

115TH CONGRESS
1ST SESSION

S. 1143

To amend the Equal Credit Opportunity Act to prohibit discrimination on account of sexual orientation or gender identity when extending credit.

IN THE SENATE OF THE UNITED STATES

MAY 17, 2017

Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Mr. BOOKER, Ms. DUCKWORTH, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. HASSAN, Ms. HIRONO, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mrs. SHAHEEN, Ms. WARREN, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Equal Credit Opportunity Act to prohibit discrimination on account of sexual orientation or gender identity when extending credit.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Freedom from Dis-
5 crimination in Credit Act of 2017”.

1 **SEC. 2. PROHIBITION AGAINST DISCRIMINATION ON AC-**
 2 **COUNT OF SEXUAL ORIENTATION OR GEN-**
 3 **DER IDENTITY.**

4 Subsection (a)(1) of section 701 of the Equal Credit
 5 Opportunity Act (15 U.S.C. 1691) is amended by insert-
 6 ing “, sexual orientation, gender identity,” after “sex”.

7 **SEC. 3. DEFINITIONS.**

8 Section 702 of the Equal Credit Opportunity Act (15
 9 U.S.C. 1691a) is amended—

10 (1) by striking subsections (f) and (g); and

11 (2) by inserting after subsection (e) the fol-
 12 lowing new subsections:

13 “(f) The term ‘gender identity’ means the gender-re-
 14 lated identity, appearance, or mannerisms or other gen-
 15 der-related characteristics of an individual, with or with-
 16 out regard to the individual’s designated sex at birth.

17 “(g) The term ‘person’ means a natural person, a
 18 corporation, government or governmental subdivision or
 19 agency, trust, estate, partnership, cooperative, or associa-
 20 tion.

21 “(h) The terms ‘race’, ‘color’, ‘religion’, ‘national ori-
 22 gin’, ‘sex’, ‘sexual orientation’, ‘gender identity’, ‘marital
 23 status’, or ‘age’, used with respect to an individual, in-
 24 cludes—

25 “(1) the race, color, religion, national origin,
 26 sex, sexual orientation, gender identity, marital sta-

1 tus, or age, respectively, of another person with
 2 whom the individual is associated or has been associ-
 3 ated; and

4 “(2) a perception or belief, even if inaccurate,
 5 concerning the race, color, religion, national origin,
 6 sex, sexual orientation, gender identity, marital sta-
 7 tus, or age, respectively, of the individual.

8 “(i) The term ‘sex’ includes—

9 “(1) a sex stereotype;

10 “(2) pregnancy, childbirth, or a related medical
 11 condition; and

12 “(3) sexual orientation or gender identity.

13 “(j) The term ‘sexual orientation’ means homosex-
 14 uality, heterosexuality, or bisexuality.

15 “(k) Any reference to any requirement imposed under
 16 this title or any provision of this title shall be deemed to
 17 include a reference to the regulations of the Bureau under
 18 this title or the provision of this title in question.”.

19 **SEC. 4. RELATION TO STATE LAWS.**

20 Section 705(a) of the Equal Credit Opportunity Act
 21 (15 U.S.C. 1691d(a)) is amended by inserting “, sexual
 22 orientation, gender identity,” after “sex”.

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