

111TH CONGRESS  
2D SESSION

# H. R. 4828

To amend the Fair Housing Act to prohibit housing discrimination on the basis of sexual orientation or gender identity, to amend the Civil Rights Act of 1964 to prohibit such discrimination in public accommodations and public facilities, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 2010

Mr. TOWNS introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend the Fair Housing Act to prohibit housing discrimination on the basis of sexual orientation or gender identity, to amend the Civil Rights Act of 1964 to prohibit such discrimination in public accommodations and public facilities, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Housing Non-  
5       discrimination Act of 2010”.

1 **SEC. 2. AMENDMENTS TO FAIR HOUSING ACT.**

2 (a) HOUSING SALE AND RENTAL, RESIDENTIAL  
3 REAL-ESTATE-RELATED TRANSACTIONS, AND BROKER-  
4 AGE SERVICES.—(1) Section 804 of the Civil Rights Act  
5 of 1968 (42 U.S.C. 3604) is amended by striking “sex,”  
6 each place it appears and inserting “sex, sexual orienta-  
7 tion, or gender identity,”.

8 (2) Section 805 of such Act (42 U.S.C. 3605) is  
9 amended by striking “sex,” each place it appears and in-  
10 serting “sex, sexual orientation, or gender identity,”.

11 (3) Section 806 of such Act (42 U.S.C. 3606) is  
12 amended by striking “sex,” and inserting “sex, sexual ori-  
13 entation, or gender identity,”.

14 (b) PREVENTION OF INTIMIDATION.—Section 901 of  
15 the Civil Rights Act of 1968 (42 U.S.C. 3631) is amended  
16 by striking “sex,” each place it appears and inserting  
17 “sex, sexual orientation, gender identity,”.

18 (c) DEFINITION.—Section 802 of the Civil Rights Act  
19 of 1968 (42 U.S.C. 3602) is amended by adding at the  
20 end the following:

21 “(p) ‘Sexual orientation’ means homosexuality, het-  
22 erosexuality, or bisexuality.

23 “(q) ‘Gender identity’ means the gender-related iden-  
24 tity, appearance, or mannerisms or other gender-related  
25 characteristics of an individual, with or without regard to  
26 the individual’s designated sex at birth.”.

1 (d) RULE OF INTERPRETATION.—Title VIII of the  
 2 Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.) is  
 3 amended by adding at the end the following new section:

4 “RULE OF INTERPRETATION REGARDING SEXUAL  
 5 ORIENTATION OR GENDER IDENTITY

6 “SEC. 821. Nothing in this Act or in the Civil Rights  
 7 Act of 1964 shall be construed to require any person to  
 8 disclose a personal sexual orientation or gender identity.”.

9 **SEC. 3. PUBLIC ACCOMMODATIONS.**

10 Section 202 of the Civil Rights Act of 1964 (42  
 11 U.S.C. 2000a–1) is amended by striking “national ori-  
 12 gin,” and inserting “national origin, sexual orientation (as  
 13 defined in section 802 of the Civil Rights Act of 1968),  
 14 or gender identity (as defined in section 802 of the Civil  
 15 Rights Act of 1968),”.

16 **SEC. 4. PUBLIC FACILITIES.**

17 Section 301 of the Civil Rights Act of 1964 (42  
 18 U.S.C. 2000b) is amended by striking “national origin,”  
 19 and inserting “national origin, sexual orientation (as de-  
 20 fined in section 802 of the Civil Rights Act of 1968), or  
 21 gender identity (as defined in section 802 of the Civil  
 22 Rights Act of 1968),”.

23 **SEC. 5. EFFECTIVE DATE AND INITIAL RULEMAKING.**

24 (a) EFFECTIVE DATE.—This Act and the amend-  
 25 ments made by this Act shall take effect on the 180th  
 26 day beginning after the date of the enactment of this Act.

1       (b) INITIAL RULEMAKING.—In consultation with  
2 other appropriate Federal agencies, the Secretary of  
3 Housing and Urban Development shall, not later than the  
4 180th day after the date of the enactment of this Act,  
5 issue rules to implement title VIII of the Fair Housing  
6 Act as amended by this Act. The Secretary shall give pub-  
7 lic notice and opportunity for comment with respect to  
8 such rules.

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