

117TH CONGRESS
2D SESSION

S. 4619

To provide that all persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, and accommodations of financial institutions.

IN THE SENATE OF THE UNITED STATES

JULY 26, 2022

Mr. BROWN (for himself, Mr. MENENDEZ, Ms. CORTEZ MASTO, Mr. BOOKER, Mr. VAN HOLLEN, Ms. SMITH, Ms. WARREN, Mr. WARNOCK, Mr. SANDERS, Mrs. GILLIBRAND, Mr. PADILLA, Ms. DUCKWORTH, Mr. MERKLEY, Mr. WHITEHOUSE, Mr. MARKEY, Ms. BALDWIN, Mrs. FEINSTEIN, Mr. WYDEN, and Mr. LUJÁN) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To provide that all persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, and accommodations of financial institutions.

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 Access to Finan-
5 cial Services Act of 2022”.

1 **SEC. 2. FINANCIAL INSTITUTIONS.**

2 (a) IN GENERAL.—All persons shall be entitled to the
3 full and equal enjoyment of the goods, services, facilities,
4 privileges, and accommodations of any financial institu-
5 tion, as defined in section 803 of the Payment, Clearing,
6 and Settlement Supervision Act of 2010 (12 U.S.C. 5462),
7 without discrimination on the ground of race, color, reli-
8 gion, national origin, and sex (including sexual orientation
9 and gender identity).

10 (b) PRIVATE RIGHT OF ACTION.—

11 (1) IN GENERAL.—Whenever any person has
12 engaged or there are reasonable grounds to believe
13 that any person is about to engage in any act or
14 practice prohibited by subsection (a), a civil action
15 for preventive relief, including an application for a
16 permanent or temporary injunction, restraining
17 order, or other order, may be instituted by the per-
18 son aggrieved.

19 (2) COSTS.—In any action commenced pursu-
20 ant to this section, the court, in its discretion, may
21 allow the prevailing party, other than the United
22 States, a reasonable attorney's fee as part of the
23 costs, and the United States shall be liable for costs
24 the same as a private person.

25 (3) JURISDICTION.—The district courts of the
26 United States shall have jurisdiction of proceedings

1 instituted pursuant to this section and shall exercise
2 the same without regard to whether the aggrieved
3 party shall have exhausted any administrative or
4 other remedies that may be provided by law.

5 (4) EXCLUSIVE MEANS.—The remedies pro-
6 vided in this subsection shall be the exclusive means
7 of enforcing the rights based on this section, but
8 nothing in this section shall preclude any individual
9 or any State or local agency from asserting any
10 right based on any other Federal or State law not
11 inconsistent with this section, including any statute
12 or ordinance requiring nondiscrimination in goods,
13 services, facilities, privileges, and accommodations of
14 any financial institution, or from pursuing any rem-
15 edy, civil or criminal, which may be available for the
16 vindication or enforcement of such right.

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