State Nondiscrimination Laws: Credit and Lending

No updates required since August 10, 2021

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 credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

Alaska
- State agency explicitly interprets existing protections against discrimination based on sex to include both sexual orientation and gender identity
  - See Alaska State Commission for Human Rights (2020), including agency social media posts

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

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

California
- No 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 CA Civil Code Div 1, Part 2, 51b for definition.
Colorado
- 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
- 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 6699).

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

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

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

Idaho
- No credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)
Illinois
- Credit nondiscrimination law covers sexual orientation and gender identity
- See 775 ILCS 5/1-102 (signed into law 2005, effective 2006)

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

Iowa
- Credit nondiscrimination law covers sexual orientation and gender identity

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

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

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

Maine
- Credit nondiscrimination law covers sexual orientation and gender identity

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

Massachusetts
- 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 credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)
Minnesota
- Credit nondiscrimination law covers sexual orientation and gender identity

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

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

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

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

Nevada
- Credit nondiscrimination law covers sexual orientation and gender identity
- See SB311 (2019)

New Hampshire
- No 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
- 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
- Credit nondiscrimination law covers sexual orientation and gender identity
New York
• Credit nondiscrimination law covers sexual orientation and gender identity

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

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

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

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

Rhode Island
• 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 credit nondiscrimination law enumerating sexual orientation or gender identity, though federal agency offers protections (see note)

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

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

Vermont
- Credit nondiscrimination law covers sexual orientation and gender identity

Virginia
- Credit nondiscrimination law covers sexual orientation and gender identity
- See SB 868 (2020)

Washington
- Credit nondiscrimination law covers sexual orientation and gender identity

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

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

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

U.S. Territories
No credit nondiscrimination laws enumerating sexual orientation or gender identity were identified in the five populated U.S. territories.