

SENATE BILL NO. 2126

1 AN ACT TO PROHIBIT ANY PRIVATE ESTABLISHMENT FROM
2 DISCRIMINATING AGAINST PATRONS BASED ON THEIR MODE OF
3 TRANSPORTATION OR ASSOCIATED ATTIRE; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** (1) This act shall be known as the Mississippi
6 Mode of Transportation Equal Access Act.

7 (2) (a) "Public Accommodation" means a business or other
8 entity that offers food, shelter, recreation, amusement or any
9 other goods, service, privilege, facility or accommodation to the
10 general public.

11 (b) "Attire" means any article of clothing that is
12 required or associated with:

13 (i) A particular individual's or group's means of
14 transportaion;

15 (ii) Safety or health concerns arising from any
16 legal means of transportation;

17 (iii) An individual's affiliation with a fraternal
18 organization or other organized group who may travel together or
19 share a common creed.

20 (3) A person or entity that owns, operates or is employed by
21 a public accommodation may not restrict an individual or group
22 from access or admission to the accommodation or otherwise prevent
23 the individual or group from fully using the accommodation and the
24 amenities normally associated with such, solely because of the
25 individual's or group's:

26 (a) Mode of transportation;

27 (b) Attire which may be associated with the individuals
28 preferred mode of transportation; or

29 (c) Affiliation with any fraternal organization or
30 other group engaging in their preferred mode of transportation.

31 (4) This act does not prohibit a person who owns or operates
32 a public accommodation from denying to an individual access or
33 admission to use of the accommodation if:

34 (a) The conduct of the individual poses a risk to the
35 health or safety of another person or a risk to the safety of
36 another person's property; or

37 (b) The person's clothing does not conform with a dress
38 code that is:

39 (i) In effect at the public accommodation;

40 (ii) Stated clearly; and

41 (iii) Not designed to exclude a particular
42 individual or group of individuals or a particular industry or
43 class.

44 (5) An individual injured by a violation of this act may
45 bring an action to recover actual damages, civil damages,
46 injunctive relief, and reasonable attorney fees based on
47 reasonable hourly billing plus cost for the violation, said civil
48 damages not to exceed Five Thousand Dollars (\$5,000.00), exclusive
49 of attorney fees.

50 **SECTION 2.** This act shall take effect and be in force from
51 and after July 1, 2007.