

## S 5

### Equality Act

**Congress:** 118 (2023–2025, Ended)

**Chamber:** Senate

**Policy Area:** Civil Rights and Liberties, Minority Issues

**Introduced:** Jun 21, 2023

**Current Status:** Read twice and referred to the Committee on the Judiciary.

**Latest Action:** Read twice and referred to the Committee on the Judiciary. (Jun 21, 2023)

**Official Text:** <https://www.congress.gov/bill/118th-congress/senate-bill/5>

### Sponsor

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

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

**Cosponsors** (50 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Baldwin, Tammy [D-WI]	D · WI		Jun 21, 2023
Sen. Bennet, Michael F. [D-CO]	D · CO		Jun 21, 2023
Sen. Blumenthal, Richard [D-CT]	D · CT		Jun 21, 2023
Sen. Booker, Cory A. [D-NJ]	D · NJ		Jun 21, 2023
Sen. Brown, Sherrod [D-OH]	D · OH		Jun 21, 2023
Sen. Cantwell, Maria [D-WA]	D · WA		Jun 21, 2023
Sen. Cardin, Benjamin L. [D-MD]	D · MD		Jun 21, 2023
Sen. Carper, Thomas R. [D-DE]	D · DE		Jun 21, 2023
Sen. Casey, Robert P., Jr. [D-PA]	D · PA		Jun 21, 2023
Sen. Coons, Christopher A. [D-DE]	D · DE		Jun 21, 2023
Sen. Cortez Masto, Catherine [D-NV]	D · NV		Jun 21, 2023
Sen. Duckworth, Tammy [D-IL]	D · IL		Jun 21, 2023
Sen. Durbin, Richard J. [D-IL]	D · IL		Jun 21, 2023
Sen. Feinstein, Dianne [D-CA]	D · CA		Jun 21, 2023
Sen. Fetterman, John [D-PA]	D · PA		Jun 21, 2023
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Jun 21, 2023
Sen. Hassan, Margaret Wood [D-NH]	D · NH		Jun 21, 2023
Sen. Heinrich, Martin [D-NM]	D · NM		Jun 21, 2023
Sen. Hickenlooper, John W. [D-CO]	D · CO		Jun 21, 2023
Sen. Hirono, Mazie K. [D-HI]	D · HI		Jun 21, 2023
Sen. Kaine, Tim [D-VA]	D · VA		Jun 21, 2023
Sen. Kelly, Mark [D-AZ]	D · AZ		Jun 21, 2023
Sen. King, Angus S., Jr. [I-ME]	I · ME		Jun 21, 2023
Sen. Klobuchar, Amy [D-MN]	D · MN		Jun 21, 2023
Sen. Lujan, Ben Ray [D-NM]	D · NM		Jun 21, 2023
Sen. Markey, Edward J. [D-MA]	D · MA		Jun 21, 2023
Sen. Menendez, Robert [D-NJ]	D · NJ		Jun 21, 2023
Sen. Murphy, Christopher [D-CT]	D · CT		Jun 21, 2023
Sen. Murray, Patty [D-WA]	D · WA		Jun 21, 2023
Sen. Ossoff, Jon [D-GA]	D · GA		Jun 21, 2023
Sen. Padilla, Alex [D-CA]	D · CA		Jun 21, 2023
Sen. Peters, Gary C. [D-MI]	D · MI		Jun 21, 2023
Sen. Reed, Jack [D-RI]	D · RI		Jun 21, 2023
Sen. Rosen, Jacky [D-NV]	D · NV		Jun 21, 2023
Sen. Sanders, Bernard [I-VT]	I · VT		Jun 21, 2023
Sen. Schatz, Brian [D-HI]	D · HI		Jun 21, 2023
Sen. Schumer, Charles E. [D-NY]	D · NY		Jun 21, 2023
Sen. Shaheen, Jeanne [D-NH]	D · NH		Jun 21, 2023
Sen. Sinema, Kyrsten [I-AZ]	I · AZ		Jun 21, 2023
Sen. Smith, Tina [D-MN]	D · MN		Jun 21, 2023
Sen. Stabenow, Debbie [D-MI]	D · MI		Jun 21, 2023

Cosponsor	Party / State	Role	Date Joined
Sen. Tester, Jon [D-MT]	D · MT		Jun 21, 2023
Sen. Van Hollen, Chris [D-MD]	D · MD		Jun 21, 2023
Sen. Warner, Mark R. [D-VA]	D · VA		Jun 21, 2023
Sen. Warnock, Raphael G. [D-GA]	D · GA		Jun 21, 2023
Sen. Warren, Elizabeth [D-MA]	D · MA		Jun 21, 2023
Sen. Welch, Peter [D-VT]	D · VT		Jun 21, 2023
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Jun 21, 2023
Sen. Wyden, Ron [D-OR]	D · OR		Jun 21, 2023
Sen. Butler, Laphonza R. [D-CA]	D · CA		Jan 31, 2024

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Jun 21, 2023

Subjects & Policy Tags

Policy Area:

Civil Rights and Liberties, Minority Issues

Related Bills

Bill	Relationship	Last Action
118 HR 4439	Related bill	<b>Jun 30, 2023:</b> Referred to the House Committee on the Judiciary.
118 HR 4393	Related bill	<b>Jun 27, 2023:</b> Referred to the House Committee on the Judiciary.
118 HR 15	Identical bill	<b>Jun 21, 2023:</b> Referred to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce, Financial Services, House Administration, and Oversight and Accountability, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

## Equality Act

This bill prohibits discrimination based on sex, sexual orientation, or gender identity with respect to businesses, employment, housing, federally funded programs, and other settings.

Specifically, the bill expands Title II and Title VI of the Civil Rights Act of 1964 to prohibit public accommodations and federally funded programs, respectively, from discriminating based on sex, sexual orientation, or gender identity. It also includes stores, transit services, recreational facilities, and establishments that provide health care, accounting, or legal services as public accommodations under Title II.

The bill also expands Title IV (desegregation of public schools) and Title VII (employment discrimination) to specifically include sexual orientation and gender identity. (The Supreme Court held in *Bostock v. Clayton County* that Title VII's prohibition of employment discrimination based on sex also prohibits employment discrimination based on sexual orientation or gender identity.)

The bill similarly expands the Fair Housing Act (discrimination in public and private housing) to include sexual orientation and gender identity. It also prohibits discrimination based on sexual orientation or gender identity by creditors and with respect to jury selection.

The bill defines sex for purposes of the aforementioned provisions to include sex stereotypes, pregnancy, childbirth, sexual orientation, gender identity, and sex characteristics.

## Actions Timeline

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- **Jun 21, 2023:** Introduced in Senate
- **Jun 21, 2023:** Read twice and referred to the Committee on the Judiciary.