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State Nondiscrimination Laws: Housing

No updates required since March 6, 2023

NOTE:

As of February 11, 2021, the federal Department of Housing and Urban Development (HUD) issued an [memorandum \(HUD No. 21-021\)](#) confirming that it is illegal to discriminate in housing based on sexual orientation and gender identity. As a result, LGBTQ people across the country can [file housing discrimination complaints](#) with HUD. Some states also have explicit laws against housing 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 housing nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Alaska

- No state housing 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 However, under pressure from conservative interest groups amid the 2022 election season, in August 2022 the agency rescinded its interpretation for all areas except for employment, which was explicitly covered by the U.S. Supreme Court ruling in [Bostock v. Clayton County,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 housing nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Arkansas

- No state housing 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 housing nondiscrimination law enumerates sexual orientation and gender identity
- See [Cal. Gov. Code §§ 12955-12956.2](#), amended to include sexual orientation in 1999 ([AB 1001](#)) and gender identity in 2004

Colorado

- State housing nondiscrimination law enumerates sexual orientation and gender identity
- See [C.R.S. 24-34-502](#). Amended to include sexual orientation (defined to include “transgender status,” see [CRS §24-34-301](#)) in 2008 ([SB 08-200](#)).

Connecticut

- State housing nondiscrimination law enumerates sexual orientation and gender identity
- See [CGS Ch. 814c §46a-60](#). Amended to include sexual orientation in 1991 ([HB 7133](#)) and to include gender identity in 2011 ([HB 6599](#)).

Delaware

- State housing nondiscrimination law enumerates sexual orientation and gender identity
- See [SB 121](#) (2009) for sexual orientation and [SB 97](#) (2013) for gender identity.

District of Columbia

- State housing nondiscrimination law enumerates sexual orientation and gender identity
- See [D.C. Code § 2-1402.11](#). 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](#)).

Florida

- State agency explicitly interprets existing protections against discrimination based on sex to include both sexual orientation and gender identity
- See [Florida Commission on Human Rights](#) (2020), including Section 5 of the [intake questionnaire for housing discrimination complaints](#)

Georgia

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

Hawai`i

- State housing nondiscrimination law enumerates sexual orientation and gender identity
- See [Hawai`i Rev. Stat. § 515-3](#) and [H.B. 1715](#) (2005).

Idaho

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



Illinois

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

Indiana

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

Iowa

- State housing nondiscrimination law enumerates sexual orientation and gender identity
- See [Iowa Code § 216.8](#) and [216.8a](#) (2007)

Kansas

- State agency explicitly interprets existing protections against discrimination based on sex to include both sexual orientation and gender identity
- See Kansas Human Rights Commission's [Statement on Bostock](#) (2020)

Kentucky

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

Louisiana

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

Maine

- State housing nondiscrimination law enumerates sexual orientation and gender identity
- See [Me. Rev. Stat. tit. 5, §4581-A](#) (2005)

Maryland

- State housing nondiscrimination law enumerates sexual orientation and gender identity
- See [S.B. 205](#) (2001) for sexual orientation and [S.B. 212](#) (2014) for gender identity

Massachusetts

- State housing nondiscrimination law enumerates sexual orientation and gender identity
- See [Mass. Gen. Laws, chapter 151B, § 4-3B, 3C, 6, and 7](#) (2011)

Michigan

- State housing nondiscrimination law covers sexual orientation and gender identity
- See [SB4](#) (2023), as well as the Michigan Supreme Court's decision in [Rouch World LLC v. Department of Civil Rights](#) (July 2022).
- Formerly, state agency explicitly interpreted existing protections against discrimination based on sex to include both sexual orientation and gender identity. See Michigan Civil Rights Commission's [Interpretive Statement](#) (2018).



Minnesota

- State housing nondiscrimination law enumerates sexual orientation and gender identity
- See [Minn. Stat. § 363A.09](#) (1993).

Mississippi

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

Missouri

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

Montana

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

Nebraska

- State agency explicitly interprets existing protections against discrimination based on sex to include both sexual orientation and gender identity
- See Nebraska Equal Opportunity Commission's [statement](#) (2020).

Nevada

- State housing nondiscrimination law enumerates sexual orientation and gender identity
- See [S.B. 368](#) (2011).

New Hampshire

- State housing nondiscrimination law enumerates sexual orientation and gender identity
- See [HB 421](#) (1997) for sexual orientation and [HB 1319](#) (2018) for gender identity

New Jersey

- State housing nondiscrimination law enumerates sexual orientation and gender identity
- See [N.J. Stat. § 10:5-4](#), and [10:5-12](#) amended to include sexual orientation in 1992 and amended to include gender identity in 2007

New Mexico

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

New York

- State housing nondiscrimination law enumerates sexual orientation and gender identity
- See [SB 720](#) (2002) for sexual orientation and [SB 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 housing nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)
- Prior to 12/1/2020, state law prevented passage or enforcement of local nondiscrimination laws. See [HB 2](#) (2016) and [HB 142](#) (2017). The part of HB 142 that preempted local ordinances expired on 12/1/2020.

North Dakota

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

Ohio

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

Oklahoma

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

Oregon

- State housing nondiscrimination law enumerates sexual orientation and gender identity
- See [SB 2](#) (2007)

Pennsylvania

- State agency explicitly interprets existing protections against discrimination based on sex to include both sexual orientation and gender identity
- See Pennsylvania's Human Relations Commission's [Guidance on Discrimination on the Basis of Sex Under the Pennsylvania Human Relations Act \(PHRA\)](#) (2018).

Rhode Island

- State housing nondiscrimination law enumerates sexual orientation and gender identity
- See [Rhode Island Stat. § 34-37-4](#), amended in 1995 to include sexual orientation and in 2001 to include gender identity

South Carolina

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

South Dakota

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



Tennessee

- No state housing 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 [Tenn. Code Ann. § 7-51-1802](#) (2011).

Texas

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

Utah

- State housing nondiscrimination law enumerates sexual orientation and gender identity
- See [S.B. 296](#) (2015)

Vermont

- State housing nondiscrimination law enumerates sexual orientation and gender identity
- See [Vt. Stat. tit. 9, § 4503](#), amended to include sexual orientation in 1992 and amended to include gender identity in 2007

Virginia

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

Washington

- State housing nondiscrimination law enumerates sexual orientation and gender identity
- See [Wash. Rev. Code § 49-60-222](#) (2006)

West Virginia

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

Wisconsin

- State housing nondiscrimination law enumerates sexual orientation only
- See [Wis. Stat. § 106.50](#) (1982)

Wyoming

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

Guam

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

Commonwealth of the Northern Mariana Islands

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

Puerto Rico

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

U.S. Virgin Islands

- Territory housing nondiscrimination law covers sexual orientation and gender identity
- See [Bill 34-0271](#) (2023) and [10 V.I.C. § 64](#).