

118TH CONGRESS
1ST SESSION

H. R. 4439

To extend the protections of the Fair Housing Act to persons suffering discrimination on the basis of sex or sexual orientation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 30, 2023

Mr. SCHNEIDER (for himself, Mr. FITZPATRICK, Ms. SCANLON, Ms. SCHA-KOWSKY, Ms. DAVIDS of Kansas, Mr. QUIGLEY, Ms. VELÁZQUEZ, Mr. VARGAS, Mrs. WATSON COLEMAN, Mr. TONKO, Ms. WEXTON, Mrs. BEATTY, Ms. BONAMICI, Ms. JAYAPAL, and Mr. KEATING) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To extend the protections of the Fair Housing Act to persons suffering discrimination on the basis of sex or sexual orientation, 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 “Fair and Equal Hous-
5 ing Act of 2023”.

6 **SEC. 2. HOUSING.**

7 (a) FAIR HOUSING ACT.—The Fair Housing Act (42
8 U.S.C. 3601 et seq.) is amended—

1 (1) in section 802, by adding at the end the fol-
2 lowing:

3 “(p) ‘Race’, ‘color’, ‘religion’, ‘sex’ (including sexual
4 orientation and gender identity), ‘handicap’, ‘familial sta-
5 tus’, or ‘national origin’, used with respect to an indi-
6 vidual, includes—

7 “(1) the race, color, religion, sex (including sex-
8 ual orientation and gender identity), handicap, fa-
9 miliar status, or national origin, respectively, of an-
10 other person with whom the individual is associated
11 or has been associated; and

12 “(2) a perception or belief, even if inaccurate,
13 concerning the race, color, religion, sex (including
14 sexual orientation and gender identity), handicap,
15 familial status, or national origin, respectively, of the
16 individual.

17 “(q) ‘Gender identity’ means the gender-related iden-
18 tity, appearance, or mannerisms or other gender-related
19 characteristics of an individual, without regard to the indi-
20 vidual’s designated sex at birth.

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

23 (2) in section 804, by inserting “(including sexual
24 orientation and gender identity)” after “sex”
25 each place that term appears;

1 (3) in section 805, by inserting “(including sexual
2 orientation and gender identity)” after “sex”
3 each place that term appears;

4 (4) in section 806, by inserting “(including sexual
5 orientation and gender identity)” after “sex”
6 each place that term appears; and

7 (5) in section 808(e)(6), by inserting “(including
8 sexual orientation and gender identity)” after
9 “sex”.

10 (b) PREVENTION OF INTIMIDATION IN FAIR HOUS-
11 ING CASES.—Section 901 of the Civil Rights Act of 1968
12 (42 U.S.C. 3631) is amended by inserting “(including sexual
13 orientation (as such term is defined in section 802 of
14 this Act) and gender identity (as such term is defined in
15 section 802 of this Act))” after “sex” each place that term
16 appears.

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