

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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*Codification  
District of  
Columbia  
Official Code*

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To amend the Human Rights Act of 1977 to prohibit discrimination based on gender identity or expression.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Human Rights Clarification Amendment Act of 2005”.

Sec. 2. The Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 2-1401.01) is amended by striking the phrase “sexual orientation,” and inserting the phrase “sexual orientation, gender identity or expression,” in its place.

Amend  
§ 2-1401.01

(b) Section 102 (D.C. Official Code § 2-1401.02) is amended by redesignating paragraph (12A) as (12A-1) and adding a new paragraph (12A) to read as follows:

Amend  
§ 2-1401.02

“(12A) “Gender identity or expression” means a gender-related identity, appearance, expression, or behavior of an individual, regardless of the individual's assigned sex at birth.”.

(c) Section 211 (D.C. Official Code § 2-1402.11) is amended as follows:

Amend  
§ 2-1402.11

(1) Subsection (a) is amended as follows:

(A) The lead-in text is amended by striking the phrase “sexual orientation,” and inserting the phrase “sexual orientation, gender identity or expression,” in its place.

(B) Paragraph (4)(B) is amended by striking the phrase “sexual orientation,” and inserting the phrase “sexual orientation, gender identity or expression,” in its place.

(2) Subsection (b) is amended by striking the phrase “sexual orientation,” and inserting the phrase “sexual orientation, gender identity or expression,” in its place.

(d) Section 221 (D.C. Official Code § 2-1402.21) is amended as follows:

Amend  
§ 2-1402.21

(1) Subsection (a) is amended as follows:

(A) The lead-in text is amended by striking the phrase “sexual

orientation,” and inserting the phrase “sexual orientation, gender identity or expression,” in its place.

(B) Paragraph (5) is amended by striking the phrase “sexual orientation,” and inserting the phrase “sexual orientation, gender identity or expression,” in its place.

(2) Subsection (b) is amended by striking the phrase “sexual orientation,” and inserting the phrase “sexual orientation, gender identity or expression,” in its place.

(e) Section 231 (D.C. Official Code § 2-1402.31) is amended as follows:

Amend  
§ 2-1402.31

(1) Subsection (a) is amended by striking the phrase “sexual orientation,” and inserting the phrase “sexual orientation, gender identity or expression,” in its place.

(2) Subsection (b) is amended by striking the phrase “sexual orientation,” and inserting the phrase “sexual orientation, gender identity or expression,” in its place.

(f) Section 241 (1) (D.C. Official Code § 2-1402.41(1)) is amended by striking the phrase “sexual orientation,” and inserting the phrase “sexual orientation, gender identity or expression,” in its place.

Amend  
§ 2-1402.41

(g) Section 271 (D.C. Official Code § 2-1402.71) is amended by striking the phrase “sexual orientation,” and inserting the phrase “sexual orientation, gender identity or expression,” in its place.

Amend  
§ 2-1402.71

(h) Section 273 (D.C. Official Code § 2-1402.73) is amended by striking the phrase “sexual orientation,” and inserting the phrase “sexual orientation, gender identity or expression,” in its place.

Amend  
§ 2-1402.73

### Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

### Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

**ENROLLED ORIGINAL**

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia