

JAN 28 2026

SENATE 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

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

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

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

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

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



1 WHEREAS, prior versions of the federal Equality Act have
2 been introduced since 1974, with the United States House of
3 Representatives passing H.R. 5 in 2019 and 2021; and

4 WHEREAS, the current United States House of
5 Representatives' version of the federal Equality Act, H.R. 15,
6 is sponsored by Representative Mark Takano of California and co-
7 sponsored by two hundred fifteen members, including
8 Representatives Ed Case and Jill Tokuda of Hawaii; and

10 WHEREAS, the current United States Senate version of the
11 federal Equality Act, S. 1503, is sponsored by Senators Jeff
12 Merkeley of Oregon, Tammy Baldwin of Wisconsin, and Cory Booker
13 of New Jersey and co-sponsored by forty-six members, including
14 Senators Mazie Hirono and Brian Schatz of Hawaii; and

16 WHEREAS, according to the Human Rights Campaign, over six
17 hundred organizations have publicly endorsed the federal
18 Equality Act; now, therefore,

21 BE IT RESOLVED by the Senate of the Thirty-third
22 Legislature of the State of Hawaii, Regular Session of 2026,
23 that this body hereby requests the United States Congress to
24 pass legislation to amend the Civil Rights Act of 1964 to
25 prohibit discrimination on the basis of sex, sexual orientation,
26 and gender identity in employment, housing, public
27 accommodations, education, federally funded programs, credit,
28 and jury service; and

30 BE IT FURTHER RESOLVED that this body respectfully requests
31 that the full and complete text of this Resolution be printed in
32 the Congressional Record; and

34 BE IT FURTHER RESOLVED that certified copies of this
35 Resolution be transmitted to President of the United States,
36 Vice President of the United States, President Pro Tempore of
37 the United States Senate, Speaker of the United States House of
38 Representatives, Majority Leaders and Minority Leaders of the
39 United States Senate and United States House of Representatives,
40 and members of Hawaii's Congressional delegation.

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S.R. NO. 9

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OFFERED BY: Karl Rhode

