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 However, under pressure from conservative interest groups amid the 2022 election season, in August 2022 the agency rescinded its interpretation for all areas except for employment, which was explicitly covered by the U.S. Supreme Court ruling in Bostock v. Clayton County, Georgia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

District of Columbia
- State housing nondiscrimination law enumerates sexual orientation and gender identity

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

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

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

Michigan
- State housing nondiscrimination law covers sexual orientation and gender identity
- See MI 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

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

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
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 (2021)

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

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)

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

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)
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.