

S 1858

Equality Act

Congress: 114 (2015–2017, Ended)

Chamber: Senate

Policy Area: Civil Rights and Liberties, Minority Issues

Introduced: Jul 23, 2015

Current Status: Read twice and referred to the Committee on the Judiciary. (Sponsor introductory remarks on measure:

Latest Action: Read twice and referred to the Committee on the Judiciary. (Sponsor introductory remarks on measure: CR S5530-5533) (Jul 23, 2015)

Official Text: <https://www.congress.gov/bill/114th-congress/senate-bill/1858>

Sponsor

Name: Sen. Merkley, Jeff [D-OR]

Party: Democratic • **State:** OR • **Chamber:** Senate

Cosponsors (42 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Baldwin, Tammy [D-WI]	D · WI		Jul 23, 2015
Sen. Bennet, Michael F. [D-CO]	D · CO		Jul 23, 2015
Sen. Blumenthal, Richard [D-CT]	D · CT		Jul 23, 2015
Sen. Booker, Cory A. [D-NJ]	D · NJ		Jul 23, 2015
Sen. Boxer, Barbara [D-CA]	D · CA		Jul 23, 2015
Sen. Brown, Sherrod [D-OH]	D · OH		Jul 23, 2015
Sen. Cantwell, Maria [D-WA]	D · WA		Jul 23, 2015
Sen. Cardin, Benjamin L. [D-MD]	D · MD		Jul 23, 2015
Sen. Carper, Thomas R. [D-DE]	D · DE		Jul 23, 2015
Sen. Coons, Christopher A. [D-DE]	D · DE		Jul 23, 2015
Sen. Durbin, Richard J. [D-IL]	D · IL		Jul 23, 2015
Sen. Feinstein, Dianne [D-CA]	D · CA		Jul 23, 2015
Sen. Franken, Al [D-MN]	D · MN		Jul 23, 2015
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Jul 23, 2015
Sen. Heinrich, Martin [D-NM]	D · NM		Jul 23, 2015
Sen. Hirono, Mazie K. [D-HI]	D · HI		Jul 23, 2015
Sen. Kaine, Tim [D-VA]	D · VA		Jul 23, 2015
Sen. King, Angus S., Jr. [I-ME]	I · ME		Jul 23, 2015
Sen. Klobuchar, Amy [D-MN]	D · MN		Jul 23, 2015
Sen. Leahy, Patrick J. [D-VT]	D · VT		Jul 23, 2015
Sen. Markey, Edward J. [D-MA]	D · MA		Jul 23, 2015
Sen. McCaskill, Claire [D-MO]	D · MO		Jul 23, 2015
Sen. Menendez, Robert [D-NJ]	D · NJ		Jul 23, 2015
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Jul 23, 2015
Sen. Murphy, Christopher [D-CT]	D · CT		Jul 23, 2015
Sen. Murray, Patty [D-WA]	D · WA		Jul 23, 2015
Sen. Peters, Gary C. [D-MI]	D · MI		Jul 23, 2015
Sen. Reed, Jack [D-RI]	D · RI		Jul 23, 2015
Sen. Reid, Harry [D-NV]	D · NV		Jul 23, 2015
Sen. Sanders, Bernard [I-VT]	I · VT		Jul 23, 2015
Sen. Schatz, Brian [D-HI]	D · HI		Jul 23, 2015
Sen. Schumer, Charles E. [D-NY]	D · NY		Jul 23, 2015
Sen. Shaheen, Jeanne [D-NH]	D · NH		Jul 23, 2015
Sen. Stabenow, Debbie [D-MI]	D · MI		Jul 23, 2015
Sen. Udall, Tom [D-NM]	D · NM		Jul 23, 2015
Sen. Warner, Mark R. [D-VA]	D · VA		Jul 23, 2015
Sen. Warren, Elizabeth [D-MA]	D · MA		Jul 23, 2015
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Jul 23, 2015
Sen. Wyden, Ron [D-OR]	D · OR		Jul 23, 2015
Sen. Kirk, Mark Steven [R-IL]	R · IL		Jan 19, 2016
Sen. Casey, Robert P., Jr. [D-PA]	D · PA		Jun 8, 2016

Cosponsor	Party / State	Role	Date Joined
Sen. Nelson, Bill [D-FL]	D · FL		Sep 19, 2016

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Jul 23, 2015

Subjects & Policy Tags

Policy Area:

Civil Rights and Liberties, Minority Issues

Related Bills

Bill	Relationship	Last Action
114 HR 5586	Related bill	Jun 30, 2016: Referred to the Subcommittee on the Constitution and Civil Justice.
114 HR 3185	Identical bill	Sep 8, 2015: Referred to the Subcommittee on the Constitution and Civil Justice.

Equality Act

Amends the Civil Rights Act of 1964 to include sex, sexual orientation, and gender identity among the prohibited categories of discrimination or segregation in places of public accommodation.

Defines:

- "sex" to include a sex stereotype, sexual orientation or gender identity, and pregnancy, childbirth, or a related medical condition;
- "sexual orientation" as homosexuality, heterosexuality, or bisexuality; and
- "gender identity" as gender-related identity, appearance, mannerisms, or characteristics, regardless of the individual's designated sex at birth.

Expands the categories of public accommodations to include places or establishments that provide:

- exhibitions, recreation, exercise, amusement, gatherings, or displays;
- goods, services, or programs, including a store, a shopping center, an online retailer or service provider, a salon, a bank, a gas station, a food bank, a service or care center, a shelter, a travel agency, a funeral parlor, or a health care, accounting, or legal service; or
- transportation services.

Prohibits "establishment" from being construed to be limited to a physical facility or place.

Authorizes the Department of Justice (DOJ) to bring a civil action if it receives a complaint from an individual who claims to be:

- denied equal utilization of a public facility owned, operated, or managed by a state (other than public schools or colleges) on account of sex, sexual orientation, or gender identity; or
- denied admission to, or not permitted to continue attending, a public college by reason of sexual orientation or gender identity, thereby expanding DOJ's existing authority to bring such actions for complaints based on race, color, religion, sex, or national origin.

Revises public school desegregation standards to provide for the assignment of students without regard to sexual orientation or gender identity.

Prohibits programs or activities receiving federal financial assistance from denying benefits to, or discriminating against, persons based on sex, sexual orientation, or gender identity.

Prohibits employers with 15 or more employees from discriminating based on sexual orientation or gender identity, subject to the same exceptions and conditions that currently apply to unlawful employment practices based on race, color, religion, sex, or national origin. Requires employers to recognize individuals in accordance with their gender identity if sex is a bona fide occupational qualification that is reasonably necessary to the normal operation of that particular business or enterprise.

Provides government employees with protections against discrimination based on sexual orientation or gender identity.

Authorizes DOJ to intervene in equal protection actions in federal court on account of sexual orientation or gender identity.

Requires protections against discrimination based on race, color, religion, sex, sexual orientation, gender identity, or national origin to include protections against discrimination based on: (1) an association with another person who is a member of such a protected class; or (2) a perception or belief, even if inaccurate, that an individual is a member of such a protected class. Prohibits the Religious Freedom Restoration Act of 1993 from providing a claim, defense, or basis for challenging such protections.

Prohibits an individual from being denied access to a shared facility, including a restroom, a locker room, and a dressing room, that is in accordance with the individual's gender identity.

Amends the Fair Housing Act, the Equal Credit Opportunity Act, and jury selection standards to add sexual orientation and gender identity as classes protected against discrimination under such laws.

Actions Timeline

- **Jul 23, 2015:** Introduced in Senate
- **Jul 23, 2015:** Read twice and referred to the Committee on the Judiciary. (Sponsor introductory remarks on measure: CR S5530-5533)