

142nd Congress  
1st Session

# S.1

To extend anti discrimination protections granted under Federal law with respect to sexual orientation, and for other purposes.

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## IN THE SENATE

JUNE 20, 2021

Mr. MILLER (for himself,) introduced the following bill:

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# A BILL

To extend anti discrimination protections granted under Federal law with respect to sexual orientation, and for other purpose.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Equal Rights Act of 2021”.

### SEC. 2. SEXUAL ORIENTATION DISCRIMINATION IN HOUSING.

(a) DEFINITIONS.—Section 802 of the Civil Rights Act of 1968 ([42 U.S.C. 3602](#)) is amended by adding the following subsection after subsection (o):

“(p) ‘Sexual orientation’ means a person’s sexual identity or sexual self-identification.”

(b) DISCRIMINATION WITH RESPECT TO THE SALE OR RENTAL OF HOUSING.—Section 804 of such Act ([42 U.S.C. 3604](#)) is amended—

- (1) in subsection (a), by adding “sexual orientation,” after “sex,”;
- (2) in subsection (b), by adding “sexual orientation,” after “sex,”;
- (3) in subsection (c), by adding “sexual orientation,” after “sex,”;
- (4) in subsection (d), by adding “sexual orientation,” after “sex,”; and
- (5) in subsection (e), by adding “sexual orientation,” after “sex,”.

(c) DISCRIMINATION WITH RESPECT TO RESIDENTIAL REAL-ESTATE TRANSACTIONS.—Section 805 of such Act ([42 U.S.C. 3605](#)) is amended—

- (1) in subsection (a) by adding “sexual orientation,” after “sex,”; and
- (2) in subsection (c) by adding “sexual orientation,” after “sex,”.
- (d) DISCRIMINATION WITH RESPECT TO BROKERAGE SERVICES.—Section 806 of the such Act ([42 U.S.C. 3606](#)) is amended by adding “sexual orientation,” after “sex,”.
- (e) VIOLATIONS.—Section 901 of such Act ([42 U.S.C. 3631](#)) is amended—
  - (1) in subsection (a), by adding “sexual orientation (as such term is defined in section 3602 of this title),” after “sex,”;
  - (2) in subsection (b)(1), by adding “sexual orientation (as such term is defined in section 3602 of this title),” after “sex,”;
  - (3) in subsection (c), by adding “sexual orientation (as such term is defined in section 3602 of this title),” after “sex,”;

### **SEC. 3. SEXUAL ORIENTATION DISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS.**

Section 601 of the Civil Rights Act of 1964 ([42 U.S.C. 2000d](#)) is amended by adding “sex, sexual orientation,” after “No person in the United States shall, on the ground of”.

### **SEC. 4. JURIES.**

- (a) FEDERAL JURIES.—[Section 1862](#) of title 28, United States Code, is amended by inserting “sexual orientation,” after “sex,”.
- (b) DISTRICT OF COLUMBIA JURIES.—Section 11-1903 of the District of Columbia Official Code is amended by adding “sexual orientation,” after “sex,”.

### **SEC. 5. ENACTMENT.**

ENACTMENT.—

- (1) SEVERABILITY.—Should any provision of this Act be deemed invalid or unconstitutional for any reason in a court with relevant jurisdiction, the rest of the Act, and the application of the remaining provisions, shall not be affected.
  - (2) SUPREMACY.—This Act shall be mutual with any other laws currently enforced. In cases where this Act were to be in contradiction with other Acts, regulations or orders, this Act shall take precedence, and the conflicting Act, regulation or order shall be stricken null and void, entirely or partially limited to the part in contradiction with the present Act.
  - (3) EFFECTIVE DATE.—The provisions of this Act shall go into effect on the first day of the first calendar month that succeeds the signing of this Act.
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