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State Nondiscrimination Laws: Credit and Lending

No updates required since March 6, 2023

NOTE:

As of March 9, 2021, the federal Consumer Financial Protection Bureau (CFPB) issued an [interpretative rule](#) confirming that it is illegal to discriminate in credit and lending based on sexual orientation and gender identity. As a result, LGBTQ people across the country can [file complaints](#) with the CFPB. Some states also have explicit laws against credit discrimination based on sexual orientation and/or gender identity, and these are reported below. These state laws remain important so that LGBTQ people are protected against discrimination at every level of government, and because they are often passed alongside additional protections not yet enshrined in federal law, such as protections against discrimination in public places.

Alabama

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Alaska

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)
- Formerly, state agency explicitly interpreted existing protections against discrimination based on sex to include both sexual orientation and gender identity for employment, housing, public accommodations, credit/lending, and government agencies/practices. See archived capture of [Alaska State Commission for Human Rights](#) (announced Dec 2020), agency [social media post](#) (Dec 2020), and [subsequent guidance](#) with further detail (Feb 2021). However, under pressure from conservative interest groups amid the 2022 election season, in August 2022 the agency rescinded its interpretation for all areas except for employment, which was explicitly covered by the U.S. Supreme Court ruling in [Bostock v. Clayton County, Georgia](#) (2020). See [this coverage](#) for more details about this reversal, and see also the agency's [social media post](#) announcing the change (August 2022).

Arizona

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Arkansas

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)
- State has law preventing passage or enforcement of local nondiscrimination laws. See [Ark. Code Ann. § 14-1-403](#) (2015).



California

- State credit nondiscrimination law covers sexual orientation and gender identity
- See CA [Civil Code Div 1, Part 2, 51b](#), also known as the Unruh Civil Rights Act. Amended to include sexual orientation and gender identity in 2005 ([AB1400](#)).
- See also discussion of the Unruh Act's application to credit and lending on p51 in: California Attorney General, "[Unlawful Discrimination: Your Rights and Remedies. Civil Rights Handbook, 3rd ed](#)" (2001). *California Agencies*. Paper 360.

Colorado

- State credit nondiscrimination law covers sexual orientation and gender identity
- See [CRS §5-3-210](#). Amended to include sexual orientation (defined to include "transgender status," see [CRS §24-34-301](#)) in 2008 ([SB 08-200](#)).

Connecticut

- State credit nondiscrimination law covers sexual orientation and gender identity
- See [CGS §46a-81f](#) and [CGS §46a-66\(a\)](#). Amended to include sexual orientation in 1991 ([HB 7133](#)) and to include gender identity in 2011 ([HB 6599](#)).

Delaware

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)
- However, state public accommodations law does enumerate sexual orientation and gender identity, and "public accommodations" is broadly defined and so may apply to credit and lending. See [DE §4502\(14\)](#) for definition.

District of Columbia

- State public accommodations nondiscrimination law explicitly applies to credit and lending, and covers sexual orientation and gender identity
- See [D.C. Code § 2-1402.31](#). Passed, including sexual orientation, in 1973. Re-adopted as the D.C. Human Rights Act in 1977. Amended to include gender identity in 2006 ([Law 16-58](#)). "Public accommodations" defined to include "establishments dealing with goods or services of any kind, including, but not limited to, the credit facilities thereof; banks, savings and loan associations, establishments of mortgage bankers and brokers, all other financial institutions, and credit information bureaus..." ([D.C. Code § 2-1401.02\(24\)](#)).

Florida

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Georgia

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)



Hawai'i

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Idaho

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Illinois

- State credit nondiscrimination law covers sexual orientation and gender identity
- See [775 ILCS 5/1-102](#) (signed into law 2005, effective 2006)

Indiana

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Iowa

- State credit nondiscrimination law covers sexual orientation and gender identity
- See [Iowa Code § 216.10](#) (2007).

Kansas

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Kentucky

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Louisiana

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Maine

- State credit nondiscrimination law covers sexual orientation and gender identity
- See [Me. Rev. Stat. tit. 5, §4595](#) (2005). Gender identity included in definition of sexual orientation.

Maryland

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)



Massachusetts

- State credit nondiscrimination law covers sexual orientation and gender identity
- See [Mass. Gen. Laws, chapter 151B, § 4](#), amended to include sexual orientation in 1989 and amended to include gender identity in 2011

Michigan

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Minnesota

- State credit nondiscrimination law covers sexual orientation and gender identity
- See [Minn. Stat. § 363A.16](#) (1993). Gender identity included in definition of sexual orientation.

Mississippi

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Missouri

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Montana

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Nebraska

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Nevada

- State credit nondiscrimination law covers sexual orientation and gender identity
- See [SB311](#) (2019)

New Hampshire

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)
- However, state public accommodations law does enumerate sexual orientation and gender identity, and “public accommodations” is broadly defined and so may apply to credit and lending. See NH [RSA 354-A:2\(XIV\)](#) for definition.

New Jersey

- State credit nondiscrimination law covers sexual orientation and gender identity
- See [N.J. Stat. § 10:5-12](#), amended to include sexual orientation in 1992 and [S362](#) added gender identity in 2006



New Mexico

- State credit nondiscrimination law covers sexual orientation and gender identity
- See [H.B. 314](#) (2003).

New York

- State credit nondiscrimination law covers sexual orientation and gender identity
- See [S.B. 720](#) (2002) for sexual orientation and [S.B. 1047](#) (2019) for gender identity.
- Prior to 2019, the [New York Code of Rules and Regulations §466](#) prohibited gender identity discrimination, via executive order (2015).

North Carolina

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

North Dakota

- State agency explicitly interprets existing protections against credit discrimination based on sex to include both sexual orientation and gender identity
- See [North Dakota Department of Labor and Human Rights statement](#) (2020) and [§14-02.4-17](#)

Ohio

- State agency explicitly interprets existing protections against credit discrimination based on sex to include both sexual orientation and gender identity
- See [Ohio Civil Rights Commission](#) (2021)

Oklahoma

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Oregon

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Pennsylvania

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Rhode Island

- State credit nondiscrimination law covers sexual orientation and gender identity
- See [Rhode Island Stat. § 34-37-4.3](#), amended in 1995 to include sexual orientation and amended in 2001 to include gender identity

South Carolina

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)



South Dakota

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Tennessee

- No state credit nondiscrimination law enumerating sexual orientation or gender identity
- State has law preventing passage or enforcement of local nondiscrimination laws (see [Tenn. Code Ann. § 7-51-1802](#) (2011))

Texas

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Utah

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Vermont

- State credit nondiscrimination law covers sexual orientation and gender identity
- See [Vt. Stat. tit. 8, § 10403](#), amended to include sexual orientation in 1992 and [amended to include gender identity in 2007](#).

Virginia

- State credit nondiscrimination law covers sexual orientation and gender identity
- See [SB 868](#) (2020)

Washington

- State credit nondiscrimination law covers sexual orientation and gender identity
- See [Wash. Rev. Code § 49-60-176](#) (2006). Gender identity included in definition of sexual orientation.

West Virginia

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Wisconsin

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Wyoming

- No state credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)



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U.S. Territories

American Samoa

- No territory-level credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Guam

- No territory-level credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Commonwealth of the Northern Mariana Islands

- No territory-level credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Puerto Rico

- No territory-level credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

U.S. Virgin Islands

- Territory credit nondiscrimination law covers sexual orientation and gender identity
- See [Bill 34-0271](#) (2023). “Bank” included in new definition of “public accommodations” (Section 3(b)(iv)), and further protections included in existing Section 8(e) of [10 V.I.C. § 64](#).