To provide that all persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, and accommodations of financial institutions.

IN THE SENATE OF THE UNITED STATES

Mr. Brown (for himself, Mr. Menendez, Ms. Cortez Masto, Mr. Booker, Mr. Van Hollen, Ms. Smith, Ms. Warren, Mr. Warnock, Mr. Sanders, Mrs. Gillibrand, Mr. Padilla, Ms. Duckworth, Mr. Merkley, Mr. Whitehouse, Mr. Markey, Ms. Baldwin, Mrs. Feinstein, Mr. Wyden, and Mr. Luján) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To provide that all persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, and accommodations of financial institutions.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3 SECTION 1. SHORT TITLE.
4 This Act may be cited as the “Fair Access to Finan-
5 cial Services Act of 2022”.
SEC. 2. FINANCIAL INSTITUTIONS.

(a) IN GENERAL.—All persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, and accommodations of any financial institution, as defined in section 803 of the Payment, Clearing, and Settlement Supervision Act of 2010 (12 U.S.C. 5462), without discrimination on the ground of race, color, religion, national origin, and sex (including sexual orientation and gender identity).

(b) PRIVATE RIGHT OF ACTION.—

(1) IN GENERAL.—Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice prohibited by subsection (a), a civil action for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order, may be instituted by the person aggrieved.

(2) COSTS.—In any action commenced pursuant to this section, the court, in its discretion, may allow the prevailing party, other than the United States, a reasonable attorney’s fee as part of the costs, and the United States shall be liable for costs the same as a private person.

(3) JURISDICTION.—The district courts of the United States shall have jurisdiction of proceedings
instituted pursuant to this section and shall exercise the same without regard to whether the aggrieved party shall have exhausted any administrative or other remedies that may be provided by law.

(4) EXCLUSIVE MEANS.—The remedies provided in this subsection shall be the exclusive means of enforcing the rights based on this section, but nothing in this section shall preclude any individual or any State or local agency from asserting any right based on any other Federal or State law not inconsistent with this section, including any statute or ordinance requiring nondiscrimination in goods, services, facilities, privileges, and accommodations of any financial institution, or from pursuing any remedy, civil or criminal, which may be available for the vindication or enforcement of such right.