

## Gender Identity Protections at the State and Local Level



State	Protection against discrimination based on sexual orientation?	Protection against discrimination based on gender identity?
Alabama	No state law.	Public sector employees are protected from discrimination based on gender identity under the Equal Protection Clause of the U.S. Constitution ( <i>Glenn v. Brumby</i> , 663 F.3d 1312 (11th Cir. 2011)).
Alaska	No state law.	
Arizona	Not protected on a statewide basis.  Laws do exist that prohibit discrimination of state contractors based on sexual orientation.  Some Arizona localities prohibit businesses engaged in business with the localities from discriminating based on sexual orientation.	
Arkansas	No state law.	
California	Protected  Cal. Gov't Code 12940, 12926(m), (p), (q).	Protected  Cal. Gov't Code 12926 and 12940.
Colorado	Protected  C.R.S. § 24-34-401 <i>et seq.</i>	Protected  C.R.S. § 24-34-401 <i>et seq.</i>
Connecticut	Protected  Conn. Gen. Stat. § 46a-81c.	Protected  Public Act 11-55.
Delaware	Protected  19 Del. C. § 711.	Protected  19 Del. C. §§ 710 and 711.
Washington, D.C.	Protected  D.C. Code. §§ 2-1401.01 <i>et seq.</i>	Protected  D.C. Code. § 2-1402.11.
Florida	Not protected by Florida law.  Some Florida localities prohibit discrimination in housing and employment based on sexual orientation.	Public sector employees are protected from discrimination based on gender identity under the Equal Protection Clause of the U.S. Constitution ( <i>Glenn v. Brumby</i> , 663 F.3d 1312 (11th Cir. 2011)).
Georgia	Not protected by Georgia law.  Atlanta prohibits employment	

	discrimination based on sexual orientation. Atlanta, GA Code of Ordinances ch. 94, art. V § 94-112.	
Hawaii	Protected  HRS § 378.2.	Protected  HRS § 378.2.
Idaho	No state law.	
Illinois	Protected  Illinois Human Rights Act (775 ILCS 5/1-101 <i>et seq.</i> ).	
Indiana	No state law.  Some localities prohibit discrimination on the basis of sexual orientation.	
Iowa	Protected  Iowa Code § 216.6(1).	Protected  Iowa Code § 216.6(1).
Kansas	Discrimination on the basis of sexual orientation prohibited only with respect to the hiring of certain Department of Motor Vehicles employees.  Kan. Admin. Reg. § 92-52-15.	
Kentucky	No state law.  Some municipalities address sexual orientation discrimination in employment.	
Louisiana	No state law.	
Maine	Protected  5 M.R.S.A. §§ 4571-72; 94-348 C.M.R. Ch. 3, § 3.02.	Protected  5 M.R.S.A. §§ 4571-72; 94-348 C.M.R. Ch. 3, § 3.02.
Maryland	Protected  Md. Code Ann., State Government § 20-606.	Protected  Md. Code Ann., State Government § 20-606.
Massachusetts	Protected  Mass. Gen. Laws Ch. 151B, § 4(1).	Protected  Mass. Gen. Laws Ch. 151B, § 4(1).
Michigan	No state law.	
Minnesota	Protected  Minn. Stat. § 363A.08.	
Mississippi	No state law.	
Missouri	No state law.	

Montana	<p>Not a protected class for private employment.</p> <p>State of Montana, as an employer, cannot discriminate based on sexual orientation. Mont. Admin. R. 2.21.4005.</p>	
Nebraska	<p>No state law.</p> <p>City of Omaha prohibits employers with 6 or more employees from discriminating against applicants or employees on the basis of sexual orientation or gender identity.</p>	<p>No state law.</p> <p>City of Omaha prohibits employers with 6 or more employees from discriminating against applicants or employees on the basis of sexual orientation or gender identity.</p>
Nevada	<p>Protected.</p> <p>Protection doesn't apply to certain organizations exempt from taxation under the federal Internal Revenue Code.</p> <p>NRS 613.330, 613.310(7), 281.370, 338.125, 613.320(2).</p>	<p>Protected from discrimination by state and municipal workers and private sector employees with at least 15 employees for 20 or more weeks in the current or preceding year. Employers may require reasonable workplace appearance, grooming, and dress standards that are consistent with the employee's preferred gender.</p> <p>There is an exception for religious organizations for related work and certain tax-exempt organizations.</p> <p>The non-discrimination ban applies to certain apprenticeship programs.</p> <p>NRS 613.310, 613.320, 613.330, 613.340, 613.350, 613.380, 613.400, 613.405, NRS Chapter 610.</p>
New Hampshire	<p>Protected</p> <p>N.H. Rev. Stat. Ann. § 354-A:7, I.</p>	
New Jersey	<p>Protected</p> <p>N.J.S.A. 10:5-1 <i>et seq.</i></p>	<p>Protected</p> <p>N.J.S.A. 10:5-12; <i>Enriquez v. W. Jersey Health Sys.</i>, 342 N.J. Super. 501 (App. Div. 2001).</p>
New Mexico	<p>Protected</p> <p>NMSA 1978, § 28-1-1 <i>et seq.</i></p>	<p>Protected for employers with 15 or more employees.</p> <p>NMSA 1978, § 28-1-1 <i>et seq.</i></p>
New York	<p>Protected for employees with at least four employees.</p>	<p>Protected for employees with at least four employees.</p>

	New York State Human Rights Law.	New York State Human Rights Law.
North Carolina	No state law.	
North Dakota	No state law.	
Ohio	State government employees protected by executive order.  Executive Order 2011-05K.	
Oklahoma	No state law.	
Oregon	Protected  ORS 659A.030.	
Pennsylvania	No state law.	
Rhode Island	Protected  R.I. Gen. Laws § 28-5-1 <i>et seq.</i>	Protected  R.I. Gen. laws § 28-5-1 <i>et seq.</i>
South Carolina	No state law.	
South Dakota	No state law.	
Tennessee	No state law.	
Texas	No state law.  Some cities and counties prohibit discrimination on the basis of sexual orientation and gender identity.	No state law.  Some cities and counties prohibit discrimination on the basis of sexual orientation and gender identity.
Utah	Protected  S.B. 296.	Protected  S.B. 296.
Vermont	Protected  21 V.S.A. § 495.	Protected  21 V.S.A. § 495.
Virginia	No state law.  State employees are protected by executive order. January 11, 2014, EO-1.  Some localities prohibit discrimination based on sexual orientation.	State employees are protected by executive order. January 11, 2014, EO-1.
Washington	Protected  Wash. Rev. Code § 49.60.040(26), 49.60.180.	Protected  Wash. Rev. Code § 49.60.040(26), 49.60.180.
West Virginia	No state law.	
Wisconsin	Protected  Wis. Stat. §§ 111.31 <i>et seq.</i>	
Wyoming	No state law.	