

[First Reprint]

ASSEMBLY, No. 4567

STATE OF NEW JERSEY
217th LEGISLATURE

INTRODUCED FEBRUARY 13, 2017

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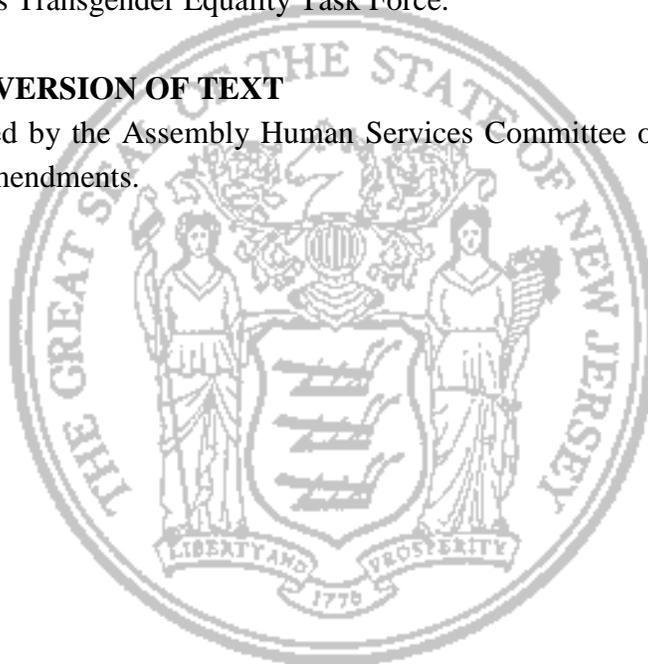
Assemblymen Wisniewski and McKeon

SYNOPSIS

Establishes Transgender Equality Task Force.

CURRENT VERSION OF TEXT

As reported by the Assembly Human Services Committee on February 13, 2017, with amendments.



(Sponsorship Updated As Of: 3/24/2017)

1 AN ACT establishing the Transgender Equality Task Force to assess
2 legal and societal barriers to equality and provide
3 recommendations to Legislature.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. The Legislature finds and declares that:

9 a. Transgender individuals, those whose gender identity,
10 expression, or behavior is different from those typically associated
11 with their assigned sex at birth, face considerable challenges in
12 society, including discrimination, harassment, physical abuse, and
13 social isolation.

14 b. It is estimated that 1.4 million adults in the United States
15 identify as transgender, a number double that previously thought,
16 while the number of transgender children in the United States is
17 unknown.

18 c. According to the 2015 U.S. Transgender Survey, an
19 anonymous online survey of over 27,000 transgender adults, 10
20 percent of respondents who were out to their families reported that
21 they had experienced violence from a family member due to their
22 being transgender, while eight percent of respondents reported that
23 they were forced to leave the family home because they were
24 transgender. Nearly 30 percent of survey respondents reported that
25 they had been homeless at some point in their lives.

26 d. One third of survey respondents who saw a health care
27 provider in the year preceding the survey reported having a negative
28 experience related to being transgender, including being refused
29 treatment, verbal harassment, physical or sexual assault, or having
30 to educate the provider in order to get appropriate care.

31 e. Transgender individuals are more likely to experience
32 physical violence than those who are not transgender when
33 interacting with law enforcement.

34 f. Despite federal legal protections, transgender students
35 nonetheless face daily challenges in accessing the full array of
36 educational, social, athletic, and after-school activities that are
37 available to students who are not transgender.

38 g. More than 75 percent of survey respondents experienced
39 some form of mistreatment, including physical or sexual assault,
40 between kindergarten and grade 12, due to their being out or being
41 perceived as transgender.

42 h. Nearly one quarter of survey respondents who were out or
43 perceived as being transgender in college or vocational school
44 reported being verbally, physically, or sexually harassed.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AHU committee amendments adopted February 13, 2017.

1 i. Transgender individuals are disproportionately unemployed
2 due to discrimination, and as a result, their circumstances may be
3 rendered even more difficult by poverty, which survey respondents
4 reported experiencing at more than twice the rate as is experienced
5 in the general U.S. population.

6 j. Because of the myriad difficulties faced by transgender
7 individuals in the course of their daily lives, as detailed above, they
8 are subject to severe psychological distress, and report attempting
9 suicide at rates almost nine times that of the U.S. population
10 overall.

11 k. In order to better understand and address the challenges to
12 equality faced by the transgender community, it is appropriate for
13 the Legislature to establish a dedicated task force so that those
14 challenges to equality may be eliminated.

15

16 2. a. There is hereby created a task force to be known as the
17 “Transgender Equality Task Force.” The purpose of the task force
18 shall be to assess the legal and societal barriers to equality for
19 transgender individuals in the State, and provide recommendations
20 to the Governor and the Legislature on how to ensure equality and
21 improve the lives of transgender individuals, with particular
22 attention to the following areas:

23 (1) healthcare, including, but not limited to, access to healthcare
24 providers that are trained in transgender medical issues, including
25 sexual health;

26 (2) long term care for the chronically ill and senior citizens in the
27 transgender population;

28 (3) education;

29 (4) higher education;

30 (5) housing, including, but not limited to, homelessness
31 prevention and reduction for transgender youth and adults;

32 (6) employment; and

33 (7) criminal justice, including raising transgender awareness
34 among law enforcement through training, and facilitating the
35 appropriate placement of transgender individuals in correctional
36 facilities based on an individual’s gender identity.

37 b. The Transgender Equality Task Force shall consist of 17
38 members as follows: a representative of ¹ Garden State Equality; a
39 representative of The Gender Rights Advocacy Association of New
40 Jersey; three public members to be appointed by the Speaker of the
41 General Assembly, one of whom shall be a physician who
42 specializes in transgender health issues, one of whom shall be a
43 transgender individual, and one of whom shall be a representative
44 of a social service agency that provides services and supports to
45 transgender individuals; two public members to be appointed by the
46 President of the Senate, one of whom shall be a parent or guardian
47 of a transgender individual, and one of whom shall be an attorney
48 specializing in transgender rights; a representative of the American

1 Civil Liberties Union; a representative of the Department of
2 Banking and Insurance whose duties or expertise includes insurance
3 and banking services and policies as applied to transgender
4 individuals; a representative of the Department of Human Services
5 whose duties or expertise includes expanding access by minority
6 populations to the department's services or eliminating
7 discrimination in the delivery of departmental programs, policies, or
8 initiatives; a representative of the Department of Health whose
9 duties or expertise includes expanding access by minority
10 populations to clinically appropriate healthcare services or
11 eliminating discrimination in the delivery of healthcare programs,
12 policies, or initiatives; a representative of the Department of
13 Education whose duties or expertise includes protecting the rights
14 of minority students or eliminating discrimination in the delivery of
15 educational programs, policies, or initiatives; a representative of the
16 Office of the Secretary of Higher Education whose duties or
17 expertise includes protecting the rights of minority students in the
18 higher education system or eliminating discrimination in the
19 delivery of higher educational programs, policies, or initiatives; a
20 representative of the Division of Civil Rights in the Department of
21 Law and Public Safety whose duties or expertise includes
22 expanding access by lesbian, gay, bisexual, and transgender
23 individuals to the department's services or eliminating
24 discrimination against lesbian, gay, bisexual and transgender
25 individuals in the delivery of the division's programs, policies, or
26 initiatives; and a representative of the Department of Children and
27 Families whose duties or expertise includes expanding access by
28 lesbian, gay, bisexual, and transgender youth to the department's
29 services or eliminating discrimination in the delivery of
30 departmental programs, policies, or initiatives with regard to
31 lesbian, gay, bisexual, and transgender youth; a representative of
32 the Department of Corrections whose duties or expertise includes
33 protecting the safety of minority populations or eliminating
34 discrimination in the delivery of departmental programs, policies, or
35 initiatives; a representative of the Department of Labor and
36 Workforce Development whose duties or expertise includes
37 expanding access by minority populations to the department's
38 services or eliminating discrimination in the delivery of
39 departmental programs, policies, or initiatives.] the Department of
40 Banking and Insurance whose duties or expertise includes insurance
41 and banking services and policies as applied to transgender
42 individuals; a representative of the Department of Human Services
43 whose duties or expertise includes expanding access by minority
44 populations to the department's services or eliminating
45 discrimination in the delivery of departmental programs, policies, or
46 initiatives; a representative of the Department of Health whose
47 duties or expertise includes expanding access by minority
48 populations to clinically appropriate healthcare services or

1 eliminating discrimination in the delivery of healthcare programs,
2 policies, or initiatives; a representative of the Department of
3 Education whose duties or expertise includes protecting the rights
4 of minority students or eliminating discrimination in the delivery of
5 educational programs, policies, or initiatives; a representative of the
6 Office of the Secretary of Higher Education whose duties or
7 expertise includes protecting the rights of minority students in the
8 higher education system or eliminating discrimination in the
9 delivery of higher educational programs, policies, or initiatives; a
10 representative of the Division of Civil Rights in the Department of
11 Law and Public Safety whose duties or expertise includes
12 expanding access by lesbian, gay, bisexual, and transgender
13 individuals to the department's services or eliminating
14 discrimination against lesbian, gay, bisexual and transgender
15 individuals in the delivery of the division's programs, policies, or
16 initiatives; and a representative of the Department of Children and
17 Families whose duties or expertise includes expanding access by
18 lesbian, gay, bisexual, and transgender youth to the department's
19 services or eliminating discrimination in the delivery of
20 departmental programs, policies, or initiatives with regard to
21 lesbian, gay, bisexual, and transgender youth; a representative of
22 the Department of Corrections whose duties or expertise includes
23 protecting the safety of minority populations or eliminating
24 discrimination in the delivery of departmental programs, policies, or
25 initiatives; a representative of the Department of Labor and
26 Workforce Development whose duties or expertise includes
27 expanding access by minority populations to the department's
28 services or eliminating discrimination in the delivery of
29 departmental programs, policies, or initiatives; two public members
30 to be appointed by the Speaker of the General Assembly, one of
31 whom shall be a physician who specializes in transgender health
32 issues, and one of whom shall be a transgender individual; two
33 public members to be appointed by the President of the Senate, one
34 of whom shall be a parent or guardian of a transgender individual,
35 and one of whom shall be an attorney specializing in transgender
36 rights; one public member to be appointed by the Governor, who
37 shall be a representative of a social service agency that provides
38 services and supports to transgender individuals; a representative of
39 the American Civil Liberties Union; a representative of Garden
40 State Equality; and a representative of The Gender Rights
41 Advocacy Association of New Jersey.¹

42 c. The task force shall organize as soon as practicable following
43 the appointment of its members, but not later than the 30th day
44 following the appointment of its members. Upon its organization,
45 the task force shall select a chairperson from among its members.
46 The task force may meet and hold meetings at the times and places
47 it may designate. A majority of the authorized members shall
48 constitute a quorum. The task force may conduct business without a

1 quorum, but may only vote on a recommendation when a quorum is
2 present. The members of the task force shall serve without
3 compensation, but shall be eligible for reimbursement for necessary
4 and reasonable expenses incurred in the performance of their
5 official duties within the limits of funds appropriated or otherwise
6 made available to the ¹~~commission~~ task force¹ for its purposes.

7 d. The task force is entitled to receive assistance and services
8 from any State, county, or municipal department, board,
9 commission, or agency, as it may require, and as may be available
10 to it for its purposes. The Division on Civil Rights in the
11 Department of Law and Public Safety shall provide professional
12 and clerical staff to the task force, as may be necessary to effectuate
13 the purposes of this act.

14 e. Not later than six months after the initial meeting of the task
15 force, it shall prepare and submit a written report to the Governor,
16 and to the Legislature, pursuant to section 2 of P.L.1991, c.164
17 (C.52:14-19.1), outlining its recommendations for advancing
18 transgender equality in the State.

19
20 3. This act shall take effect immediately and shall expire on the
21 30th day following submission by the task force of its written
22 recommendations to the Governor and the Legislature, as provided
23 by subsection e. of section 2 of this act.