Sponsored by:
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District 29 (Essex)
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SYNOPSIS
Establishes Transgender Equality Task Force.

CURRENT VERSION OF TEXT
Introduced Pending Technical Review by Legislative Counsel.
AN ACT establishing the Transgender Equality Task Force to assess legal and societal barriers to equality and provide recommendations to Legislature.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The Legislature finds and declares that:
   a. Transgender individuals, those whose gender identity, expression, or behavior is different from those typically associated with their assigned sex at birth, face considerable challenges in society, including discrimination, harassment, physical abuse, and social isolation.
   b. It is estimated that 1.4 million adults in the United States identify as transgender, a number double that previously thought, while the number of transgender children in the United States is unknown.
   c. According to the 2015 U.S. Transgender Survey, an anonymous online survey of over 27,000 transgender adults, 10 percent of respondents who were out to their families reported that they had experienced violence from a family member due to their being transgender, while eight percent of respondents reported that they were forced to leave the family home because they were transgender. Nearly 30 percent of survey respondents reported that they had been homeless at some point in their lives.
   d. One third of survey respondents who saw a health care provider in the year preceding the survey reported having a negative experience related to being transgender, including being refused treatment, verbal harassment, physical or sexual assault, or having to educate the provider in order to get appropriate care.
   e. Transgender individuals are more likely to experience physical violence than those who are not transgender when interacting with law enforcement.
   f. Despite federal legal protections, transgender students nonetheless face daily challenges in accessing the full array of educational, social, athletic, and after-school activities that are available to students who are not transgender.
   g. More than 75 percent of survey respondents experienced some form of mistreatment, including physical or sexual assault, between kindergarten and grade 12, due to their being out or being perceived as transgender.
   h. Nearly one quarter of survey respondents who were out or perceived as being transgender in college or vocational school reported being verbally, physically, or sexually harassed.
   i. Transgender individuals are disproportionately unemployed due to discrimination, and as a result, their circumstances may be rendered even more difficult by poverty, which survey respondents
reported experiencing at more than twice the rate as is experienced in the general U.S. population.

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

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

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

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

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

   (3) education;

   (4) higher education;

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

   (6) employment; and

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

b. The Transgender Equality Task Force shall consist of 17 members as follows: a representative of the Department of Banking and Insurance whose duties or expertise includes insurance and banking services and policies as applied to transgender individuals; a representative of the Department of Human Services whose duties or expertise includes expanding access by minority populations to the department’s services or eliminating discrimination in the delivery of departmental programs, policies, or initiatives; a representative of the Department of Health whose duties or expertise includes expanding access by minority populations to clinically appropriate healthcare services or eliminating discrimination in the delivery of healthcare programs, policies, or initiatives; a representative of the Department of Education whose duties or expertise includes protecting the rights of minority students or eliminating discrimination in the delivery of educational
programs, policies, or initiatives; a representative of the Office of
the Secretary of Higher Education whose duties or expertise
includes protecting the rights of minority students in the higher
education system or eliminating discrimination in the delivery of
higher educational programs, policies, or initiatives; a
representative of the Division of Civil Rights in the Department of
Law and Public Safety whose duties or expertise includes
expanding access by lesbian, gay, bisexual, and transgender
individuals to the department’s services or eliminating
discrimination against lesbian, gay, bisexual and transgender
individuals in the delivery of the division’s programs, policies, or
initiatives; and a representative of the Department of Children and
Families whose duties or expertise includes expanding access by
lesbian, gay, bisexual, and transgender youth to the department’s
services or eliminating discrimination in the delivery of
departmental programs, policies, or initiatives with regard to
lesbian, gay, bisexual, and transgender youth; a representative of
the Department of Corrections whose duties or expertise includes
protecting the safety of minority populations or eliminating
discrimination in the delivery of departmental programs, policies, or
initiatives; a representative of the Department of Labor and
Workforce Development whose duties or expertise includes
expanding access by minority populations to the department’s
services or eliminating discrimination in the delivery of
departmental programs, policies, or initiatives; two public members
to be appointed by the Speaker of the General Assembly, one of
whom shall be a physician who specializes in transgender health
issues, and one of whom shall be a transgender individual; two
public members to be appointed by the President of the Senate, one
of whom shall be a parent or guardian of a transgender individual,
and one of whom shall be an attorney specializing in transgender
rights; one public member to be appointed by the Governor, who
shall be a representative of a social service agency that provides
services and supports to transgender individuals; a representative of
the American Civil Liberties Union; a representative of Garden
State Equality; and a representative of The Gender Rights
Advocacy Association of New Jersey.

c. The task force shall organize as soon as practicable
following the appointment of its members, but not later than the 30th
day following the appointment of its members. Upon its
organization, the task force shall select a chairperson from among
its members. The task force may meet and hold meetings at the
times and places it may designate. A majority of the authorized
members shall constitute a quorum. The task force may conduct
business without a quorum, but may only vote on a recommendation
when a quorum is present. The members of the task force shall
serve without compensation, but shall be eligible for reimbursement
for necessary and reasonable expenses incurred in the performance
of their official duties within the limits of funds appropriated or otherwise made available to the task force for its purposes.

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

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

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

STATEMENT

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

The bill provides that the task force shall consist of 17 members as follows: a representative of the Department of Banking and Insurance whose duties or expertise includes insurance and banking services and policies as applied to transgender individuals; a representative of the Department of Human Services whose duties or expertise includes expanding access by minority populations to the department’s services or eliminating discrimination in the delivery of departmental programs, policies, or initiatives; a representative of the Department of Health whose duties or expertise includes protecting the rights of minority students or eliminating discrimination in the delivery of educational programs, policies, or initiatives; a representative of the Office of the Secretary of Higher Education whose duties or expertise
includes protecting the rights of minority students in the higher
education system or eliminating discrimination in the delivery of
higher educational programs, policies, or initiatives; a
representative of the Division of Civil Rights in the Department of
Law and Public Safety whose duties or expertise includes
expanding access by lesbian, gay, bisexual, and transgender
individuals to the department’s services or eliminating
discrimination against lesbian, gay, bisexual and transgender
individuals in the delivery of the division’s programs, policies, or
initiatives; and a representative of the Department of Children and
Families whose duties or expertise includes expanding access by
lesbian, gay, bisexual, and transgender youth to the department’s
services or eliminating discrimination in the delivery of
departmental programs, policies, or initiatives with regard to
lesbian, gay, bisexual, and transgender youth; a representative of
the Department of Corrections whose duties or expertise includes
protecting the safety of minority populations or eliminating
discrimination in the delivery of departmental programs, policies, or
initiatives; a representative of the Department of Labor and
Workforce Development whose duties or expertise includes
expanding access by minority populations to the department’s
services or eliminating discrimination in the delivery of
departmental programs, policies, or initiatives; two public members
to be appointed by the Speaker of the General Assembly, one of
whom shall be a physician who specializes in transgender health
issues, and one of whom shall be a transgender individual; two
public members to be appointed by the President of the Senate, one
of whom shall be a parent or guardian of a transgender individual,
and one of whom shall be an attorney specializing in transgender
rights; one public member to be appointed by the Governor, who
shall be a representative of a social service agency that provides
services and supports to transgender individuals; a representative of
the American Civil Liberties Union; a representative of Garden
State Equality; and a representative of The Gender Rights
Advocacy Association of New Jersey.

The bill provides that the task force is to organize as soon as
practicable following the appointment of its members, but not later
than the 30th day following the appointment of its members, and
that the task force is to select a chairperson from among its
members. The bill permits the task force to hold meetings at the
times and places it may designate, and provides that a majority of
the authorized members of the task force shall constitute a quorum.
The bill also provides that the task force may conduct business
without a quorum, but may only vote on a recommendation when a
quorum is present. Pursuant to the bill, the task force is entitled to
receive assistance and services from any State, county, or municipal
department, board, commission, or agency, as it may require, and as
may be available to it for its purposes, and The Division on Civil
Rights in the Department of Law and Public Safety is to provide professional and clerical staff to the task force, as necessary to effectuate the purposes of the bill.

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