

SENATE, No. 705

STATE OF NEW JERSEY 218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Co-Sponsored by:

Senator Gopal

SYNOPSIS

Establishes Transgender Equality Task Force.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/6/2018)

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.

45 i. Transgender individuals are disproportionately unemployed
46 due to discrimination, and as a result, their circumstances may be
47 rendered even more difficult by poverty, which survey respondents

1 reported experiencing at more than twice the rate as is experienced
2 in the general U.S. population.

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

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

12

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

20 (1) healthcare, including, but not limited to, access to healthcare
21 providers that are trained in transgender medical issues, including
22 sexual health;

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

25 (3) education;

26 (4) higher education;

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

29 (6) employment; and

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

34 b. The Transgender Equality Task Force shall consist of 17
35 members as follows: a representative of the Department of Banking
36 and Insurance whose duties or expertise includes insurance and
37 banking services and policies as applied to transgender individuals;
38 a representative of the Department of Human Services whose duties
39 or expertise includes expanding access by minority populations to
40 the department’s services or eliminating discrimination in the
41 delivery of departmental programs, policies, or initiatives; a
42 representative of the Department of Health whose duties or
43 expertise includes expanding access by minority populations to
44 clinically appropriate healthcare services or eliminating
45 discrimination in the delivery of healthcare programs, policies, or
46 initiatives; a representative of the Department of Education whose
47 duties or expertise includes protecting the rights of minority
48 students or eliminating discrimination in the delivery of educational

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

38 c. The task force shall organize as soon as practicable
39 following the appointment of its members, but not later than the 30th
40 day following the appointment of its members. Upon its
41 organization, the task force shall select a chairperson from among
42 its members. The task force may meet and hold meetings at the
43 times and places it may designate. A majority of the authorized
44 members shall constitute a quorum. The task force may conduct
45 business without a quorum, but may only vote on a recommendation
46 when a quorum is present. The members of the task force shall
47 serve without compensation, but shall be eligible for reimbursement
48 for necessary and reasonable expenses incurred in the performance

- 1 of their official duties within the limits of funds appropriated or
2 otherwise made available to the task force for its purposes.
- 3 d. The task force is entitled to receive assistance and services
4 from any State, county, or municipal department, board,
5 commission, or agency, as it may require, and as may be available
6 to it for its purposes. The Division on Civil Rights in the
7 Department of Law and Public Safety shall provide professional
8 and clerical staff to the task force, as may be necessary to effectuate
9 the purposes of this act.
- 10 e. Not later than six months after the initial meeting of the task
11 force, it shall prepare and submit a written report to the Governor,
12 and to the Legislature, pursuant to section 2 of P.L.1991, c.164
13 (C.52:14-19.1), outlining its recommendations for advancing
14 transgender equality in the State.
- 15
- 16 3. This act shall take effect immediately and shall expire on the
17 30th day following submission by the task force of its written
18 recommendations to the Governor and the Legislature, as provided
19 by subsection e. of section 2 of this act.

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22 STATEMENT

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24 This bill establishes the Transgender Equality Task Force, which
25 is charged with assessing the legal and societal barriers to equality
26 for transgender individuals in the State, and providing
27 recommendations to the Legislature and the Governor on how to
28 ensure equality and improve the lives of transgender individuals,
29 with particular attention to the following areas: healthcare, long
30 term care, education, higher education, housing, employment, and
31 criminal justice.

32 The bill provides that the task force shall consist of 17 members
33 as follows: a representative of the Department of Banking and
34 Insurance whose duties or expertise includes insurance and banking
35 services and policies as applied to transgender individuals; a
36 representative of the Department of Human Services whose duties
37 or expertise includes expanding access by minority populations to
38 the department's services or eliminating discrimination in the
39 delivery of departmental programs, policies, or initiatives; a
40 representative of the Department of Health whose duties or
41 expertise includes expanding access by minority populations to
42 clinically appropriate healthcare services or eliminating
43 discrimination in the delivery of healthcare programs, policies, or
44 initiatives; a representative of the Department of Education whose
45 duties or expertise includes protecting the rights of minority
46 students or eliminating discrimination in the delivery of educational
47 programs, policies, or initiatives; a representative of the Office of
48 the Secretary of Higher Education whose duties or expertise

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

36 The bill provides that the task force is to organize as soon as
37 practicable following the appointment of its members, but not later
38 than the 30th day following the appointment of its members, and
39 that the task force is to select a chairperson from among its
40 members. The bill permits the task force to hold meetings at the
41 times and places it may designate, and provides that a majority of
42 the authorized members of the task force shall constitute a quorum.
43 The bill also provides that the task force may conduct business
44 without a quorum, but may only vote on a recommendation when a
45 quorum is present. Pursuant to the bill, the task force is entitled to
46 receive assistance and services from any State, county, or municipal
47 department, board, commission, or agency, as it may require, and as
48 may be available to it for its purposes, and The Division on Civil

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1 Rights in the Department of Law and Public Safety is to provide
2 professional and clerical staff to the task force, as necessary to
3 effectuate the purposes of the bill.

4 The bill requires that the task force prepare and submit a written
5 report to the Governor and the Legislature, outlining its
6 recommendations for advancing transgender equality in the State,
7 not later than six months after its initial meeting. The bill will
8 expire on the 30th day following the submission of this written
9 report.