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## State Nondiscrimination Laws: Credit and Lending

No updates required since April 26, 2024

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## Background

Credit and lending nondiscrimination laws protect people from being unfairly denied credit and lending services, such as opening a bank account, taking out a loan, and more.

Other rights may exist or be applicable where you live, including through broadly-defined public accommodations laws (see the State-by-State Sources section for additional information). This map and factsheet are not intended as legal advice or an indication of all of your rights. If you have experienced discrimination, please contact [Lambda Legal's Help Desk](#) or otherwise seek legal advice.

### 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.

## Equality Map & Additional Resources

- See our [Equality Map: Credit Nondiscrimination Laws](#), which is updated and maintained in real time alongside this document.
- The [Center for LGBTQ+ Economic Advancement and Research \(CLEAR\)](#) provides many resources and research about LGBTQ people's economic and financial experiences and needs, including about credit and lending.
- MAP and CLEAR's 2023 report [The LGBTQ+ Economic and Financial \(LEAF\) Survey: Understanding the Financial Lives of LGBTQ+ People in the United States](#) analyzes findings from an original survey of 2,505 LGBTQ+ and 503 non-LGBTQ+ individuals about their personal economic situation, financial priorities and concerns, experiences with discrimination (including in credit and lending), and costs associated with family formation, gender-affirming health care, and legally changing their name or gender marker on identity documents, among other questions.



### Summary Table

Category	States	Source	Year Enacted
<b>States that explicitly prohibit credit and lending discrimination based on sexual orientation and gender identity</b> <i>(17 states, 1 territory, + D.C.)</i>  <i>Note: some states' bills/laws define sexual orientation to include gender identity. See "State-by-State Sources &amp; More Detail" below for more.</i>	California	<a href="#">AB 1400</a>	2005
	Colorado	<a href="#">SB 200</a>	2008
	Connecticut	SO: <a href="#">HB 7133</a> GI: <a href="#">HB 6599</a>	1991 2011
	District of Columbia	SO: <a href="#">D.C. Code 2-1402.31</a> GI: <a href="#">Law 16-58</a>	1973 2006
	Illinois	<a href="#">775 ILCS 5/1-102</a>	2005
	Iowa	<a href="#">SF 427</a>	2007
	Maine	<a href="#">LD 1196</a>	2005
	Maryland	<a href="#">HB 1397</a>	2024
	Massachusetts	SO: <a href="#">S 53</a> GI: <a href="#">H 3810</a>	1989 2011
	Minnesota	<a href="#">HF 335</a>	1993
	Nevada	<a href="#">SB 311</a>	2019
	New Jersey	SO: <a href="#">S 3758</a> GI: <a href="#">S 362</a>	1992 2006
	New Mexico	<a href="#">HB 314</a>	2003
	New York	SO: <a href="#">SB 720</a> GI: <a href="#">SB 1047</a>	2002 2019
	Rhode Island	SO: <a href="#">H 6678A</a> GI: <a href="#">H 5920A</a>	1995 2001
	U.S. Virgin Islands	<a href="#">Bill 34-0271</a>	2023
	Vermont	SO: <a href="#">8 VSA § 10403</a> GI: <a href="#">S 51</a>	1991 2007
Virginia	<a href="#">SB 868</a>	2020	
Washington	<a href="#">HB 2661</a>	2006	
<b>States that explicitly interpret existing prohibition on sex discrimination to include sexual orientation and gender identity</b> <i>(2 states)</i>	North Dakota	<a href="#">ND Dept of Labor and Human Rights statement</a>	2020
	Ohio	<a href="#">OH Civil Rights Commission</a>	2021
<b>States that explicitly prohibit jury discrimination based on sexual orientation only</b> <i>(0 states)</i>	None	-	-
<b>States with no known prohibition against credit and lending discrimination based on sexual orientation or gender identity</b> <i>(31 states + 4 territories)</i>	All others	-	-



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## State-by-State Sources & More Detail

### 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, following the June 2020 U.S. Supreme Court ruling in [Bostock v. Clayton County, Georgia](#), the Alaska state agency explicitly interpreted existing state 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*. 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, 3<sup>rd</sup> 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 [SF 427/Ch. 191](#) (2007) and [Iowa Code § 216.10](#).

#### 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 [LD 1196/Chapter 10](#) (2005) and [Me. Rev. Stat. tit. 5, §4595](#). Gender identity included in definition of sexual orientation.

#### Maryland

- State credit nondiscrimination law covers sexual orientation and gender identity
- See [HB 1397](#) (2024)

#### Massachusetts

- State credit nondiscrimination law covers sexual orientation and gender identity
- See [Mass. Gen. Laws, chapter 151B, § 4, S 53](#) (1989, adding sexual orientation), and [H 3810](#) (2011, adding gender identity)

#### 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](#) and [HF 335](#) (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, S3758/L1991 Ch.519](#) (1992, adding sexual orientation), and [S362](#) (2006, adding gender identity)

#### 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](#) (Dec 2021) (archive of [original language](#))

#### 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, H6678A/Ch. 32](#) (1995, adding sexual orientation), and [H5920A/Ch. 340](#) (2001, adding 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 [8 VSA § 10403](#), amended to include sexual orientation in 1992, and [S 51/Act 41](#) (2007, adding gender identity)

#### 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](#) and [HB 2661](#) (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)

### 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)



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#### 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](#).