERVICES BASED ON EXPRESSION OF RELIGIOUS OR MORAL BELIEFS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, , the vast majority of real estate listings in the United States are made on multiple listing services controlled by local chapters of the National Association of Realtors; and

WHEREAS, the National Association of Realtors and its local chapters now enforce against their members a "hate speech" rule that in some cases prohibits expressions of religious or moral beliefs that occur even outside of business-related activities; and

WHEREAS, allegations of "hate speech" made against real estate brokers and real estate salespersons result in onerous investigations, litigation, discipline, and expulsion from real estate brokers' organizations, resulting in loss of multiple listing service access; and

WHEREAS, restricting or terminating access to a multiple listing service based on a real estate professional's expression of religious or moral beliefs results in fewer real estate professionals being available to represent the public and reduced competition in the real estate industry.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Prohibited practices -- denial of access to real estate brokers' organizations or multiple listing services based on religious or moral beliefs. It is an unfair method of competition under 30-14-103 for a person to do any of the following based on an individual's religious or moral beliefs or the lawful expression of those beliefs in a nonprofessional setting that does not involve real estate-related activities or transactions:

(1) deny an individual access, membership, or participation in any multiple listing service or real estate brokers' organization;

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2 (2) disfavor an individual in terms or conditions of access, membership, or participation in any
3 multiple listing service or real estate brokers' organization; or

4 (3) discipline an individual under the rules of a real estate brokers' organization.
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6 **NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an
7 integral part of Title 30, chapter 14, part 2, and the provisions of Title 30, chapter 14, part 2, apply to [section 1].
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9 **NEW SECTION. Section 3. Effective date.** [This act] is effective on passage and approval.
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