

JAN 28 2026

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## SENATE CONCURRENT RESOLUTION

REQUESTING THE UNITED STATES CONGRESS TO PASS LEGISLATION TO  
AMEND THE CIVIL RIGHTS ACT OF 1964 TO PROHIBIT  
DISCRIMINATION ON THE BASIS OF SEX, SEXUAL ORIENTATION, AND  
GENDER IDENTITY IN EMPLOYMENT, HOUSING, PUBLIC  
ACCOMMODATIONS, EDUCATION, FEDERALLY FUNDED PROGRAMS,  
CREDIT, AND JURY SERVICE.

1 WHEREAS, sexual and gender minorities have been  
2 criminalized, marginalized, and subject to discrimination over  
3 the course of United States history; and  
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5 WHEREAS, prior to Western contact, Native Hawaiian society  
6 accepted same-sex relationships and gender fluidity and  
7 recognized māhū as a distinct third gender; and  
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9 WHEREAS, Hawaii law currently provides protection to  
10 individuals on the basis of sexual orientation, gender identity,  
11 and gender expression in the context of housing, public  
12 accommodations, and employment; and  
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14 WHEREAS, these protections were enacted over time, with the  
15 most recent law (Act 40, Session Laws of Hawaii 2022)  
16 prohibiting juror exclusion on the basis of gender identity or  
17 expression; and  
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19 WHEREAS, many sexual and gender minorities across the  
20 United States are not protected under the laws of the states in  
21 which they reside; and  
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23 WHEREAS, federal law still does not prohibit discrimination  
24 against sexual and gender minorities in a variety of contexts,  
25 including public accommodations and facilities, education,  
26 federally funded programs, employment, housing, credit, and jury  
27 service; and



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2 WHEREAS, prior versions of the federal Equality Act have  
3 been introduced since 1974, with the United States House of  
4 Representatives passing H.R. 5 in 2019 and 2021; and  
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6 WHEREAS, the current United States House of  
7 Representatives' version of the federal Equality Act, H.R. 15,  
8 is sponsored by Representative Mark Takano of California and co-  
9 sponsored by two hundred fifteen members, including  
10 Representatives Ed Case and Jill Tokuda of Hawaii; and  
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12 WHEREAS, the current United States Senate version of the  
13 federal Equality Act, S. 1503, is sponsored by Senators Jeff  
14 Merkeley of Oregon, Tammy Baldwin of Wisconsin, and Cory Booker  
15 of New Jersey and co-sponsored by forty-six members, including  
16 Senators Mazie Hirono and Brian Schatz of Hawaii; and  
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18 WHEREAS, according to the Human Rights Campaign, over six  
19 hundred organizations have publicly endorsed the federal  
20 Equality Act; now, therefore,  
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22 BE IT RESOLVED by the Senate of the Thirty-third  
23 Legislature of the State of Hawaii, Regular Session of 2026, the  
24 House of Representatives concurring, that this body hereby  
25 requests the United States Congress to pass legislation to amend  
26 the Civil Rights Act of 1964 to prohibit discrimination on the  
27 basis of sex, sexual orientation, and gender identity in  
28 employment, housing, public accommodations, education, federally  
29 funded programs, credit, and jury service; and  
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31 BE IT FURTHER RESOLVED that this body respectfully requests  
32 that the full and complete text of this Concurrent Resolution be  
33 printed in the Congressional Record; and  
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35 BE IT FURTHER RESOLVED that certified copies of this  
36 Concurrent Resolution be transmitted to President of the United  
37 States, Vice President of the United States, President Pro  
38 Tempore of the United States Senate, Speaker of the United  
39 States House of Representatives, Majority Leaders and Minority  
40 Leaders of the United States Senate and United States House of  
41 Representatives, and members of Hawaii's Congressional  
42 delegation.



S.C.R. NO. 11

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OFFERED BY: Karl Rhoads

