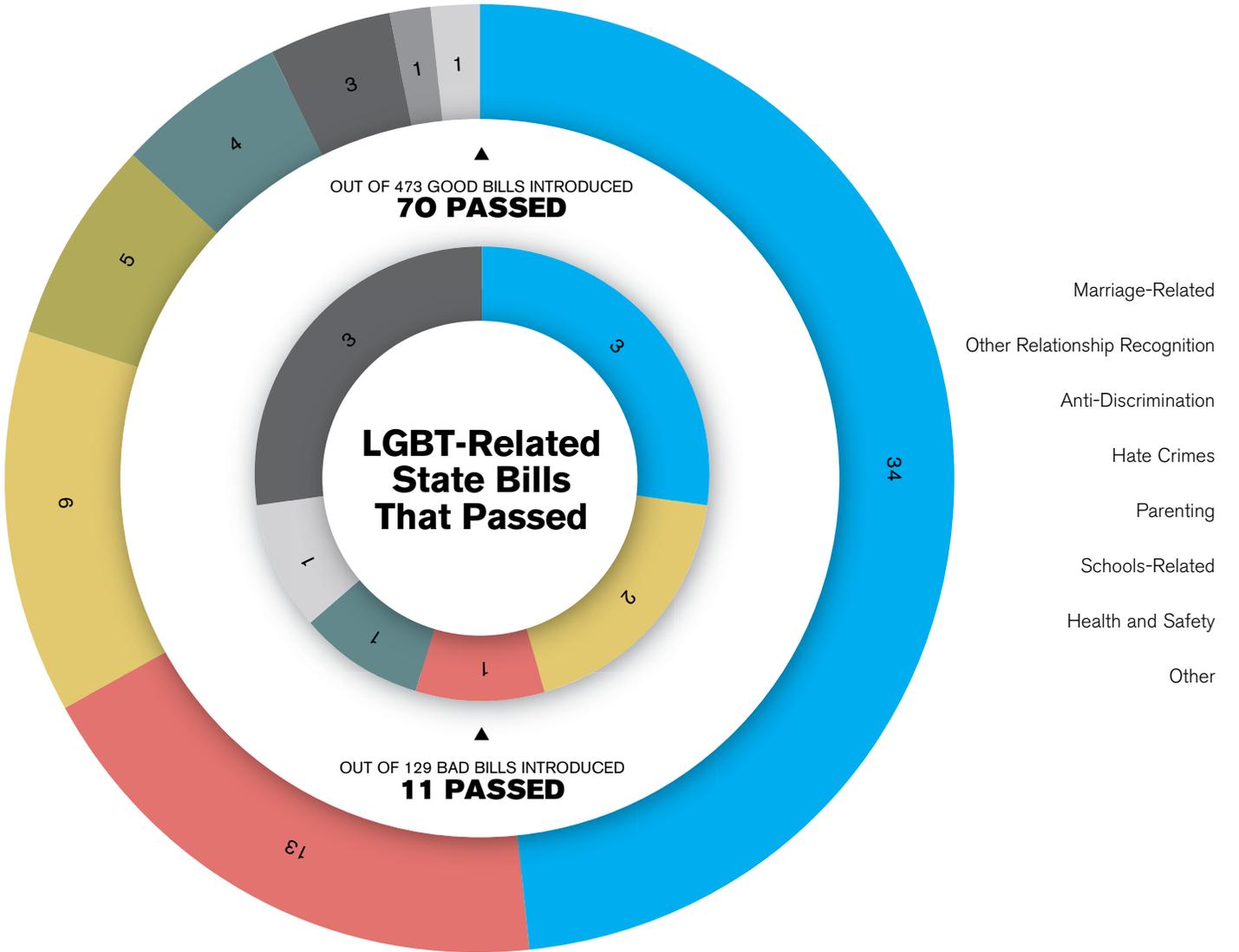
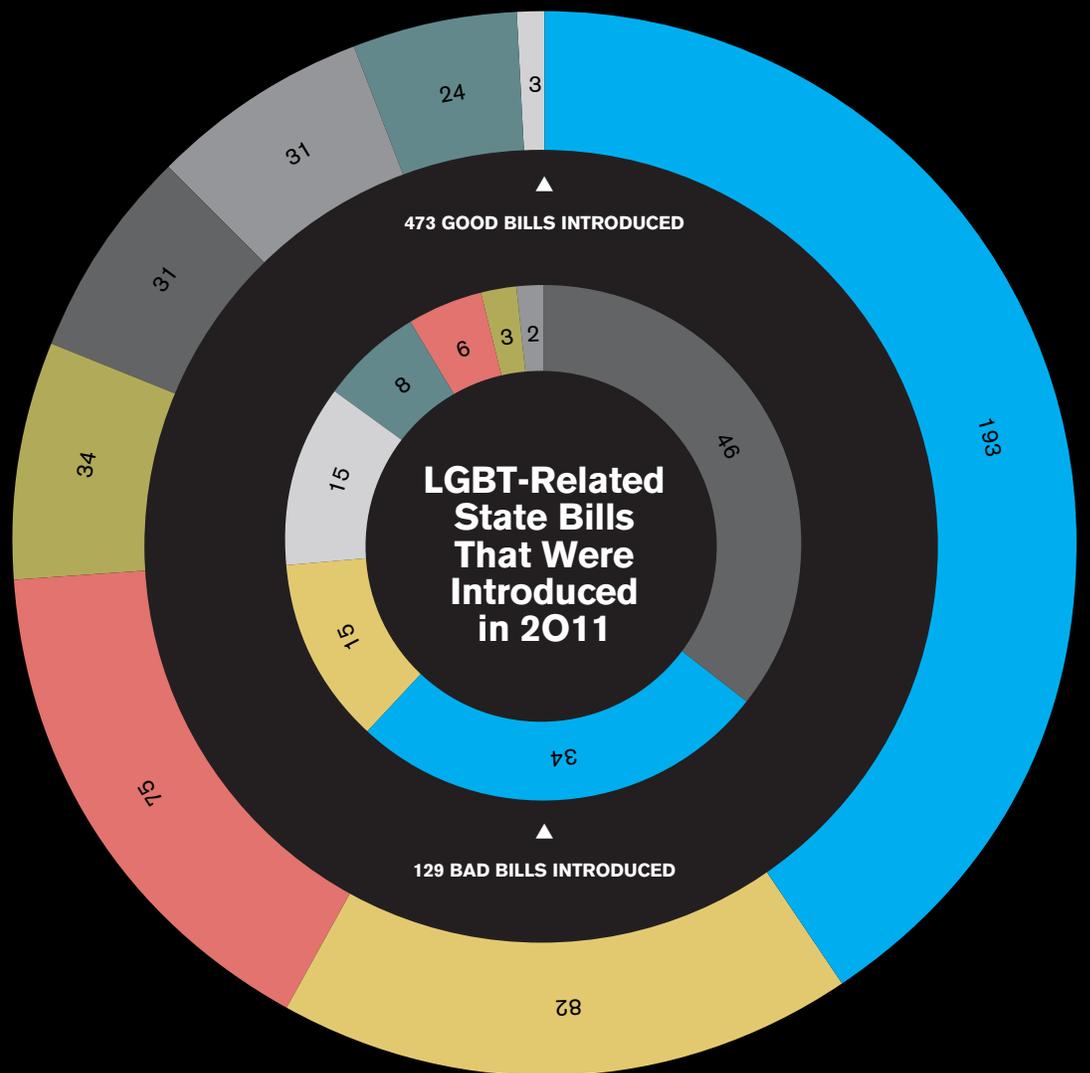


# Equality from State to State 2011

A Review of State Legislation Affecting the Lesbian, Gay, Bisexual and Transgender Community and a Look Ahead in 2012



- Marriage-Related
- Other Relationship Recognition
- Anti-Discrimination
- Hate Crimes
- Parenting
- Schools-Related
- Health and Safety
- Other



# Contents

<b>2</b>	<b>Introduction</b>
<b>5</b>	<b>Summary of State Developments in 2011</b>
<b>9</b>	<b>Comparative Legislation at a Glance</b>
<b>11</b>	<b>Current State Legislation Maps</b>
<b>18</b>	<b>Outlook for 2012</b>
<b>20</b>	<b>2011 State Bills Introduced or Carried Over From 2010</b>
<b>21</b>	<b>2011 State Bills Passed</b>
<b>23</b>	<b>LGBT-Related Bills Considered in 2011</b>
<b>24</b>	<b>Marriage-Related Bills</b>
<b>30</b>	<b>Other Relationship-Recognition Bills</b>
<b>33</b>	<b>Anti-Discrimination Bills</b>
<b>41</b>	<b>Hate Crimes Bills</b>
<b>43</b>	<b>Parenting Bills</b>
<b>46</b>	<b>Schools-Related Bills</b>
<b>70</b>	<b>Health &amp; Safety Bills</b>
<b>80</b>	<b>Other Bills</b>
<b>84</b>	<b>About the Author and Acknowledgements</b>

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# Introduction

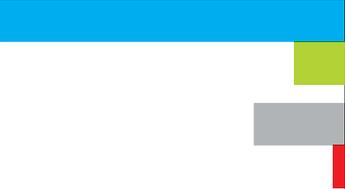
Dear Readers,

Lesbian, gay, bisexual and transgender civil rights experienced historic gains in 2011: from New York to Nevada, Arkansas to Hawaii, the changes have been tremendous. Progress included marriage equality, gender identity protections, anti-bullying laws, and civil unions. **This past year, for the first time ever, nationwide polling confirmed that a majority of Americans support marriage equality.** This shift in public opinion is indicative of a year of progress on many fronts in a number of states. And, while pockets of resistance remain and the pace of change never seems swift enough, we reflect on the previous year as a solid step forward on the journey towards full LGBT equality.

This summer, New York became the seventh jurisdiction to recognize same-sex marriage. When Gov. Andrew Cuomo signed the law, the number of Americans living in a marriage equality state effectively doubled. And if our national poll on marriage equality is any indication, we anticipate that legislative battles in other states will soon follow the example of New York and lawfully support the right of loving, committed same-sex couples to marry.

After years of effort, several states added gender identity protections to their non-discrimination laws. Hawaii, Connecticut, Nevada, and Massachusetts now explicitly include gender identity among the enumerated categories for protections in employment, credit, education, and housing. Disappointingly, the Nevada Legislature voted down a bill that would have added gender identity to the state hate crimes law and the Massachusetts Legislature stripped public accommodations from the final bill.

Challengingly, pockets of resistance emerged strong enough to create roadblocks for equality. The Tennessee Legislature passed a damaging law eliminating municipalities' rights to protect their LGBT residents. Sweeping changes in the Minnesota Legislature led to a constitutional amendment defining marriage as between one man and one woman being placed on the November 2012 ballot. Anti-equality legislators in North Carolina added the question of a state constitutional amendment to restrict marriage and other relationship recognition rights to only



**473** Good Bills Introduced

**70** Good Bills Passed

**129** Bad Bills Introduced

**11** Bad Bills Passed

**As we examine the results of 2011, we should take pride in the great range of accomplishments that states, cities, and individuals have achieved over the year.**

opposite-sex couples to the Republican Primary ballot, which will take place in May 2012. Maryland came close to voting on marriage equality early this year, but the bill's sponsors decided to wait until 2012 to bring the bill up for full consideration by both chambers.

Other forms of relationship recognition saw tremendous support during 2011. Delaware, Hawaii, and Rhode Island all enacted legislation authorizing civil unions for same-sex couples and Illinois' civil union law took effect in June, bringing the number of full relationship recognition states – shy of marriage – from five to nine.

Finally, on the heels of tragic suicides among LGBT youth this year and in previous years, we are so grateful that Arkansas enacted an anti-bullying law that prohibits bullying in schools with explicit protections for students on the basis of sexual orientation and gender identity. Joining Arkansas in offering full protections were Connecticut and Rhode Island. Many other states made significant improvements to their existing non-discrimination laws.

As we examine the results of 2011, we should take pride in the great range of accomplishments that states, cities, and individuals have achieved over the year. Special thanks are due to the state and local LGBT advocacy groups; without their tireless efforts and dedication to improving the lives of LGBT people in their own backyard, none of these highlighted achievements and more could have been possible.

While our work is far from complete, we reflect on the year with the inspiration from our fight and the optimism from our victories to continue to work every day for full equality.

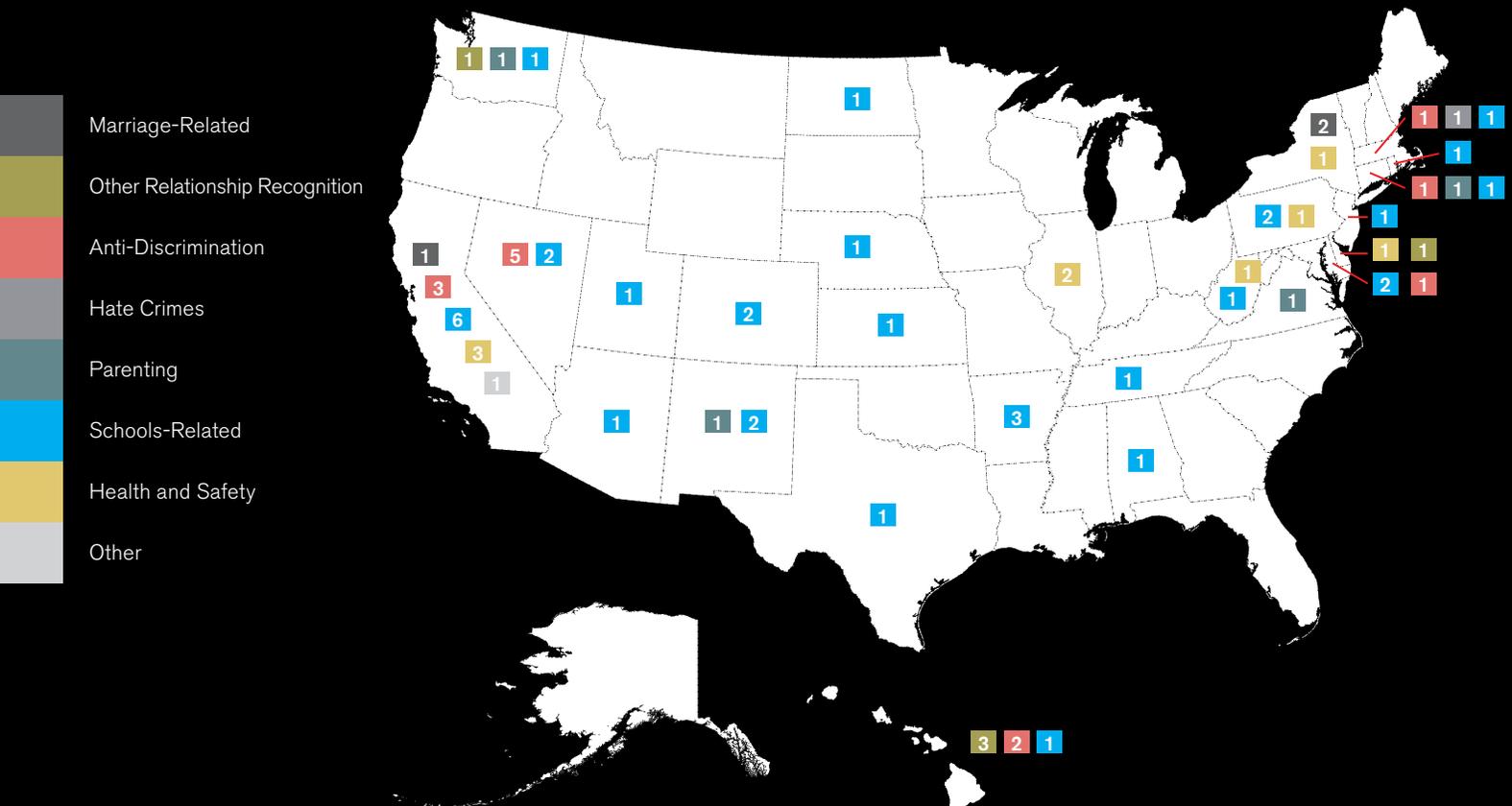
Onward to 2012,



Joe Solmonese  
President, Human Rights Campaign Foundation

**States where 70 GOOD LGBT-related state bills were passed in 2011**

Alabama	1	Nevada	5 2
Arizona	1	New Jersey	1
Arkansas	3	New Mexico	1 2
California	1 3 6 3 1	New York	2 1
Colorado	2	North Dakota	1
Connecticut	1 1 1	Pennsylvania	2 1
Delaware	1 1	Rhode Island	1
Hawaii	3 2 1	Tennessee	1
Illinois	2	Texas	1
Kansas	1	Utah	1
Maryland	1 2	Virginia	1
Massachusetts	1 1 1	Washington	1 1 1
Nebraska	1	West Virginia	1 1



# Summary of State Developments in 2011

Relationship recognition, gender identity protections, and anti-bullying bills dominated legislative progress this year, yet conservatives floated test balloon legislation to key up battles for 2012.

In contrast to 2010, the legislation passed this year varies greatly and touches on nearly every aspect of LGBT people's lives. Unfortunately, it was a mix of positive and negative legislation. This past year was the first opportunity for tea party elected officials to act on their true motivations and values.

## Marriage Bills

### KEY STATE LEGISLATIVE DEVELOPMENTS IN 2011

Marriage equality took New York by storm while narrow losses in both Maryland and Rhode Island have left hope for renewed efforts. Disappointingly, the legislatures of Minnesota and North Carolina placed constitutional marriage bans on the ballot for 2012, and legislators in New Hampshire introduced a bill to repeal the state marriage equality law. The New Mexico attorney general issued an advisory opinion allowing the state to recognize out-of-jurisdiction same-sex marriages, though it is unclear that the opinion is being enforced in any way.

- **NEW YORK**– By signing marriage equality into law, Governor Cuomo doubled the number of same-sex couples who can access marriage in their home state.
- **NEW HAMPSHIRE**– Marriage equality went into effect on Jan. 1, 2010. Less than two years later, a changed legislature contemplated repealing access to marriage for same-sex couples. While the bill was successfully deferred, it will likely be voted on in 2012.
- **MINNESOTA**– A resolution passed both chambers proposing a constitutional amendment defining marriage as between one man and one woman. It will appear on the November 2012 ballot.
- **NORTH CAROLINA**– A resolution passed both chambers proposing a constitutional amendment defining marriage as between one man and one woman, and prohibiting virtually all other forms of relationship recognition. It will appear on the May 2012 primary ballot with the Republican presidential candidates.
- **WYOMING**– A resolution to place a constitutional amendment limiting marriage to opposite-sex couples passed the Senate but died when the House Majority Leader declined to bring it to the floor for a vote claiming he did not have sufficient votes to pass the measure. On June 6, 2011, the Wyoming Supreme Court ruled that same-sex couples can divorce in the state.
- **INDIANA**– A resolution passed both chambers to propose a constitutional amendment to define marriage as between one man and one woman, and to prohibit most other forms of relationship recognition. The proposed amendment will only appear on the ballot if the resolution passes both chambers again after the 2012 elections.

## Key State Legislative Developments in 2011

- **NEW MEXICO**– On Jan. 4, 2011, New Mexico Attorney General Gary K. King issued an advisory opinion stating that the legal marriages of same-sex couples entered into in another jurisdiction should be valid under New Mexico law. Gov. Martinez does not support the opinion and no court has weighed in on the issue.
- **MARYLAND**– The Senate passed a bill allowing same-sex couples to marry, but the measure was withdrawn on the House floor when it was clear there were not sufficient votes to pass the bill. A similar bill will be considered in the 2012 legislative session.
- **RHODE ISLAND**– Several same-sex marriage bills were withdrawn in lieu of a civil unions bill after Senate and House leadership made the decision there were insufficient votes for marriage.
- **IOWA**– The Senate Majority Leader successfully held his caucus together against an attempt to place a constitutional marriage ban on the ballot.
- **OTHER STATES**– In 2011, marriage equality legislation was introduced in a number of states, including Hawaii, Minnesota, Pennsylvania, and New Jersey, but it did not progress. Meanwhile, advocates in states such as Pennsylvania, New Mexico, and West Virginia were able to keep discriminatory constitutional amendments at bay.

### Relationship Recognition Bills

Governors increasingly play an instrumental part in moving relationship recognition forward. The legislatures in both Delaware and Hawaii passed civil union bills with strong gubernatorial backing, while Colorado moved increasingly closer.

- **HAWAII** – Despite Gov. Lingle's veto of a civil unions bill last year, the Legislature pass the bill again with the support of newly elected Gov. Abercrombie. The new law, effective Jan. 1, 2012, extends to same-sex couples all of the rights, benefits, protections, and responsibilities that accompany marriage at the state level. Opposite-sex couples may also choose to enter into a civil union.
- **DELAWARE**– A civil unions bill moved swiftly through the legislature in the first year it was introduced. The new law, effective Jan. 1, 2012, extends to same-sex couples all of the rights, benefits, protections, and responsibilities that accompany marriage at the state level.
- **ILLINOIS**– A civil unions law open to both same-sex and opposite-sex couples went into effect July 1, 2011.
- **RHODE ISLAND**– After considering several marriage equality bills, the Senate and House leadership decided there were insufficient votes and substituted for a civil unions bill. The version of the bill that passed had a broad provision that could allow non-profits run by religious organizations to ignore the legal relationship of couples in a civil union. Because of this provision, HRC joined a coalition of LGBT organizations in asking the Governor to veto the bill, which he declined to do. This bill has received a neutral score on pg. 21 because it brings important benefits to many couples, but creates an unacceptable loophole for religious organizations including hospitals.
- **COLORADO**– The Senate passed a comprehensive civil unions bill, but it stalled in a House committee. Indicators suggest that the bill would have passed in the House had it been brought to the floor.
- **WASHINGTON**– Addressing loopholes in the 2009 domestic partnership law, the legislature approved recognition for most out-of-state same-sex legal relationships as domestic partnerships and ensured that all future legislation referencing terms such as spouse and family will apply equally to marriages and domestic partnerships.

## Anti-Discrimination Bills

Substantial progress was made in prohibiting discrimination in employment, housing, and public accommodations on the basis of gender identity. Hawaii, Connecticut, New Mexico, and Massachusetts each rallied around their transgender community. Moving states without any current state level protections for sexual orientation or gender identity continues to be a challenge. Local governments are persistently placing pressure on the states by adopting non-discrimination ordinances at a rapid rate. Most notably, Utah advocates resumed their winning streak from 2010 by adding protections in five more cities, while Pennsylvania advocates garnered protections in nine localities across the state. From Lawrence, Kansas to Volusia County, Florida, city and county councils took action to make their area a better place for LGBT residents. Unfortunately, progress was marred by a backlash law in Tennessee which prohibits municipalities from adopting additional protections that go beyond state law – that is from protecting people on the basis of sexual orientation and gender identity.

- **HAWAII**– After offering protections on the basis of gender identity in housing and public accommodations for several years, the legislature added protections in employment.
- **CONNECTICUT**– On July 1, 2011, Gov. Malloy signed into law a bill prohibiting discrimination on the basis of gender identity in credit, education, employment, housing, and public accommodations.
- **NEVADA**– Gov. Sandoval signed into law a series of bills prohibiting discrimination on the basis of gender identity in employment and public accommodations, and both sexual orientation and gender identity were added to the state housing non-discrimination law.
- **MASSACHUSETTS**– On Nov. 23, 2011, Gov. Patrick signed into law legislation prohibiting discrimination on the basis of gender identity in credit, education, employment, and housing. Disappointingly, legislative leaders made the decision to strip public accommodations from the bill.
- **MAINE**– Advocates successfully defeated a bill which would have allowed restrictions in restroom access on the basis of “biological” sex in public accommodations.
- **TENNESSEE**– Despite opposition from the business community, Gov. Haslam signed a bill preventing municipalities from adopting non-discrimination ordinances, regulations, or policies that cover categories extending beyond those already protected by state law. In practice, that means no city or county can offer protections on the basis of sexual orientation or gender identity. The law invalidated protections being provided by Nashville. A lawsuit has been filed challenging the new law.

## Hate Crimes Bills

After passage of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act in 2009, many state legislators incorrectly believe that state hate crimes laws are superfluous. Educational efforts continue across the country.

- **MASSACHUSETTS**– On Nov 23, 2011, Gov. Patrick signed into law a bill that added gender identity to the state hate crimes law as part of a broader set of protections for transgender people.
- **NEVADA**– A bill to add gender identity to the state hate crimes law failed by one vote in the Senate. It appears there would have been enough votes in the House though it never made it to a vote.

## Key State Legislative Developments in 2011

### Parenting Bills

This year saw an overall decrease in the number of bills attempting to limit adoption for LGBT people and an increased interest in regulating surrogacy – though not necessarily in a negative way. Several states introduced bills that would clarify that a child born to same-sex parents who are married or in a civil union/ domestic partnership is the legal child of either spouses or partners.

- **ARIZONA**– On April 18, 2012, Gov. Brewer signed into law a bill giving preference to married couples in placing a child for adoption. An earlier version of the bill would have made it virtually impossible for single people to adopt.
- **WASHINGTON**– On May 10, 2011, Gov. Gregoire signed into law a bill expanding and clarifying the rights and obligations of both state-registered domestic partners and married couples in regards to parentage.
- **ARKANSAS**– On April 7, 2011, the Arkansas Supreme Court struck down a law that barred unmarried, cohabitating couples from adopting or providing foster care.
- **VIRGINIA**– The Board of Social Services rejected a proposed change to the adoption non-discrimination rules which would have added protections on the basis of sexual orientation and gender identity among other categories.

### Schools-Related Bills

Recognizing the particular vulnerability of students subjected to harassment, state legislatures across the country adopted anti-bullying bills. The new laws vary widely, and not all provide enumerated protections, though all make substantial improvements to prior laws.

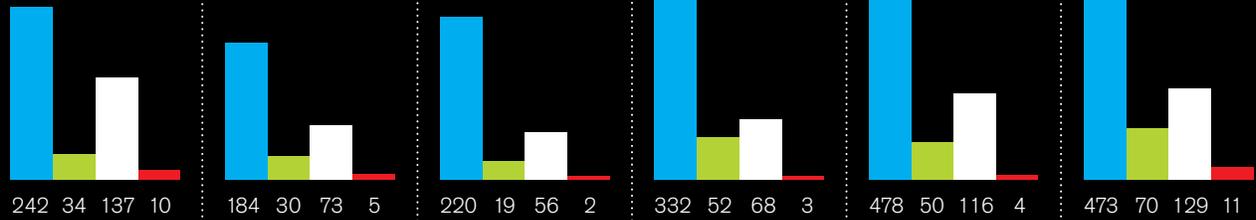
- **ARKANSAS**– On April 1, 2011, Gov. Beebe signed into law an extension to the state's existing anti-bullying statute, which in part created enumerated classes including both sexual orientation and gender identity, making Arkansas the second state in the south to explicitly protect LGBT students.
- **RHODE ISLAND**– On June 30, 2011, Gov. Chafee signed into law the "Safe School Act" which provides protections on the basis of sexual orientation and gender identity.
- **CONNECTICUT**– On July 1, 2011, Gov. Malloy signed into law an extension to the existing anti-bullying law providing for enumerated categories including sexual orientation and gender identity.
- **CALIFORNIA**– On July 13, 2011, Gov. Brown signed into law the Fair, Accurate, Inclusive and Respectful (FAIR) Education Act which, requires schools to integrate factual information about people with disabilities and LGBT people into social studies curriculum. Opponents of the bill are attempting to place it on the Nov. 2012 ballot. In addition, the governor signed into law a bill strengthening the existing anti-bullying law.
- **NEW HAMPSHIRE**– Advocates successfully killed a bill in the Senate that would have eliminated enumeration, stripped reporting requirements, and ended protections for off school property bullying.
- **WEST VIRGINIA**– The West Virginia Department of Education issued a requirement that all public schools adopt an enumerated anti-bullying policy including protections on the basis of sexual orientation and gender identity.
- **OTHER STATES**– New Mexico, North Dakota, and Michigan adopted their first anti-bullying laws. Colorado, Nevada, Texas, Tennessee, and Utah all expanded their existing anti-bullying laws.

For a complete summary and final status of all the state legislation introduced and passed that affected LGBT people in 2011, please see page 23.

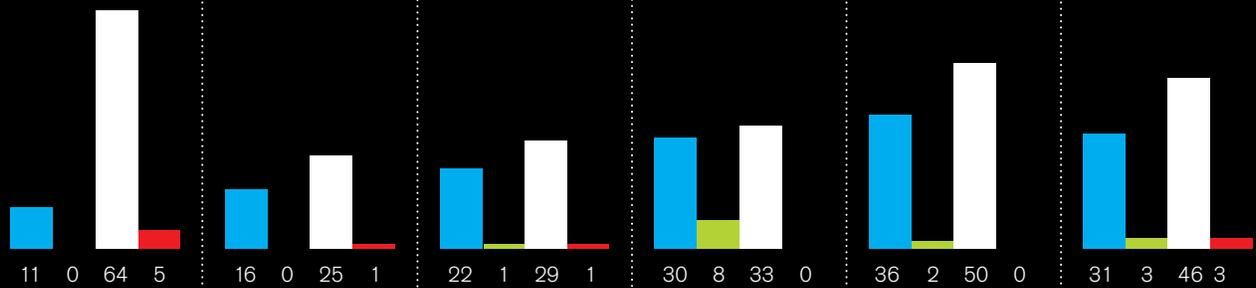
# Comparative Legislation at a Glance

■ Good Introduced   
 ■ Good Passed   
 ■ Bad Introduced   
 ■ Bad Passed

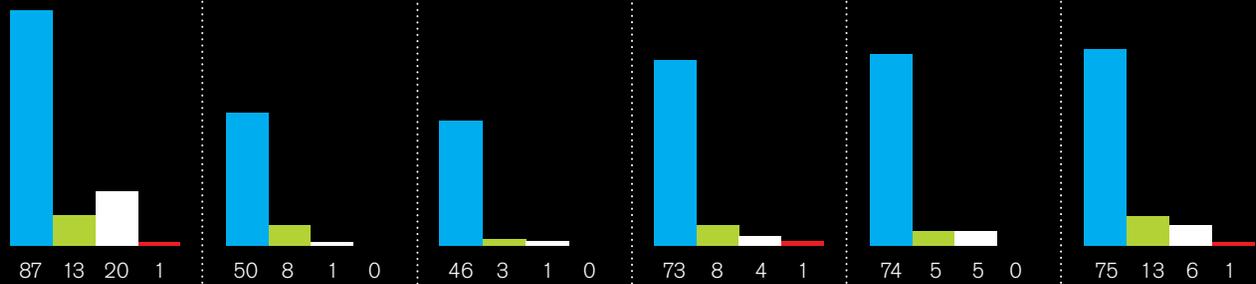
## Overall LGBT Bills



## Marriage Bills



## Anti-Discrimination Bills



2006

2007

2008

2009

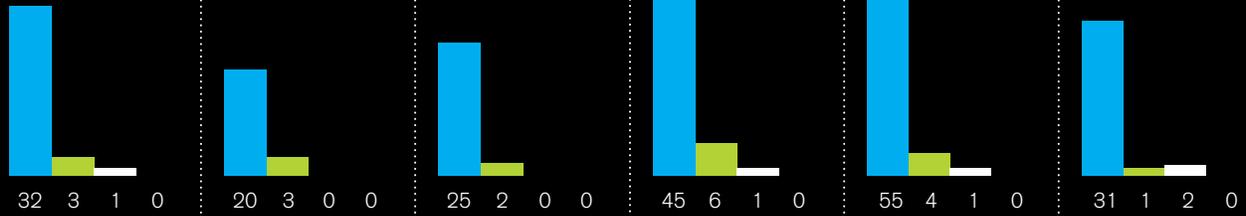
2010

2011

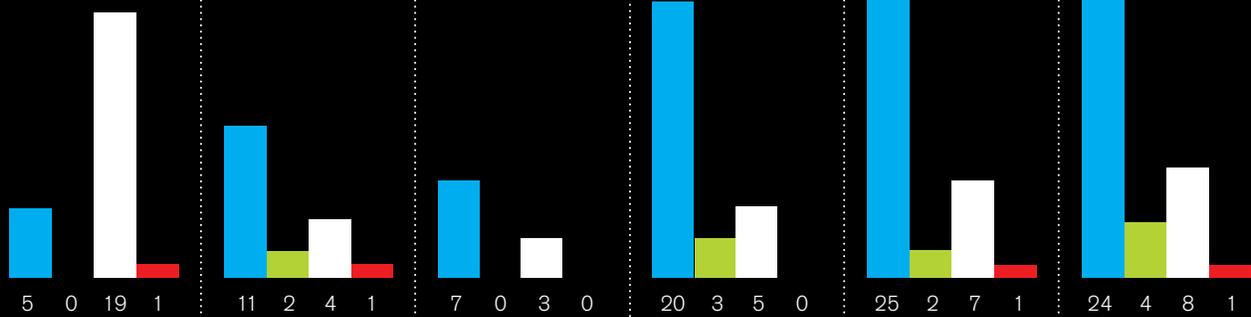
# Comparative Legislation at a Glance

■ Good Introduced   
 ■ Good Passed   
 ■ Bad Introduced   
 ■ Bad Passed

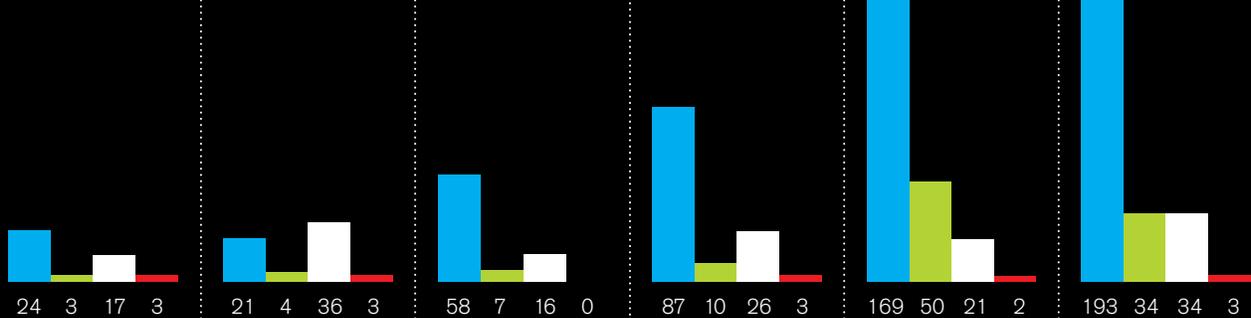
## Hate Crimes Bills



## Parenting Bills



## Schools-Related Bills



2006

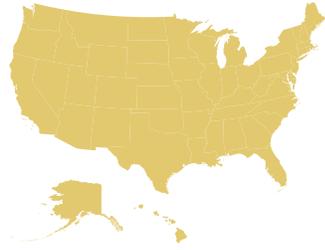
2007

2008

2009

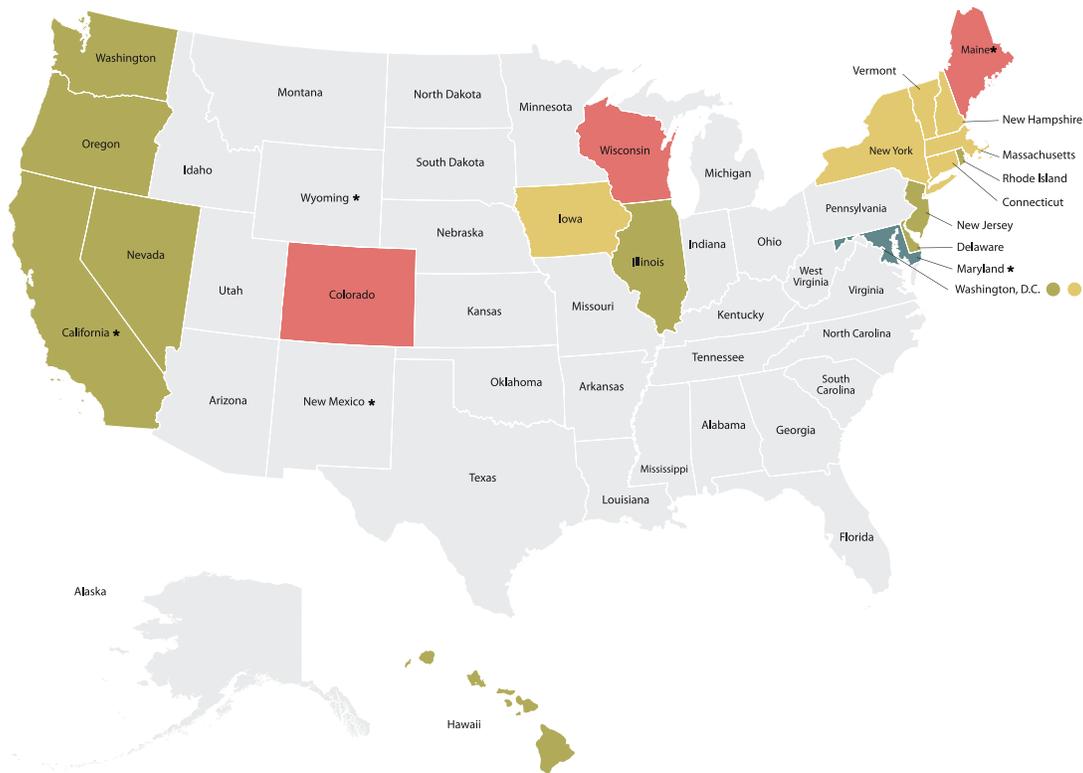
2010

2011



# Current State Legislation Maps >>

# Marriage Equality & Other Relationship Recognition Laws



- **State issues marriage licenses to same-sex couples (6 states and the District of Columbia)** Connecticut (2008), District of Columbia (2010), Iowa (2009), Massachusetts (2004), New Hampshire (2010), New York (2011), and Vermont (2009)

---

- **State recognizes marriages by same-sex couples legally entered into in another jurisdiction (1 state)** Maryland (2010)

---

- **Statewide law providing the equivalent of state-level spousal rights to same-sex couples within the state (9 states and the District of Columbia)** California\* (domestic partnerships, 1999/2005), Delaware (civil unions, 2012), District of Columbia (2010), Hawaii (civil unions 2012), Illinois (civil unions, 2011), Nevada (domestic partnerships, 2009), New Jersey (civil unions, 2007), Oregon (domestic partnerships, 2008) Rhode Island (civil unions, 2011), and Washington (domestic partnerships, 2007/2009)

---

- **Statewide law providing some statewide spousal rights to same-sex couples within the state (3 states)** Colorado (designated beneficiaries, 2009), Maine (2004), and Wisconsin (domestic partnerships, 2009)

\***California:** Same-sex marriages that took place between June 16, 2008, and November 4, 2008, continue to be defined as marriages. On October 12, 2009, Gov. Schwarzenegger signed into law a bill that recognizes out-of-jurisdiction same-sex marriages that occurred before November 2008 as marriages in California, and all other out-of-jurisdiction same-sex marriages as similar to domestic partnerships.

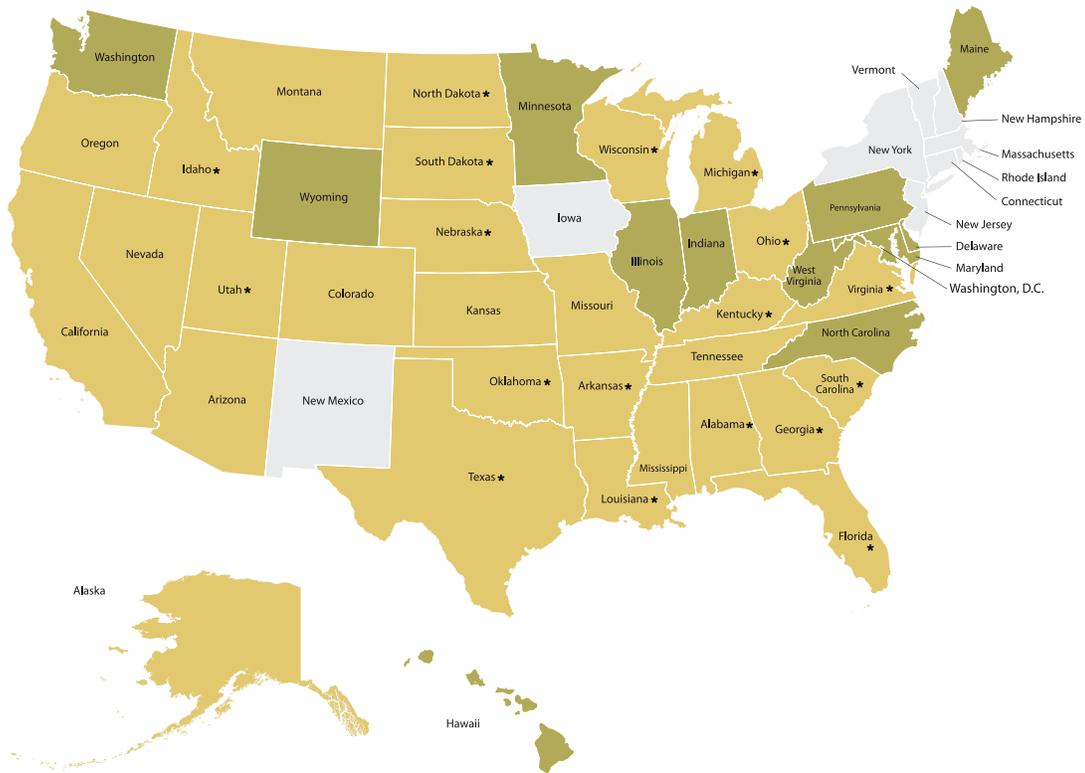
\***Maine:** Gov. John Baldacci signed marriage equality legislation May 6, 2009. However, the new law was repealed by a ballot measure in November 2009.

\***Maryland:** does not have a registry but does provide certain benefits to statutorily defined domestic partners. Also, in 2010, the Maryland Attorney General issued an advisory opinion declaring that the state can recognize out-of-jurisdiction marriages.

\***New Mexico:** In January 2011, the New Mexico Attorney General issued an advisory opinion declaring that the state can recognize out-of-jurisdiction same-sex marriages. At this time, it is unclear what affect this opinion will have.

\***Wyoming:** On June 6, 2011, the Wyoming Supreme Court decided *Christensen v. Christensen*, ruling that Wyoming trial courts have the ability to hear divorce proceedings terminating same-sex marriages created in other jurisdictions.

# Statewide Marriage Prohibitions

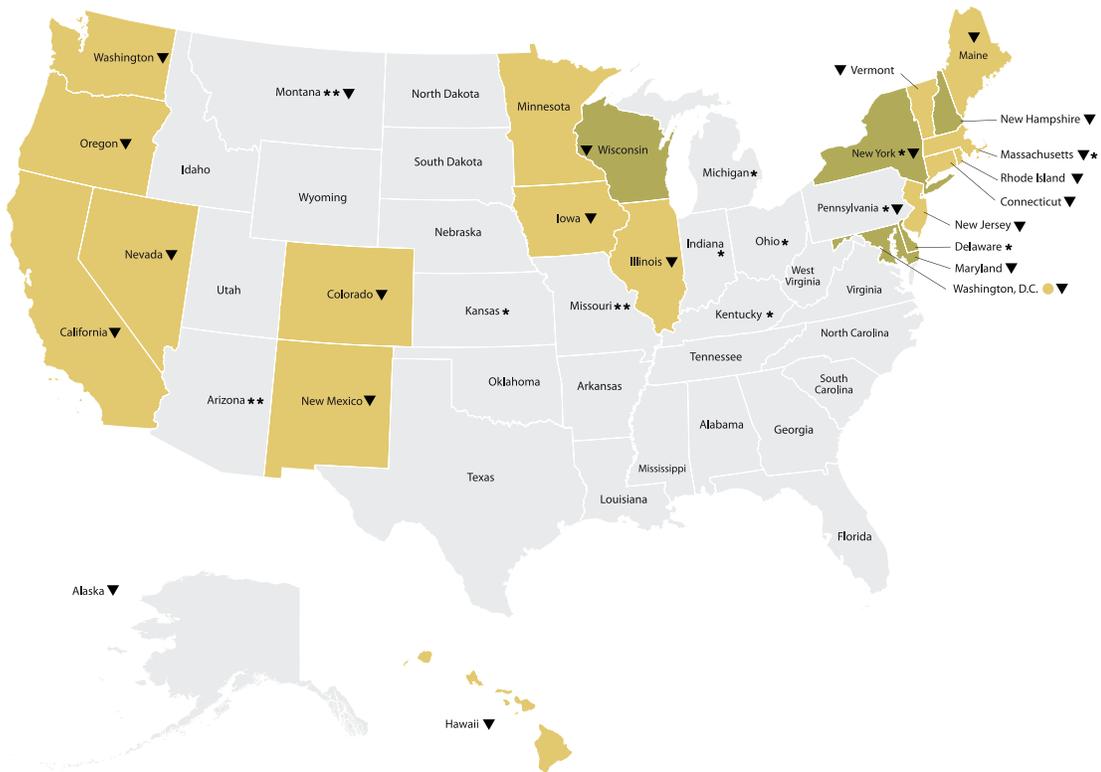


Statewide prohibitions against marriage for same-sex couples are in place in most states – either in the form of statutory law or amendment to the state’s constitution. States that explicitly bar same-sex couples from marriage are as follows:

- **States with constitutional amendments restricting marriage to one man and one woman. (29 states)** Alabama (2006), Alaska (1998), Arizona (2008), Arkansas (2004), California (2008), Colorado, Florida (2008), Georgia (2004), Kansas (2005), Idaho (2006), Kentucky (2004), Louisiana (2004), Michigan (2004), Mississippi (2004), Missouri (2004), Montana (2004), Nebraska (2000), Nevada (2002), North Dakota (2004), Ohio (2004), Oklahoma (2004), Oregon (2004), South Carolina (2006), South Dakota (2006), Tennessee (2006), Texas (2005), Utah (2004), Virginia (2006), and Wisconsin (2006)
- **States with laws restricting marriage to one man and one woman. (12 states)** In addition to those listed above: Delaware, Hawaii, Illinois, Indiana, Maine, Maryland, Minnesota, North Carolina, Pennsylvania, Washington, West Virginia, and Wyoming

\* **Broader Consequences: States where the law or amendment has language that does, or may, affect other legal relationships, such as civil unions or domestic partnerships. (18 states)** Alabama, Arkansas, Florida, Georgia, Kentucky, Idaho, Louisiana, Michigan, Nebraska, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Texas, Utah, Virginia, and Wisconsin.

# Statewide Employment Laws & Policies



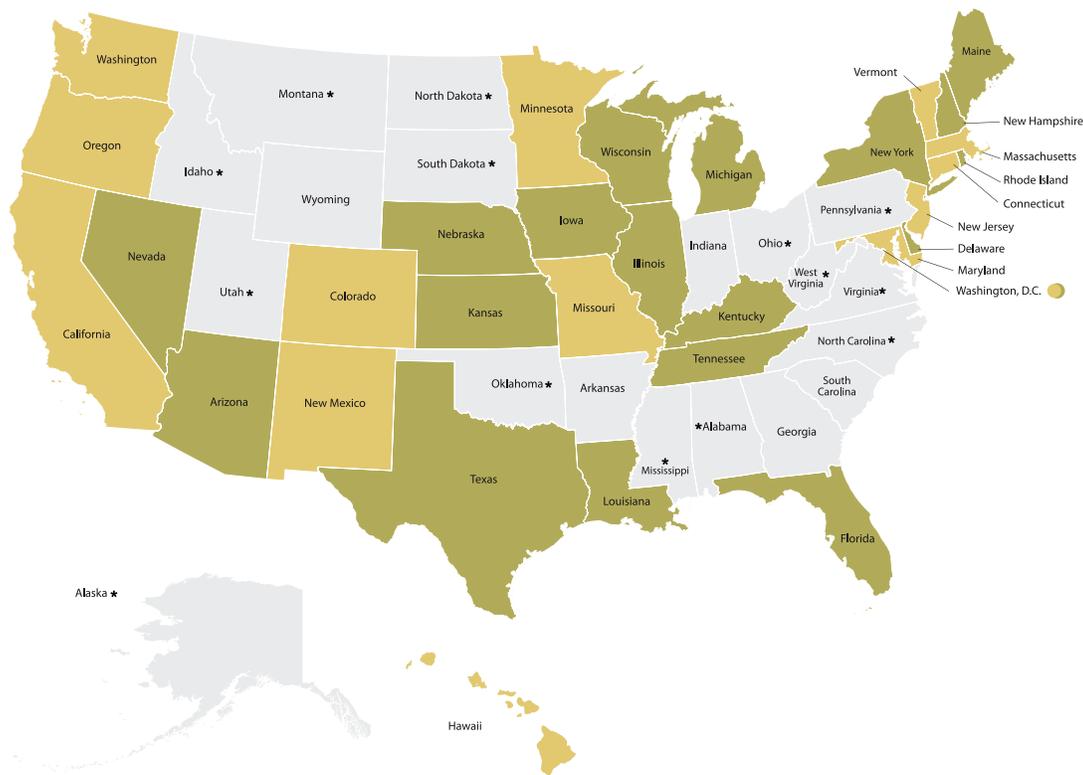
- **States that prohibit discrimination based on sexual orientation and gender identity (15 states and the District of Columbia)** California (1992, 2003), Colorado (2007), Connecticut (1991, 2011), District of Columbia (1977, 2006), Illinois (2006), Iowa (2007), Massachusetts (1989, effective July 1, 2012), Maine (2005), Minnesota (1993), New Jersey (1992, 2007), New Mexico (2003), Nevada (1999, 2011), Oregon (2008), Rhode Island (1995, 2001), Vermont (1991, 2007), and Washington (2006)

State courts, commissions, agencies or attorneys general have interpreted the existing law to include some protection against discrimination against transgender individuals in Connecticut, Florida, Hawaii, Massachusetts, and New York.

- **States that prohibit discrimination based on sexual orientation (20 states and the District of Columbia)** In addition to the states above: Delaware (2009), Maryland (2001), New Hampshire (1998), New York (2003), and Wisconsin (1982)

**Laws and Policies Covering Public Employees Only:** The laws referenced above apply to public and private employers (with some limitations) in the respective states. Additionally, there are 9 states (\*) that have an executive order, administrative order or personnel regulation prohibiting discrimination against public employees based on sexual orientation *and* gender identity; 3 states (\*\*) prohibit discrimination against public employees based on sexual orientation *only* (Missouri order only covers executive branch employees). In 22 states and the District of Columbia (▼), state employees are provided with domestic partner benefits.

# State Hate Crime Laws

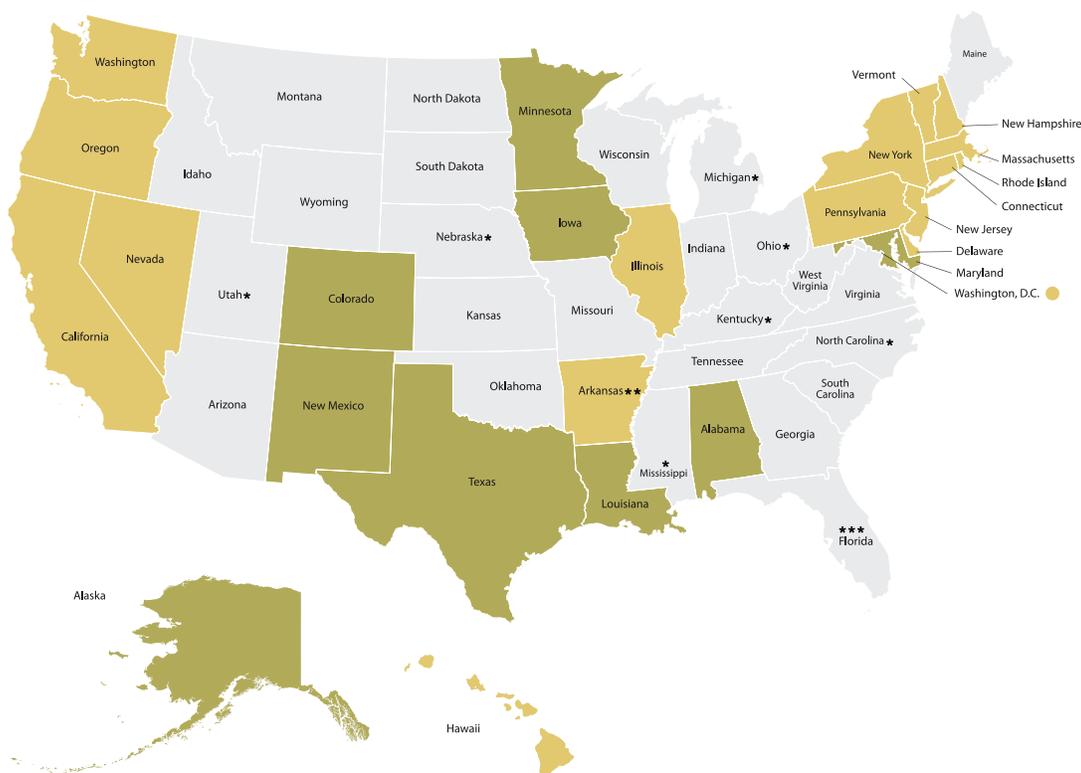


All but five states (Arkansas, Georgia, Indiana, South Carolina and Wyoming) have laws addressing the scourge of hate crimes, but there is variation in the list of protected classes. The laws that address hate or bias crimes against LGBT people are as follows:

- **States that have a law that addresses hate or bias crimes based on sexual orientation and gender identity (13 states and the District of Columbia)** California (1999), Colorado (2005), Connecticut (2004), District of Columbia (1989), Hawaii (2003), Maryland (2005), Massachusetts (2002, effective July 1, 2012), Minnesota (1993), Missouri (2001), New Jersey (2002, 2008), New Mexico (2003), Oregon (2001, 2008), Washington (1993, 2009), and Vermont (2001)
- **States that have a law that addresses hate or bias crimes based on sexual orientation (31 states and the District of Columbia) In addition to the states above:** Arizona (2003), Delaware (2001), Florida (2001), Illinois (2001), Iowa (2002), Kansas (2002), Kentucky (2001), Louisiana (2002), Maine (2001), Michigan (data collection only, 2002), Nebraska (2002), Nevada (2001), New Hampshire (2002), New York (2002), Rhode Island (2001), Tennessee (2001), Texas (2002), and Wisconsin (2002)

**\* Laws lack LGBT inclusion: States that have a law that addresses hate or bias crimes, but do not address sexual orientation or gender identity (14 states)** Alabama, Alaska, Idaho, Mississippi, Montana, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, Utah (no categories listed), Virginia, and West Virginia

# Parenting Laws: Second-Parent Adoption



Each state has its own laws governing adoption and they vary widely. In some states, a person can petition to adopt the child of his or her partner. These are usually called **second-parent** or stepparent adoptions. This map provides information on the known laws and policies that apply to same-sex couples.

- **States where second-parent adoption is an option for same-sex couples statewide (16 states and the District of Columbia)** Arkansas, California, Connecticut, Delaware, District of Columbia, Hawaii, Illinois, Massachusetts, Nevada, New Hampshire, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont, and Washington.

- **States where same-sex couples have successfully petitioned for second-parent adoption in some jurisdictions (9 states)** Alabama, Alaska, Colorado, Iowa, Louisiana, Maryland, Minnesota, New Mexico, and Texas.

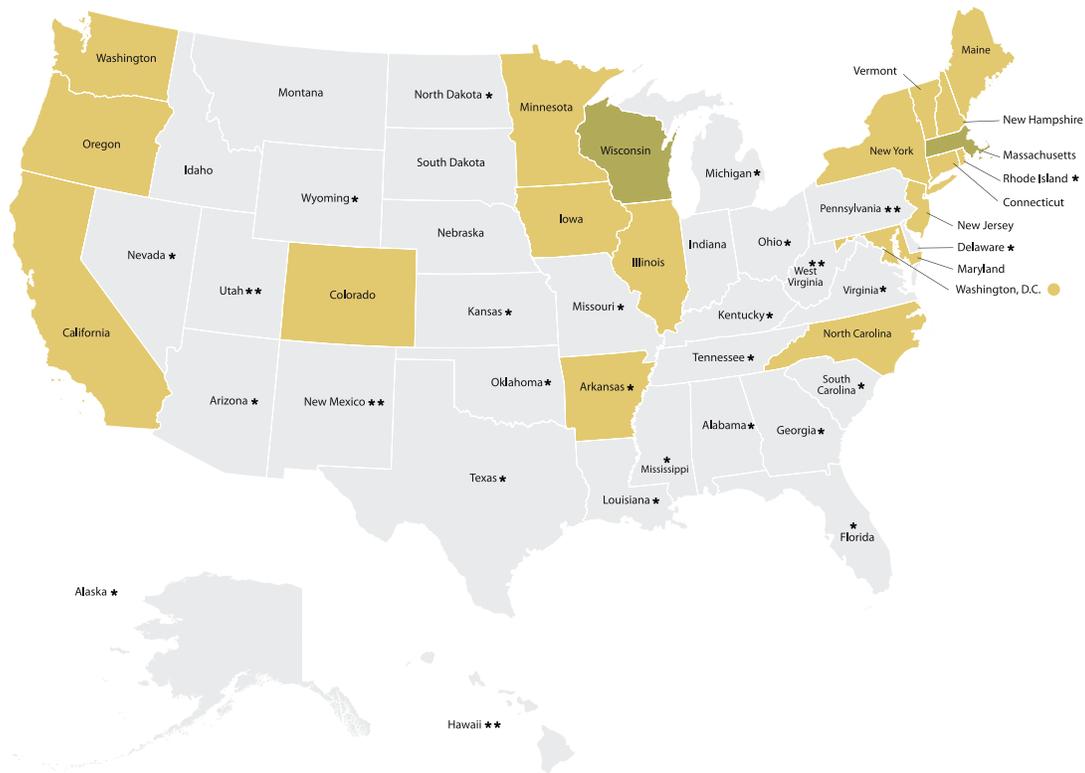
In many states the status of parenting law for LGBT people is unclear. The determination of parenting rights is always made on a case-by-case basis and it is ultimately the decision of the judge whether to grant the adoption petition. If you are considering becoming a parent, you should consult with a lawyer licensed in your state and familiar with LGBT family law.

**\* Obstacles to Equal Treatment:** Same-sex couples are prohibited from adopting in Mississippi and Utah. State courts in Michigan have ruled that unmarried individuals may not jointly petition to adopt. State courts have ruled that second-parent adoptions are not available under current law in Kentucky, Nebraska, North Carolina, and Ohio.

\*\* On April 7, 2011, the Arkansas Supreme Court ruled the statutory ban prohibiting unmarried couples from adopting to be unconstitutional.

\*\*\* On September 22, 2010, Florida's Third District Court of Appeals ruled that a 1977 statute prohibiting "homosexuals" from adopting is unconstitutional. The decision is binding on all trial level courts in Florida.

# Statewide School Laws & Policies



Many states explicitly address discrimination, harassment, and/or bullying of elementary and high school students, though not all are LGBT inclusive. These protections can be in the form of statutory law, regulation or ethical codes of conduct for teachers. The states that explicitly address these issues for LGBT students are as follows:

- **States with law that addresses discrimination, harassment and/or bullying of students based on sexual orientation and gender identity**  
(17 states and the District of Columbia) Arkansas (2011), California (2002), Colorado (2008), Connecticut (2001, 2011), District of Columbia (2001), Illinois (2010), Iowa (2007), Maine (2005), Maryland (2008), Minnesota (1993), New Hampshire (2010), New Jersey (2002), New York (2010), North Carolina (2009), Rhode Island (2012), Vermont (2001, 2007), Washington (2002, 2009), and Oregon (2007)

- **States with law that addresses discrimination, harassment and/or bullying of students based on sexual orientation**  
(19 states and the District of Columbia) in addition to the states above:  
Massachusetts (2002, effective July 1, 2012) and Wisconsin (2001)

**\*\* Regulations and Ethical Codes of Conduct: States with school regulation or ethical code for teachers that addresses discrimination, harassment and/or bullying of students based on sexual orientation**  
(4 states) Hawaii, New Mexico (regulation), Pennsylvania (regulation), and Utah (code of ethics)

**States with school regulation or ethical code for teachers that addresses discrimination, harassment and/or bullying of students based on sexual orientation and gender identity** (1 state) West Virginia

**\* Policies/No Categories: States that prohibit bullying in schools but list no categories of protection**  
(22 states) Alabama, Alaska, Arizona, Delaware, Florida, Georgia, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Nevada, North Dakota, Ohio, Oklahoma, Rhode Island, South Carolina, Tennessee, Texas, Virginia, and Wyoming

# Outlook for 2012

**While we don't expect the same degree of progress as we saw in 2011, the new year will likely provide several reasons to celebrate.**

As we move into a federal election year, legislators have traditionally been reticent to advance legislation positively affecting the lesbian, gay, bisexual, and transgender community. Early indications, however, suggest that 2012 may prove the exception to the rule. While we don't expect the same degree of progress as we saw in 2011, the new year will likely provide several reasons to celebrate.

**Sadly, in states that experienced significant negative shifts in the political landscape as a result of the 2010 elections, our opponents continue to see anti-LGBT bills as a winning strategy.** In a repeat of 2011, polarized states will lead to drastically different outcomes.

**Marriage equality will dominate 2012.** Already on the ballot are proposed constitutional amendments from Minnesota and North Carolina. The Minnesota proposed amendment would define marriage as between one man and one woman, and is slated for the November 2012 ballot. In contrast, the North Carolina proposed constitutional amendment would effectively prohibit any form of relationship recognition for same-sex couples, from marriage to civil unions to limited domestic partnerships. Making it even more challenging, the proposed amendment will appear on the May 2012 primary ballot which will be dominated by the Republican presidential primary.

**In the legislatures, both Maryland and Washington are poised to pass marriage equality bills.** After pulling the marriage equality bill back to committee in the House of Delegates, the success in New York has spurred Governor O'Malley to pledge his full support in passing marriage equality in 2012. Successful bill passage might not be the end in either state. Both Maryland and Washington permit their citizens to refer a newly passed bill to the ballot for a vote. If referred, the bills would appear on the November 2012 ballot.

Advocates in Maine have been collecting signatures to place marriage equality on the ballot for a positive vote in November 2012. After narrowly losing in 2009, sufficient change has occurred to encourage Maine to revisit the issue.

Coloradans will push for reconsideration of a civil unions bill in 2012 after the measure was trapped in a House committee following a successful vote in the Senate. In Rhode Island, advocates will attempt to fix problems with the 2011 civil unions law. Unfortunately, there will be bills to struggle against as well. New Hampshire will continue to have to fight tooth and nail to hang on to marriage equality now that Republicans have a veto-proof majority. States such as Indiana, Pennsylvania, and Wyoming are at risk for having their state constitutions amended to enshrine discrimination as well.

## Outlook for 2012

**After the incredible successes in Connecticut, Hawaii, Massachusetts, and Nevada, the pressure on Maryland and New York to add gender identity to their non-discrimination laws had substantially increased.**

Complicating the landscape even further are several federal cases on marriage equality, all of which are likely to receive a ruling from the federal circuit courts during the 2012 legislative session. *Perry v. Brown* (formerly *Perry v. Schwarzenegger*), which has been heard by the 9th Circuit Court of Appeals, challenges the constitutionality of California's Proposition 8 and advances the argument that marriage is a fundamental right in which same-sex couples are constitutionally entitled to participate. The 1st Circuit Court of Appeals will decide two cases out of Massachusetts. *Gill v. Office of Personnel Management*, filed by Gay & Lesbian Advocates & Defenders, challenges the "Defense of Marriage Act" (DOMA) Section 3 which prohibits the federal government from extending federal benefits to legally married same-sex couples. *Commonwealth of Massachusetts v. Department of Health and Human Services*, brought by the state attorney general, similarly challenges DOMA Section 3. The outcomes in these cases could affect the willingness of state legislatures to advance relationship recognition legislation. Several other cases will be percolating through the federal district courts and through the state courts during 2011 that could impact the marriage equality landscape in subsequent years.

After the incredible successes in Connecticut, Hawaii, Massachusetts, and Nevada, the pressure on Maryland and New York to add gender identity to their non-discrimination laws had substantially increased. While their respective bills failed to garner sufficient support in 2011, a fresh start in 2012 may lead to victory particularly in New York where advocates have made gender identity protections their number one priority.

**The most dangerous bills of 2012 will likely follow the lead of Tennessee in which the governor signed into law a bill that prohibits municipalities from offering protections to residents that extend beyond those classes already protected by the state** – i.e. LGBT residents. Having already popped up in Michigan and Montana, these bills promise to be a new trend. While it is impossible to say exactly where they will be introduced, states most at risk are those making progress at the municipal level.

2012 looks to be one of the most active election years in quite some time. We look forward to working with our friends in state advocacy organizations across the country to rise to the challenge and bring real change.

## 2011 State Bills Introduced or Carried Over From 2010

	Marriage		Relationships		Anti-Discrimination		Hate Crimes		Parenting		Education		Med/Safety		Other		Total Good Bills	Total Bad Bills
	GOOD	BAD	GOOD	BAD	GOOD	BAD	GOOD	BAD	GOOD	BAD	GOOD	BAD	GOOD	BAD	GOOD	BAD		
Alabama					1		1				4			1			6	1
Alaska					1		1							1			2	1
Arizona						1				1	6	1	1				7	3
Arkansas											3		1	1		1	4	2
California	1				5						11	1	6		2		25	1
Colorado			2		1						2						5	0
Connecticut	1				3				1		7						12	0
Delaware			1										1				2	0
D.C.									1		1		2				4	0
Florida			2		2						7	2	1				12	2
Georgia		1			1		1				1						3	1
Hawaii	3	2	7	2	3				3		10		2				28	4
Idaho					1						1						2	0
Illinois		2						1			2		4				6	4
Indiana		2					1				2		1				4	2
Iowa	1	5							1								2	5
Kansas					1						2		2			2	5	2
Kentucky	1				2						3	1	2			1	8	2
Louisiana					1						1		1				3	0
Maine						1				1	2						2	2
Maryland	3	1			2				2		6		1				14	1
Massachusetts	1				4				1		6	4	3				15	4
Michigan						1			2		12		6	6			20	7
Minnesota	2	6	2		1	2			2		4		3				14	8
Mississippi					1						5	5					6	5
Missouri		1			2				1	1	8	1				4	11	7
Montana					1						1	1	3				5	1
Nebraska											3		1				4	0
Nevada					5		1		1		4			1			11	1
New Hampshire		3										2					0	5
New Jersey	1	2	4	1	3	1	2		1		4	1	5				20	5
New Mexico		4							1	1	3		1				5	5
New York	5	1	6		6		6		2		16		21	2		2	62	5
North Carolina		3			3								1				4	3
North Dakota							2				4	1					6	1
Ohio					2		1				6						9	0
Oklahoma					1		2				7	1					10	1
Oregon					1		2		1		1						5	0
Pennsylvania	2	1	2		4		3				6		2	1	1		20	2
Rhode Island	3	3	3		2						1			1			9	4
South Carolina											1						1	0
South Dakota										1							1	1
Tennessee					4		2				1	7	2				9	7
Texas	1	3			3		1	2			18	1	3	1		2	26	9
Utah					1				2	1	1	1				1	4	3
Vermont	1		1								1						3	0
Virginia	1				6				1		4					1	12	1
Washington	2	1	2						1		1	2	1				7	3
West Virginia	1	3	1		1		1				3		5			1	12	4
Wisconsin							4					2					4	2
Wyoming	1	2	1														2	2
<b>Total Bills</b>	<b>31</b>	<b>46</b>	<b>34</b>	<b>3</b>	<b>75</b>	<b>6</b>	<b>31</b>	<b>2</b>	<b>24</b>	<b>8</b>	<b>193</b>	<b>34</b>	<b>82</b>	<b>15</b>	<b>3</b>	<b>15</b>	<b>473</b>	<b>129</b>

**Note:** The total tally of bills is lower in this section than the total number of bills in the Equality from State to State Report. Bills that repeal domestic partnerships and civil unions after the passage of marriage, and bills regulating reproductive technologies that do not disproportionately impact the LGBT community are not rated as good or bad bills. In addition, HRC has not rated bills that contain both good and bad language such as the Rhode Island civil unions bill. The Massachusetts' gender identity bill has been listed twice, both in anti-discrimination and in hate crimes.

## 2011 State Bills Passed

	Marriage		Relationships		Anti-Discrimination		Hate Crimes		Parenting		Education		Med/Safety		Other		Total Good Bills	Total Bad Bills
	GOOD	BAD	GOOD	BAD	GOOD	BAD	GOOD	BAD	GOOD	BAD	GOOD	BAD	GOOD	BAD	GOOD	BAD		
Alabama											1						1	0
Alaska																	0	0
Arizona									1		1	1					1	2
Arkansas											3						3	0
California	1				3						6		3		1		14	0
Colorado											2						2	0
Connecticut					1				1		1						3	0
Delaware			1										1				2	0
D.C.																	0	0
Florida																	0	0
Georgia																	0	0
Hawaii			3		2						1						6	0
Idaho																	0	0
Illinois													2				2	0
Indiana		1															0	1
Iowa																	0	0
Kansas											1						1	0
Kentucky																	0	0
Louisiana																	0	0
Maine																	0	0
Maryland					1						2						3	0
Massachusetts					1		1				1			1			3	1
Michigan																	0	0
Minnesota		1															0	1
Mississippi												1					0	1
Missouri															1		0	1
Montana																	0	0
Nebraska											1			1			1	1
Nevada					5						2						7	0
New Hampshire																	0	0
New Jersey											1						1	0
New Mexico									1		2						3	0
New York	2												1				3	0
North Carolina		1															0	1
North Dakota											1	1					1	1
Ohio																	0	0
Oklahoma																	0	0
Oregon																	0	0
Pennsylvania											2		1				3	0
Rhode Island											1						1	0
South Carolina																	0	0
South Dakota																	0	0
Tennessee						1					1						1	1
Texas											1						1	0
Utah											1						1	0
Vermont																	0	0
Virginia									1								1	0
Washington			1						1		1						3	0
West Virginia											1		1				2	0
Wisconsin																	0	0
Wyoming																	0	0
<b>Total Bills</b>	<b>3</b>	<b>3</b>	<b>5</b>	<b>0</b>	<b>13</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>4</b>	<b>1</b>	<b>34</b>	<b>3</b>	<b>9</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>70</b>	<b>11</b>

**Note:** The total tally of bills is lower in this section than the total number of bills in the Equality from State to State Report. Bills that repeal domestic partnerships and civil unions after the passage of marriage, and bills regulating reproductive technologies that do not disproportionately impact the LGBT community are not rated as good or bad bills. In addition, HRC has not rated bills that contain both good and bad language such as the Rhode Island civil unions bill. The Massachusetts' gender identity bill has been listed twice, both in anti-discrimination and in hate crimes.



# LGBT-Related Bills Considered in 2011

	PASSED	ACTIVE	DEAD	
pg 24	25	27		Marriage-Related Bills
30	31	32		Other Relationship-Recognition Bills
33	35	38		Anti-Discrimination Bills
41	41	42		Hate Crimes Bills
43	44	45		Parenting Bills
46	51	61		Schools-Related Bills
70	72	77		Health & Safety Bills
80	81	82		Other Bills

## Marriage-Related Bills

### PASSED

#### California Senate Bill 651

This bill declares the intent of the Legislature to enact legislation that eliminates statutory differences between marriage and domestic partnerships. This bill also authorizes a judgment for dissolution, nullity, or legal separation of a marriage between persons of the same sex if the marriage was entered in California and neither party to the marriage resides in a jurisdiction that will dissolve the marriage.

**STATUS:** *This bill was introduced in the Senate on Feb. 18, 2011. It passed the Senate Committee on Judiciary on May 4, 2011, the Senate Committee on Appropriations on May 26, 2011, and the full Senate on June 1, 2011. It passed the Assembly Committee on Judiciary on June 28, 2011, the Assembly Committee on Appropriations on Aug. 26, 2011, and the full Assembly on Sept. 8, 2011. The Senate concurred in the Assembly amendments on Sept. 9, 2011. The bill was signed by the governor on Oct. 9, 2011.*

### PASSED

#### Indiana House Joint Resolution 6

This resolution proposes an amendment to the Indiana Constitution reading: "Only a marriage between one (1) man and one (1) woman shall be valid or recognized as a marriage in Indiana. A legal status identical or substantially similar to that of marriage for unmarried individuals shall not be valid or recognized." It will not appear on the ballot unless it is also approved by both chambers of the Legislature after the 2012 elections.

**STATUS:** *This resolution was introduced in the House on Jan. 20, 2011. It passed the Committee on Judiciary on Feb. 7, 2011, and the full House on Feb. 15, 2011. The resolution passed the Senate Committee on Judiciary on March 24, 2011, and the full Senate on March 29, 2011.*

### PASSED

#### Minnesota Senate Bill 1308

This bill proposes an amendment to the State Constitution reading: "Only a union of one man and one woman shall be valid or recognized as a marriage in Minnesota."

**STATUS:** *This bill was introduced in the Senate on April 27, 2011. It passed the Judiciary and Public Safety Committee on May 2, 2011, and the Rules and Administration Committee on May 9, 2011. The bill passed the full Senate on May 11, 2011. It then passed the House Rules and Legislative Administration Committee on May 18, 2011, and the full House on May 21, 2011. The bill was sent to the governor on May 26, 2011. In Minnesota, the governor does not have the authority to veto constitutional amendment proposals. The amendment will appear on the November 2012 ballot.*

### PASSED

#### New York Assembly Bill 8354

This bill allows same-sex couples to marry in New York.

**STATUS:** *This bill was introduced in the Assembly on June 14, 2011. It passed the Assembly Judiciary Committee, the Assembly Rules Committee, and the full Assembly on June 15, 2011. It passed the Senate on June 24, 2011, and was signed by the governor the same day.*

### PASSED

#### New York Assembly Bill 8520

This bill adds religious accommodations to the marriage bill (AB 8354).

**STATUS:** *This bill was introduced in the Assembly on June 24, 2011. It passed both chambers and was signed by the governor on the day it was introduced.*

### PASSED

#### North Carolina Senate Bill 514

This bill proposes to amend the State Constitution to read: "Marriage between one man and one woman is the only domestic legal union that shall be valid or recognized in this State.

This section does not prohibit a private party from entering into contracts with another private party; nor does this section prohibit courts from adjudicating the rights of private parties pursuant to such contracts."

**STATUS:** *This bill was introduced in the Senate on April 5, 2011. It passed the Senate Committee on Agriculture, Environment, and Natural Resources on April 26, 2011, and the full Senate on April 27, 2011. It then passed the House Committee on Rules, Calendar, and Operations of the House on Sept. 12, 2011, and the full House on Sept. 12, 2011. The Senate concurred in the amendments on Sept. 13, 2011. The proposed amendment will appear on the May 2012 ballot.*

### ACTIVE

#### Georgia House Resolution 471

This resolution urges the U. S. Congress to take such actions as may be necessary to ensure that the federal Defense of Marriage Act is defended against all challenges as to its constitutionality in the courts.

**STATUS:** *This resolution was introduced on March 4, 2011.*

### ACTIVE

#### Hawaii House Bill 164

This bill would propose an amendment to the Hawaii Constitution to allow marriage between same-sex couples.

**STATUS:** *This bill was introduced on Jan. 21, 2011, and was referred to the Judiciary and Finance Committees.*

**ACTIVE**

**Hawaii House Bill 165**

This bill would propose an amendment to the Hawaii Constitution reading: "Marriage is a legally sanctioned union only between a man and a woman."

**STATUS:** *This bill was introduced on Jan. 21, 2011, and was referred to the Judiciary and Finance Committees.*

**ACTIVE**

**Hawaii House Bill 1244**

This bill would provide that no religious institution or organization shall be required to provide services related to a solemnization or celebration of a same-sex relationship, including a marriage or civil union, if the religious institution or organization finds that the solemnization or celebration is in violation of its religious beliefs or faith.

**STATUS:** *This bill was introduced in the House on Jan. 26, 2011, and passed the House Judiciary Committee on Feb. 24, 2011. It passed the full House on March 8, 2011, and was introduced in the Senate on March 10, 2011.*

**ACTIVE**

**Hawaii House Bill 1635**

This bill would require Hawaii state courts to recognize marriages legal in the U. S. jurisdiction in which they were contracted.

**STATUS:** *This bill was introduced on Jan. 26, 2011, and was referred to the Judiciary Committee.*

**ACTIVE**

**Hawaii Senate Bill 863**

This bill would propose an amendment to the Hawaii Constitution reading: "Marriage shall be reserved to opposite-sex couples."

**STATUS:** *This bill was introduced on Jan. 21, 2011, and was referred to the Committee on Judiciary and Labor.*

**ACTIVE**

**Hawaii Senate Concurrent Resolution 50/ Senate Resolution 26**

These resolutions would request that the Hawaii Department of the Attorney General establish a task force to review the legal, tax, and economic ramifications of the state discontinuing to license marriage.

**STATUS:** *Both resolutions were introduced on March 3, 2011, and were referred to the committees on Economic Development and Technology, Judiciary and Labor, and Ways and Means.*

**ACTIVE**

**Illinois House Joint Resolution Constitutional Amendment 10/Senate Joint Resolution Constitutional Amendment 16**

These resolutions would propose to amend the Illinois Constitution reading: "Only marriage

between a man and a woman is valid or recognized in Illinois."

**STATUS:** *HJRC 10 was introduced in the House on Feb. 9, 2011, and was referred to the House Rules Committee. SJRC 16 was introduced in the Senate on Feb. 10, 2011, and was referred to the Executive Subcommittee on Constitutional Amendments.*

**ACTIVE**

**Iowa House Bill 330**

This bill would prohibit a county registrar from granting a marriage license to same-sex couples until such time as an amendment to the Constitution of the State of Iowa defining marriage as "the legal union of one man and one woman" is submitted to the electorate for a vote.

**STATUS:** *This bill was introduced on Feb. 18, 2011, and was referred to the Judiciary Committee.*

**ACTIVE**

**Iowa House Bill 577**

This bill would allow only a marriage between one man and one woman to be valid, and strip jurisdiction over the laws determining the validity of marriage from the Iowa Supreme Court.

**STATUS:** *This bill was introduced on March 8, 2011, and was referred to the Judiciary Committee.*

**ACTIVE**

**Iowa House Joint Resolution 6/ Senate Joint Resolution 3/ Senate Joint Resolution 8**

These resolutions would propose an amendment to the Iowa Constitution reading: "Marriage between one man and one woman shall be the only legal union valid or recognized in this state." Note: A proposed constitutional amendment must be passed by both chambers in two consecutive legislative sessions to be placed on the ballot.

**STATUS:** *Both HJR 6 and SJR 3 were introduced in their respective chambers on Jan. 19, 2011. SJR 3 was referred to the Senate State Government Committee. HJR 6 received a positive committee report from the House Judiciary Committee on Jan. 24, 2011, and was passed by the full House on Feb. 1, 2011. HJR was then transferred to the Senate and was referred to the Senate State Government Committee. SJR 8 was introduced on Jan. 25, 2011, and was referred to the State Government Committee. On Jan. 28, 2011, a motion to suspend rules and withdraw SJR 8 from committee was put forth, but failed.*

**ACTIVE**

**Iowa House Joint Resolution 7**

This resolution would propose an amendment to the Iowa Constitution reading: "The state and its political subdivisions shall make no law prohibiting the act of civil marriage or denying the benefits of civil marriage to any individual capable of entering into a civil contract, based on the race, creed,

**Marriage-Related Bills**

color, sex, sexual orientation, gender identity, national origin, religion, or disability of either party entering into a civil marriage." Note: A proposed constitutional amendment must be passed by both chambers in two consecutive legislative sessions to be placed on the ballot.

**STATUS:** *This resolution was introduced on Jan. 20, 2011, and was referred to the Judiciary Committee.*

**ACTIVE**

**Massachusetts House Bill 2867**

This bill would render void a marriage contracted while either party has entered into a civil union or domestic partnership with another person, unless such civil union or domestic partnership has lawfully been terminated or dissolved.

**STATUS:** *This bill was introduced in the House on Jan. 21, 2011, and was referred to the Joint Committee on the Judiciary.*

**ACTIVE**

**Minnesota House Bill 1613/ House Bill 1614/ House Bill 1615/ Senate Bill 1307/ Senate Bill 1309**

These bills would propose an amendment to the state constitution reading: "Only a union of one man and one woman shall be valid or recognized as a marriage in Minnesota."

**STATUS:** *Both Senate bills were introduced in the Senate on April 27, 2011, and were referred to the Judiciary and Public Safety Committee. All House bills were introduced in the House on April 28, 2011. HB 1613 passed the Civil Law Committee on May 2, 2011, and the Ways and Means Committee on May 3, 2011. It was then re-referred to the Rules and Legislative Administration Committee. Note: An alternate version of this bill passed and the proposed amendment will be on the November 2012 ballot.*

**ACTIVE**

**Minnesota House Bill 1710/ Senate Bill 1427**

These bills would amend the state marriage laws to make them gender neutral and thereby allow same-sex couples to marry in Minnesota.

**STATUS:** *HB 1710 was introduced in the House on May 14, 2011, and was referred to the Civil Law Committee. SB 1427 was introduced in the Senate on May 16, 2011, and was referred to the Judiciary and Public Safety Committee.*

**ACTIVE | New Hampshire House Bill 437**

This bill would prohibit marriage for same-sex couples.

**STATUS:** *This bill was introduced in the House on Jan. 21, 2011. It passed the House Judiciary Committee on Nov. 2, 2011.*

**ACTIVE | New Hampshire House Bill 443**

This bill would establish that marriage between one man and one woman would be the only legal domestic union that would be valid or recognized in the state.

**STATUS:** *This bill was introduced in the House on Jan. 21, 2011. The House Judiciary Committee voted the bill "inexpedient to legislate" on Nov. 2, 2011.*

**ACTIVE**

**New Hampshire House Bill 569**

This bill would repeal the marriage law with regard to same-sex couples and implement a "domestic unions" scheme with many, though not all, of the benefits and obligations of marriage.

**STATUS:** *This bill was introduced in the House on Jan. 24, 2011. The House Judiciary Committee voted the bill "inexpedient to legislate" on March 9, 2011.*

**ACTIVE**

**New Jersey Assembly Bill 4130**

This bill would allow same-sex couples to marry in New Jersey, and would convert existing civil unions to marriages after a waiting period.

**STATUS:** *This bill was introduced in the Assembly on June 16, 2011, and was referred to the Judiciary Committee.*

**ACTIVE**

**New Jersey Assembly Concurrent Resolution 14/ Senate Concurrent Resolution 11**

These resolutions would propose an amendment to the State Constitution reading: "Only the union of one man and one woman shall be valid or recognized as a marriage in the State of New Jersey."

**STATUS:** *SCR 11 was introduced in the Senate on Jan. 10, 2010, and ACR 14 was introduced in the Assembly on Jan. 12, 2010. These resolutions were referred to their respective Judiciary Committee.*

**ACTIVE**

**New York Assembly Bill 4454**

This bill would recognize same-sex couples married out of state as married within the state of New York.

**STATUS:** *This bill was introduced in the Assembly on Feb. 3, 2011, and passed the Ways and Means Committee on May 17, 2011.*

**ACTIVE**

**New York Senate Bill 5416**

This bill would prohibit the state from recognizing the marriages of same-sex couples from other jurisdictions.

**STATUS:** *This bill was introduced in the Senate on May 19, 2011, and was referred to the Judiciary Committee.*

**ACTIVE**

**New York Senate Bill 5857**

This bill would provide religious accommodations in relation to the marriages of same-sex couples. Note: An alternate version of this bill was signed into law.

**STATUS:** *This bill was introduced in the Senate on June 24, 2011, and was referred to the Rules Committee.*

**ACTIVE**

**North Carolina House Bill 777/ Senate Bill 106**

This bill would propose an amendment to the state constitution reading: "Marriage between a man and a woman is the only domestic legal union that shall be valid or recognized in this State." Note: A similar bill passed the Legislature and will be on the May 2012 ballot.

**STATUS:** *This bill was introduced on Feb. 22, 2011, and was referred to the Committee on Rules and Operations of the Senate.*

**ACTIVE**

**Pennsylvania House Bill 1434**

This bill would propose to amend the state constitution to read: "Marriage is the legal union of only one man and one woman as husband and wife and no other legal union that is treated as marriage or the substantial equivalent thereof shall be valid or recognized."

**STATUS:** *This bill was introduced in the House on May 3, 2011, and was referred to the State Government Committee.*

**ACTIVE**

**Pennsylvania House Bill 1835/ Senate Bill 461**

These bills would allow same-sex couples to marry.

**STATUS:** *SB 461 was introduced in the Senate on Feb. 9, 2011, and HB 1835 was introduced in the House on Sept. 19, 2011. Both bills were referred to their respective Judiciary Committee.*

**ACTIVE**

**Rhode Island House Bill 5012/ House Bill 5753/ Senate Bill 29**

These bills would allow same-sex couples to marry.

**STATUS:** *SB 29 was introduced in the Senate on Jan. 11, 2011, HB 5012 was introduced in the House on Jan. 11, 2011, and HB 5753 was introduced in the House on March 3, 2011. All three bills were referred to their respective Judiciary Committee.*

**ACTIVE**

**Rhode Island House Joint Resolution 5260/ Senate Joint Resolution 162**

These resolutions would propose an amendment to the state constitution reading: "Only a marriage between a man and a woman is valid or recognized in the State of Rhode Island."

**STATUS:** *These bills were introduced in their respective chambers on Feb. 3, 2011, and were referred to their respective Judiciary Committee.*

**ACTIVE**

**Rhode Island Senate Joint Resolution 115**

This resolution would propose an amendment to the state constitution reading: "Marriage shall be recognized and defined in Rhode Island as a lawful union between one man and one woman, provided the recognition and definition of marriage shall not prohibit the recognition of a lawful civil union between two (2) members of the same gender."

**STATUS:** *This bill was introduced on Jan. 27, 2011, and was referred to the Judiciary Committee.*

**ACTIVE**

**Vermont House Bill 276**

This bill would provide, upon application, an expedited process for dissolving the civil union of a couple upon their marriage to one another.

**STATUS:** *This bill was introduced in the House on Feb. 17, 2011, and was referred to the Committee on the Judiciary.*

**ACTIVE**

**Washington House Bill 1963/ Senate Bill 5793**

These bills would allow same-sex couples to marry in Washington.

**STATUS:** *SB 5793 was introduced in the Senate on Feb. 14, 2011, and was referred to the Committee on Government Operations, Tribal Relations and Elections. HB 1963 was introduced in the House on Feb. 15, 2011, and was referred to the Committee on Judiciary.*

**ACTIVE**

**Washington House Joint Resolution 4211**

This resolution would propose an amendment to the Washington Constitution reading:

"Recognizing that marriage between persons other than a male and a female has never been authorized or recognized by law in this state, only marriage between a man and a woman is valid and recognized in Washington. The uniting of two persons other than one male and one female in any marital relationship, although recognized as valid in another jurisdiction, is not recognized as valid in this state. The provisions of this section shall supersede any other provision of this Constitution, including any conflicting provisions in Article I, Article IV, and Article XXXI of this Constitution."

**STATUS:** *This resolution was introduced in the House on Jan. 21, 2011, and was referred to the Committee on Judiciary.*

**DEAD**

**Connecticut Senate Bill 411**

This bill would have waived the fee for obtaining a certified copy of a marriage license for any couple whose civil union was merged by operation of law into a marriage.

**STATUS:** *This bill was introduced on Jan. 20, 2011, and was referred to the Joint Committee on Planning and Development. It died on June 8, 2011, upon adjournment.*

**DEAD**

**Indiana Senate Joint Resolution 13**

This resolution would have proposed an amendment to the Indiana Constitution reading: "Only a marriage between one (1) man and one (1) woman shall be valid or recognized as a marriage in Indiana. A legal status identical or substantially similar to that of marriage for unmarried individuals

**Marriage-Related Bills**

shall not be valid or recognized.”

**STATUS:** *This resolution was introduced in the Senate on Jan. 6, 2011, and was referred to the Committee on Judiciary. It died upon adjournment on April 29, 2011.*

**DEAD**

**Kentucky House Bill 178**

This bill would have proposed a ballot measure to repeal the Kentucky constitutional amendment which reads: “Only a marriage between one man and one woman shall be valid or recognized as a marriage in Kentucky. A legal status identical or substantially similar to that of marriage for unmarried individuals shall not be valid or recognized.”

**STATUS:** *This bill was introduced on Jan. 4, 2011, and was referred to the Committee on Elections, Constitutional Amendments & Intergovernmental Affairs. It died upon adjournment on March 9, 2011.*

**DEAD**

**Maryland House Bill 55/ House Bill 175/ Senate Bill 116**

These bills would have amended the state marriage laws to make them gender neutral, thereby allowing same-sex couples to marry in Maryland. Note: Maryland recognizes out of jurisdiction same-sex marriages.

**STATUS:** *HB 55 was introduced on Jan. 20, 2011, and HB 175 was introduced on Jan. 27, 2011. Both bills received an unfavorable report from the Judiciary Committee on March 25, 2011. SB 116 was introduced in the Senate on Jan. 21, 2011. It passed the Judicial Proceedings Committee on Feb. 21, 2011, and the full Senate on Feb. 24, 2011. The bill then passed the House Judiciary Committee on March 7, 2011. It was recommitted to the Judiciary Committee from the House floor on March 11, 2011. The bill died upon adjournment on April 11, 2011.*

**DEAD**

**Maryland House Bill 963**

This bill would have proposed new section to the Maryland Constitution reading: “Marriage between one man and one woman shall be the only domestic legal union valid or recognized in the State.”

**STATUS:** *This bill was introduced in the House on Feb. 11, 2011, and was referred to the Judiciary Committee. It died April 11, 2011, upon adjournment of the Legislature.*

**DEAD**

**Missouri House Concurrent Resolution 45**

This resolution would have urged the president of the U. S. and the U. S. Congress to uphold and defend the federal Defense of Marriage Act.

**STATUS:** *This resolution was introduced in the House on March 10, 2011, and passed the Children and Families Committee on April 27, 2011. It died upon adjournment on May 30, 2011.*

**DEAD**

**New Mexico House Bill 162**

This bill would have required marriages, civil unions or similar relationships entered into by same-sex couples, recognized by another state or country, to be void and not recognized for any purpose in New Mexico.

**STATUS:** *This bill was introduced on Jan. 24, 2011, and was referred to the Consumer and Public Affairs, and Judiciary Committees. It was postponed indefinitely.*

**DEAD**

**New Mexico House Joint Resolution 7**

This resolution would have proposed an amendment to the state constitution reading: “Marriage in this state shall consist only of the union of one man and one woman.”

**STATUS:** *This resolution was introduced in the House on Jan. 24, 2011, and was referred to the House Consumer and Public Affairs, Judiciary, and Voters and Elections Committees. It was postponed indefinitely by the Consumer and Public Affairs Committee.*

**DEAD**

**New Mexico House Joint Resolution 8**

This resolution would have proposed an amendment to the state constitution reading: “Marriage in this state shall consist only of the union of one man and one woman. A marriage, civil union or similar relationship entered into by persons of the same-sex that is recognized by another state or foreign jurisdiction is void and shall not be recognized for any purpose in this state. In the exercise of the state’s police power and recognizing the state’s strong interest in governing the relationships between married persons, the provisions of this section shall apply retroactively.”

**STATUS:** *This resolution was introduced in the House on Jan. 24, 2011, and was referred to the House Consumer and Public Affairs, Judiciary, and Voters and Elections Committees. It was postponed indefinitely by the Consumer and Public Affairs Committee.*

**DEAD**

**New Mexico Senate Joint Resolution 4**

This resolution would have proposed an amendment to the state constitution reading: “Marriage in this state shall consist only of the union of one man and one woman.”

**STATUS:** *This resolution was introduced in the Senate on Jan. 20, 2011, and was referred to the Rules and Judiciary Committees. It was postponed indefinitely by the Rules Committee.*

**DEAD**

**New York Assembly Bill 7600**

This bill would have allowed same-sex couples to marry in New York. Note: An alternate version of this bill was signed into law.

**STATUS:** *This bill was introduced in the*

*Assembly on May 10, 2011, and was referred to the Judiciary Committee. It died when the enacting clause was stricken on June 14, 2011.*

**DEAD**

**Texas House Bill 2638**

This bill would have allowed the attorney general to intervene in a suit involving a right or claim asserted as a result of a marriage between persons of the same sex or a civil union.

**STATUS:** *This bill was introduced in the House on March 9, 2011, and was referred to the Judiciary and Civil Jurisprudence Committee. It died upon adjournment on May 30, 2011.*

**DEAD**

**Texas House Concurrent Resolution 110**

This resolution would have urged the president of the U. S. to order the Department of Justice to defend the constitutionality of the Defense of Marriage Act.

**STATUS:** *This resolution was introduced in the House on March 15, 2011, and was referred to the State Sovereignty Committee. It died upon adjournment on May 30, 2011.*

**DEAD**

**Texas House Joint Resolution 102**

This resolution would have proposed a constitutional amendment to repeal the constitutional provision providing that marriage in Texas consists only of the union of one man and one woman and prohibiting Texas or a political subdivision of Texas from creating or recognizing any legal status identical or similar to marriage.

**STATUS:** *This resolution was introduced in the House on Feb. 23, 2011, and was referred to the State Affairs Committee. It died upon adjournment on May 30, 2011.*

**DEAD**

**Texas Senate Bill 723**

This bill would have removed language from the state's marriage license law allowing an individual to show an original or certified copy of a court order relating to the applicant's sex change to obtain a marriage license.

**STATUS:** *This bill was introduced in the Senate on Feb. 15, 2011. It passed the Senate Jurisprudence Committee on April 14, 2011. The bill died upon adjournment on May 30, 2011.*

**DEAD**

**Virginia House Joint Resolution 638**

This resolution would have proposed a repeal of the constitutional amendment reading: "That only a union between one man and one woman may be a marriage valid in or recognized by this Commonwealth and its political subdivisions. This Commonwealth and its political subdivisions shall not create or recognize a legal status for relationships of unmarried individuals that intends to approximate the design, qualities,

significance, or effects of marriage. Nor shall this Commonwealth or its political subdivisions create or recognize another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage."

**STATUS:** *This resolution was introduced in the House on Jan. 12, 2011, and was referred to the Committee on Privileges and Elections. It died when it was left in committee on Feb. 8, 2011.*

**DEAD**

**West Virginia House Joint Resolution 14**

This resolution would have proposed an amendment to the West Virginia Constitution reading: "Marriage, to be valid and recognized in the State of West Virginia, shall consist only of the legal union between one man and one woman. Neither this Constitution, nor any other provision of law shall be construed to require that marital status, or the legal incidents thereof, be conferred upon any other domestic union that intends to approximate the design, qualities, significance, or effect of marriage."

**STATUS:** *This resolution was introduced in the House on Jan. 12, 2011, and was referred to the House Constitutional Revision Committee. It died upon adjournment on March 18, 2011.*

**DEAD**

**West Virginia House Joint Resolution 18/  
Senate Joint Resolution 5**

These resolutions would have proposed an amendment to the West Virginia Constitution reading: "Only a union between one man and one woman may be a marriage valid in or recognized by this state and its political subdivisions. This state and its political subdivisions shall not create or recognize a legal status for same-sex relationships to which is assigned the rights, benefits, obligations, qualities, or effects of marriage."

**STATUS:** *HJR 18 was introduced in the House on Jan. 13, 2011, and was referred to the House Constitutional Revision Committee. SJR 5 was introduced in the Senate on Jan. 13, 2011, and was referred to the Senate Judiciary Committee. Both resolutions died upon adjournment on March 18, 2011.*

**DEAD**

**Wyoming House Bill 74**

This bill would have provided that same-sex marriages from other states are not recognized and void if performed in Wyoming. It also would have provided that marriages between more than two parties are void and that marriages and domestic civil unions performed in other states would not be recognized if not valid under Wyoming law.

**STATUS:** *This bill was introduced in the House on Jan. 6, 2011. It passed the full House on Jan. 24, 2011. It passed the full Senate on Feb. 18, 2011. The House did not concur in the Senate amendments, and it was sent to a conference committee on Feb. 23, 2011. The*

## Other Relationship-Recognition Bills

House adopted the conference bill, but it was rejected by the Senate. The bill died when it was indefinitely postponed on March 3, 2011.

### DEAD

#### Wyoming House Bill 149

This bill would have modified Wyoming law to recognize marriage as a civil contract between two consenting individuals.

**STATUS:** *This bill was introduced in the House on Jan. 17, 2011, and referred to the Judiciary Committee. It died upon adjournment on March 3, 2011.*

### DEAD

#### Wyoming Senate Joint Resolution 5

This resolution would have proposed an amendment to the Wyoming Constitution reading: "Only a marriage between a man and a woman is valid or recognized in Wyoming. The Legislature may define the benefits and obligations of marriage, which may be different than the benefits and obligations afforded to all other civil relationships."

**STATUS:** *This resolution was introduced in the Senate on Jan. 11, 2011. It passed the Senate Judiciary Committee on Jan. 21, 2011, and the full Senate on Jan. 27, 2011. It passed the House Judiciary Committee on Feb. 8, 2011. The resolution died upon adjournment on March 3, 2011.*

## Other Relationship-Recognition Bills

### PASSED

#### Delaware Senate Bill 30

This bill establishes civil unions for eligible same-sex couples.

**STATUS:** *This bill was introduced on March 22, 2011. It passed the Senate Administrative Services/Elections Committee on March 30, 2011, and the full Senate on April 7, 2011. It then passed the House Administration Committee on April 13, 2011, and the full House on April 14, 2011. The governor signed the bill into law on May 11, 2011.*

### PASSED

#### Hawaii House Concurrent Resolution 205/ House Resolution 177

These resolution request the department of health to establish a task force regarding the implementation of the civil unions law.

**STATUS:** *These resolutions were introduced on March 16, 2011. HR 177 passed the Finance Committee on April 13, 2011, and HCR 205 passed the Finance Committee on April 14, 2011. Both resolutions were adopted by the full House on April 15, 2011. HCR 205 was introduced in*

*the Senate on April 19, 2011, and was adopted by the full Senate on April 27, 2011.*

### PASSED

#### Hawaii Senate Bill 232

This bill establishes civil unions for eligible same-sex and opposite-sex couples.

**STATUS:** *This bill was introduced in the Senate on Jan. 21, 2011. It passed the Committee on Judiciary and Labor on Jan. 25, 2011, and the full Senate on Jan. 28, 2011. The bill passed the House Committee on Judiciary and Labor on Feb. 8, 2011, and the full House on Feb. 11, 2011. The Senate concurred with the House amendments on Feb. 14, 2011. The bill was signed by the governor on Feb. 23, 2011.*

### PASSED

#### Rhode Island House Bill 6103

This bill establishes civil unions but has a significant religious accommodations clause that allows religious organizations and religious nonprofits to refuse to treat any civil union as valid.

**STATUS:** *This bill was introduced in the House on May 3, 2011. It passed the House Judiciary Committee on May 17, 2011, and the full House on May 19, 2011. It then passed the Senate Judiciary Committee and the full Senate on June 29, 2011. The bill was signed by the governor on July 2, 2011.*

### PASSED

#### Washington House Bill 1649

This bill provides that a legal union of two persons of the same sex that was validly formed in another jurisdiction, and that is substantially equivalent to a domestic partnership, shall be recognized as a valid domestic partnership in Washington. In addition, it provides that all legislation passed in the future referencing the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state-registered domestic partnerships and marriages.

**STATUS:** *This bill was introduced in the House on Jan. 28, 2011. It passed the House Committee on Judiciary on Feb. 18, 2011, and the full House on March 4, 2011. It passed the Senate Committee on Government Operations and Tribal Relations and Elections on March 22, 2011, and the full Senate on March 30, 2011. The bill was signed by the governor on April 5, 2011.*

### ACTIVE

#### Hawaii House Bill 163

This bill would extend benefits under the Hawaii employer-union benefit trust fund to reciprocal beneficiaries and allows reciprocal beneficiaries to jointly file state income tax returns. It would also allow reciprocal beneficiaries to live in the same community care foster family home. It would amend the definition of marriage to be the "union of one man and one woman as

husband and wife," consistent with current Hawaii law.

**STATUS:** *This bill was introduced Jan. 21, 2011, and was referred to the Labor and Public Employment, Judiciary, and Finance Committees.*

#### ACTIVE

##### Hawaii House Bill 1354

This bill would extend additional benefits and obligations currently only applied to married individuals to parties to a reciprocal beneficiary relationship.

**STATUS:** *This bill was introduced on Jan. 26, 2011, and was referred to the Judiciary Committee.*

#### ACTIVE

##### Hawaii House Bill 1453/ House Bill 1623/ Senate Bill 231

These bills would establish civil unions. Note: An alternate version of these bills was signed into law.

**STATUS:** *SB 231 was introduced in the Senate on Jan. 21, 2011, and was referred to the Senate Judiciary and Labor Committee. Both House bills were introduced in the House on Jan. 26, 2011, and were referred to the House Judiciary Committee.*

#### ACTIVE

##### Hawaii Senate Bill 1447

This bill would exempt from liability a religious institution or religious or charitable organization operated, supervised, or controlled by a religious institution, that refuses to provide services or accommodations relating to the solemnization or celebration of a same-sex marriage, civil union, or other same-sex union on religious grounds. Note: Existing law allows any individual authorized to solemnize a civil union to refuse to do so without liability. Currently, same-sex couples cannot receive a marriage license in Hawaii.

**STATUS:** *This bill was introduced on Jan. 26, 2011, and was referred to the Committee on Judiciary and Labor.*

#### ACTIVE

##### Minnesota House Bill 1746/ House Bill 1761

These bills would create civil unions for all couples in lieu of marriage.

**STATUS:** *HB 1746 was introduced in the House on May 20, 2011, and HB 1761 was introduced in the House on May 23, 2011. Both bills were referred to the Civil Law Committee.*

#### ACTIVE

##### New Jersey Assembly Bill 142

This bill would provide that a public official may refuse to solemnize a civil union, if solemnization conflicts with the public official's conscience or sincerely held moral or religious beliefs.

**STATUS:** *This bill was introduced in the Assembly on Jan. 12, 2010, and was referred to the Judiciary Committee.*

#### ACTIVE

##### New Jersey Assembly Bill 4034

This bill would permit freeholders and municipal clerks to solemnize marriage and civil union ceremonies.

**STATUS:** *This bill was introduced in the Assembly on May 19, 2011, and was referred to the Judiciary Committee.*

#### ACTIVE

##### New Jersey Assembly Bill 4170

This bill would authorize marriage and civil union by proxy for persons whose military service in a war or conflict prevents them from appearing in person to obtain the marriage or civil union license and participate in the ceremony.

**STATUS:** *This bill was introduced in the Assembly on June 27, 2011, and passed the Judiciary Committee on Dec. 12, 2011.*

#### ACTIVE

##### New Jersey Assembly Bill 4366/ Senate Bill 3122

These bills would, in part, remove the waiting period for obtaining a marriage or civil union license. In addition, they would allow a court to nullify a marriage or civil union if either party requests the judgment within 30 days of the ceremony.

**STATUS:** *AB 4366 was introduced in the Assembly on Nov. 28, 2011. It passed the Assembly Judiciary Committee on Dec. 12, 2011, and was re-referred to the Assembly Appropriations Committee. SB 3122 was introduced in the Senate on Dec. 1, 2011, and was referred to the Senate Judiciary Committee.*

#### ACTIVE

##### New York Assembly Bill 1713/ Senate Bill 4092

These bills would, in part, expand the definition of family member to include domestic partners for purposes of making statements at the sentencing of a defendant.

**STATUS:** *AB 1713 was introduced in the Assembly on Jan. 11, 2011, and was referred to the Codes Committee. SB 4092 was introduced in the Senate on March 17, 2011. It passed the Senate Codes Committee on May 10, 2011, and the full Senate on June 1, 2011. It was referred to the Assembly Codes Committee.*

#### ACTIVE

##### New York Assembly Bill 3592/ Senate Bill 629

These bills would expand eligibility for those who receive awards under crime victims' compensation to include a domestic partner.

**STATUS:** *SB 629 was introduced in the Senate on Jan. 5, 2011, and was referred to the Senate Crime Victims, Crime, and Corrections*

**Other Relationship-Recognition Bills**

Committee. AB 3592 was introduced in the Assembly on Jan. 26, 2011. It passed the Assembly Government Operations Committee on March 15, 2011, the Assembly Codes Committee on March 22, 2011, the Assembly Ways and Means Committee on April 11, 2011, the Assembly Rules Committee on April 11, 2011, and the full Assembly on April 12, 2011. It was referred to the Senate Crime Victims, Crime, and Corrections Committee.

**ACTIVE****New York Senate Bill 382**

This bill would, in part, amend the financial disclosure forms – required to be filed by every statewide elected official, state officer or employee, member of the legislature, legislative employee and political party chairman and every candidate for statewide elected office – to treat domestic partners in the same manner as spouses.

**STATUS:** *This bill was introduced in the Senate on Jan. 5, 2011, and was referred to the Finance Committee.*

**ACTIVE****New York Senate Bill 5130**

This bill would amend the definition of domestic partner to be gender neutral for purposes of employees eligible for funeral or bereavement leave.

**STATUS:** *This bill was introduced in the Senate on May 3, 2011, and was referred to the Codes Committee.*

**ACTIVE****Pennsylvania House Bill 708**

This bill would create civil unions.

**STATUS:** *This bill was introduced in the House on Feb. 16, 2011, and was referred to the Judiciary Committee.*

**ACTIVE****Pennsylvania House Bill 1828**

This bill would amend state tax law to make the inheritance tax upon the transfer of property passing to or for the use of an individual in a domestic partnership the same rate as for spouses.

**STATUS:** *This bill was introduced in the House on Sept. 13, 2011, and was referred to the Finance Committee.*

**ACTIVE****Rhode Island House Bill 5904/ Senate Bill 377**

These bills would establish reciprocal beneficiaries providing benefits related to medical care and treatment, disposition of remains, intestate succession, and real and personal property. Any two individuals over the age of 18 who are not otherwise eligible to marry would be able to enter into a reciprocal beneficiary agreement.

**STATUS:** *SB 377 was introduced in the Senate on Feb. 16, 2011, and HB5904 was introduced in the House on March 19, 2011. Both bills were referred to their respective Judiciary Committee.*

**ACTIVE****Rhode Island Senate Bill 376**

This bill would replace civil marriage with gender neutral civil unions.

**STATUS:** *This bill was introduced in the Senate on Feb. 16, 2011, and was referred to the Senate Judiciary Committee.*

**ACTIVE****Vermont House Bill 419**

This bill would provide access to a civil union dissolution to non-resident couples joined in a Vermont civil union who are legally barred from dissolving the union in their state of residence, provided that the parties file a stipulation outlining an agreement executed by both parties that sets out the terms and conditions of resolution for all issues in the dissolution action.

**STATUS:** *This bill was introduced on March 8, 2011, and was referred to the Committee on Judiciary.*

**ACTIVE****Washington House Bill 1420**

This bill would modify the state definition of domestic partnership to recognize two unmarried adults, regardless of sex, for the purpose of receiving domestic partner benefits for state employees.

**STATUS:** *This bill was introduced in the House on Jan 20, 2011. It passed Committee on Ways and Means on Feb. 10, 2011.*

**DEAD****Colorado House Bill 1249**

This bill would have amended the definition of dependent for state personnel purposes to include domestic partners and the children of a domestic partner.

**STATUS:** *This bill was introduced on Feb. 9, 2011. It was postponed indefinitely by the Committee on Appropriations on March 18, 2011.*

**DEAD****Colorado Senate Bill 172**

This bill would have established civil unions for both same-sex and opposite-sex couples, providing couples with the rights, benefits, and obligations of marriage under state law.

**STATUS:** *This bill was introduced on Feb. 14, 2011. It passed the Appropriations Committee on March 18, 2011, and the full Senate on March 24, 2011. On March 31, 2011, the House Judiciary Committee postponed the bill indefinitely.*

**DEAD****Florida House Bill 337/ Senate Bill 348**

This bill would have established domestic partnerships for both same-sex and opposite-sex couples, providing all of the legal state level rights, benefits, and obligations of marriage.

**STATUS:** *Both bills were introduced on March 8, 2011, in their respective chambers. HB*

337 was referred to the House Civil Justice Subcommittee, the Appropriations Committee, and the Judiciary Committee. SB 348 was referred to the Senate Children, Families, and Elder Affairs, Judiciary, Health Regulation, and Budget Committees. Both died on May 7, 2011, when the House and Senate indefinitely postponed the bills.

**DEAD****West Virginia House Bill 3082**

This bill would have expanded the current funeral services bill to specifically include the surviving spouse and a designated individual previously chosen by the deceased as a person who may designate the manner of disposition of a deceased person's body.

**STATUS:** *This bill was introduced in the House on Feb. 9, 2011. It passed the House Judiciary Committee on Feb. 25, 2011, and the full House on March 2, 2011. It was referred to the Senate Judiciary Committee. The bill died upon adjournment on March 18, 2011.*

**DEAD****Wyoming House Bill 150**

This bill would have created civil unions in Wyoming and also allowed for the recognition of out of state civil unions.

**STATUS:** *This bill was introduced in the House on Jan. 17, 2011. It failed to pass the Judiciary Committee on Feb. 8, 2011. The bill died upon adjournment on March 3, 2011.*

## Anti-Discrimination Bills

**PASSED****California Assembly Bill 887**

This bill makes technical changes to existing law by refining the definition of gender to also mean a person's gender identity and gender expression and defines gender expression as meaning a person's gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth. In addition, this bill would include gender, gender identity, and gender expression among the enumerated characteristics in the state civil rights laws including housing, employment, and education.

**STATUS:** *This bill was introduced in the Assembly on Feb. 17, 2011. It passed the Assembly Committee on Judiciary on April 5, 2011, the Assembly Committee on Appropriations on May 5, 2011, and the full Assembly on May 16, 2011. It passed the Senate Committee on Judiciary on May 26, 2011, and the full Senate on Aug. 30, 2011. The Assembly concurred in the Senate amendments on Sept. 2, 2011. The bill was signed by the governor on Oct. 9, 2011.*

**PASSED****California Senate Bill 117**

This bill amends existing law to prohibit a state agency from entering into a contract in the amount of \$100,000 or more with a contractor who discriminates in the provision of benefits based on the gender or sexual orientation of the spouses or domestic partners of employees.

**STATUS:** *This bill was introduced in the Senate on Jan. 20, 2011. It passed the Committee on Governmental Organization on March 22, 2011 and the Committee on Judiciary on April 6, 2011. It passed the full Senate on May 9, 2011, and was transferred to the Assembly. It passed the Assembly Committee on Business, Professions, and Consumer Protection on June 14, 2011, the Assembly Committee on Judiciary on June 29, 2011, and the full Assembly on July 14, 2011. The Senate concurred in the Assembly amendments on Aug. 22, 2011. The bill was signed by the governor on Sept. 6, 2011.*

**PASSED****California Senate Bill 182**

Existing law requires the governor, the designated agency of the State Bar responsible for the evaluation of judicial candidates, and the Administrative Office of the Courts to annually collect demographic data relating to judicial applicants, judicial appointees or nominees, judicial candidates, and justices and judges relative to ethnicity, race, and gender. This bill expands these provisions to include the collection and release of demographic data relative to gender identity and sexual orientation.

**STATUS:** *This bill was introduced in the Senate on Feb. 7, 2011. It passed the Senate Committee on Judiciary on April 11, 2011, the Senate Committee on Appropriations on May 26, 2011, and the full Senate on June 1, 2011. It passed the Assembly Committee on Judiciary on June 21, 2011, the Assembly Committee on Appropriations on July 6, 2011, and the full Assembly on Aug. 29, 2011. The Senate concurred in the Assembly amendments on Sept. 1, 2011. The bill was signed by the governor on Oct. 9, 2011.*

**PASSED****Connecticut House Bill 6599**

This bill prohibits discrimination on the basis of gender identity or expression in employment, public accommodations, housing, credit, state contracts, education, utility service, state licensing, and state job trainings.

**STATUS:** *This bill was introduced in the House on March 15, 2011. It passed the Joint Committee on Judiciary April 5, 2011, and the full House on May 19, 2011. The bill was introduced in the Senate on May 23, 2011. It passed the full Senate on June 3, 2011. The bill was signed into law by the governor on July 1, 2011.*

## Anti-Discrimination Bills

### PASSED

#### Hawaii House Bill 546

This bill prohibits discrimination on the basis of gender identity or expression with regard to employment.

**STATUS:** *This bill was introduced in the House on Jan. 24, 2011, and passed the House Labor Committee on Jan. 28, 2011, and the House Judiciary Committee on Feb. 22, 2011. It passed the full House on March 4, 2011. It was introduced in the Senate on March 8, 2011, and passed the Senate Judiciary Committee on April 4, 2011. It passed the full Senate on April 12, 2011, and the House concurred on April 18, 2011. The bill was signed into law by the governor on May 2, 2011.*

### PASSED

#### Hawaii Senate Bill 1301

This bill amended the existing housing discrimination laws to add sexual orientation and gender identity to the list of protected classes for prohibitions on threatening, intimidating or interfering with persons in their enjoyment of a housing accommodation. In addition the bill added a prohibition on statements, signs and advertisements, as well as applications and inquires that are made with an intent to discriminate in housing.

**STATUS:** *This bill was introduced in the Senate on Jan. 26, 2011. It passed the Committee on Commerce and Consumer Protection on Feb. 9, 2011, and the full Senate on March 8, 2011. It passed the House Committee on Housing on March 16, 2011, and the House Committee on Judiciary on March 29, 2011. The bill passed the full House on April 7, 2011. The Senate concurred in the House amendments on April 14, 2011. The governor signed the bill into law on April 24, 2011.*

### PASSED

#### Maryland House Bill 202

This bill applies the enumerated categories in the state's employment non-discrimination law, including sexual orientation but not gender identity, to the non-discrimination law covering teachers and expands coverage from just teachers to all public school employees.

**STATUS:** *This bill was introduced in the House on Jan. 28, 2011. It passed the Committee on Health and Government Operations, as well as the full House on March 22, 2011. The bill then passed the Senate Committee on Education, Health, and Environmental Affairs on April 5, 2011, and the full Senate on April 6, 2011. The governor signed the bill into law on May 10, 2011.*

### PASSED

#### Massachusetts House Bill 3810

This bill amends the state nondiscrimination bill to prohibit discrimination on the basis of gender identity in credit, education, employment, and housing. It also adds gender identity to the state hate crimes law.

**STATUS:** *This bill was reported from the Joint Committee on the Judiciary and passed the full House on Nov. 15, 2011. It passed the full Senate on Nov. 16, 2011. The bill was signed by the governor on Nov. 23, 2011. The bill does not go into effect until July 1, 2012.*

### PASSED

#### Nevada Assembly Bill 97

This bill revises the Charter of the City of Sparks to, in part, add sexual orientation and gender identity to the categories for non-discrimination in city employment and appointments. Note: the State of Nevada prohibits discrimination on the basis of sexual orientation and gender identity in public and private employment.

**STATUS:** *This bill was introduced in the Assembly on Feb. 7, 2011. It passed the Assembly Government Affairs Committee on April 4, 2011, and the full Assembly April 11, 2011. It then passed the Senate Government Affairs Committee on April 27, 2011, and the full Senate on May 2, 2011. The bill was signed by the governor on May 12, 2011.*

### PASSED

#### Nevada Assembly Bill 154

This bill established the rights of children who are placed in foster homes and provides, in part, that a child placed in a foster home has the right to be free from discrimination or harassment on the basis of his or her actual or perceived race, ethnicity, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, mental or physical disability, or exposure to HIV.

**STATUS:** *This bill was introduced on Feb. 16, 2011. It passed the Assembly Health and Human Services Committee on April 20, 2011, and the full Assembly on April 25, 2011. It then passed the Senate Health and Human Services Committee on May 18, 2011, and the full Senate on May 20, 2011. It was signed by the governor on May 29, 2011.*

### PASSED

#### Nevada Assembly Bill 211

This bill added gender identity to the state employment non-discrimination laws.

**STATUS:** *This bill was introduced on Feb. 25, 2011. It passed the Assembly Commerce and Labor Committee on April 15, 2011, and the full Assembly on April 18, 2011. It then passed the Senate Commerce, Labor and Energy Committee on April 28, 2011, and the full Senate on May 11, 2011. It was signed by the governor on May 24, 2011.*

### PASSED

#### Nevada Senate Bill 331

This bill added sex and gender identity to the state non-discrimination in public accommodations law.

**STATUS:** *This bill was introduced in the Senate*

on March 21, 2011. It passed the Senate Commerce, Labor and Energy Committee on April 18, 2011, and the full Senate on April 25, 2011. It then passed the Assembly Commerce and Labor Committee on May 19, 2011, and the full Assembly on May 23, 2011. The bill was signed by the governor on June 1, 2011.

**PASSED****Nevada Senate Bill 368**

This bill adds sexual orientation and gender identity to the state housing non-discrimination bill.

**STATUS:** *This bill was introduced in the Senate on March 21, 2011. It passed the Senate Commerce, Labor, and Energy Committee on April 11, 2011, and the full Senate on April 25, 2011. It then passed the Assembly Commerce and Labor Committee on May 19, 2011, and the full Assembly on May 23, 2011. The bill was signed by the governor on June 1, 2011.*

**PASSED****Tennessee House Bill 600**

This bill prohibits any local government from imposing on any person an anti-discrimination practice, standard, definition or provision that varies in any manner from the definition of "discriminatory practices" under present state law or other types of discrimination recognized by state law but only to the extent recognized by the state; mandates any anti-discrimination provision adopted by a local government prior to the effective date of this bill which exceeds state law would be null and void; defines sex to mean "the designation of the person as male or female as indicated on the person's birth certificate." The anti-discrimination requirements do not apply with respect to employees of a local government.

**STATUS:** *This bill was introduced in the House on Feb. 14, 2011. It passed the House Commerce Committee on April 12, 2011, and the full House on April 25, 2011. The Senate substituted the House bill for the companion Senate bill, SB 632, on May 12, 2011. It passed the full Senate on May 12, 2011. The House concurred in the Senate amendments on May 18, 2011. The bill was signed by the governor on May 24, 2011.*

**ACTIVE****Alaska House Bill 165**

This bill would amend the state anti-discrimination laws regarding employment, public accommodations, and housing to include sexual orientation – defined to include gender identity – as a protected category.

**STATUS:** *This bill was introduced Feb. 21, 2011, and was referred to the State Affairs Committee.*

**ACTIVE****California Assembly Bill 1364**

This bill would expand the list of criteria based upon which a talent agency may not discriminate

against an artist to include those identified in the California Fair Employment and Housing Act, including sexual orientation and sex, defined to include gender identity.

**STATUS:** *This bill was introduced in the Assembly on Feb. 18, 2011. It passed the Committee on Labor and Employment on April 14, 2011, the Committee on Arts, Entertainment, Sports, Tourism, and Internet Media on May 9, 2011, and the Committee on Appropriations on May 18, 2011. The bill passed the full Assembly on May 26, 2011. It was referred to the Senate Committees on Judiciary and Labor and Industrial Relations.*

**ACTIVE****California Senate Joint Resolution 2**

This resolution would urge the president, Congress, and defense secretary of the U. S. to end the policy of levying fines on lesbian, gay, and bisexual service members discharged under the military's "Don't Ask, Don't Tell, Don't Pursue, Don't Harass" law.

**STATUS:** *This resolution was introduced on March 9, 2011, and was referred to the Committee on Veterans Affairs.*

**ACTIVE****Georgia House Bill 630**

This bill would prohibit employment discrimination on the basis of sexual orientation and gender identity for public employees.

**STATUS:** *This bill was introduced on March 31, 2011.*

**ACTIVE****Hawaii House Bill 1074**

This bill would extend Hawaii's housing non-discrimination law to add sexual orientation and gender identity as protected classes to provisions prohibiting discrimination in areas such as retaliation for complaining of discrimination and interference with persons in their enjoyment of a housing accommodation. The law already prohibits discrimination on the basis of sexual orientation and gender identity in the terms, conditions, or privileges of a real estate transaction.

**STATUS:** *This bill was introduced Jan. 26, 2011, and was referred to the Housing and Judiciary Committees.*

**ACTIVE****Kansas Senate Bill 53**

This bill would add sexual orientation and gender identity to the list of protected categories in Kansas anti-discrimination laws including employment, housing, and public accommodations.

**STATUS:** *This bill was introduced on Jan. 25, 2011, and was referred to the Committee on Federal and State Affairs.*

**ACTIVE****Massachusetts House Bill 970**

This bill would prohibit the state from denying

## Anti-Discrimination Bills

benefits to anyone discharged solely under Article 125 of the Uniform Code of Military Justice when such discharge was the result of consensual behavior between legal adult persons; and from denying benefits to the same-sex spouse or beneficiary of a veteran.

**STATUS:** *This bill was introduced in the House on Jan. 19, 2011, and was referred to the Joint Committee on Veterans and Federal Affairs.*

### ACTIVE

#### Michigan House Bill 5039

This bill would prohibit any state agency or unit of local government from adopting any ordinance, rule, regulation, or policy that includes, as a protected class, any classification not specifically included as a protected class under the state non-discrimination law. In addition, any existing ordinance, rule, regulation, or policy that includes, as a protected class, any classification not specifically included as a protected class under the state law would be void.

**STATUS:** *This bill was introduced in the House on Oct. 5, 2011, and was referred to the Judiciary Committee.*

### ACTIVE

#### Minnesota House Bill 1161/ Senate Bill 845

These bills would eliminate existing requirements that the Human Rights Act commissioner educate the public in regards to compliance with the Act and conduct research and also study discriminatory practices based upon race, color, creed, religion, national origin, sex, age, disability, marital status, status with regard to public assistance, familial status, sexual orientation, or other factors and develop accurate data on the nature and extent of discrimination and other matters as they may affect housing, employment, public accommodations, schools, and other areas of public life.

**STATUS:** *Both bills were introduced in their respective chambers on March 16, 2011. HB 1161 was referred to the House Committee on Public Safety and Crime Prevention Policy and Finance. SB 845 was referred to the Senate Committee on Judiciary and Public Safety.*

### ACTIVE

#### Minnesota House Bill 1568

This bill would prohibit judges and attorneys in court proceedings from discriminating against a list of enumerated categories including sexual orientation, which is defined to include transgender people.

**STATUS:** *This bill was introduced in the House on April 26, 2011, and was referred to the Judiciary Policy and Finance Committee.*

### ACTIVE

#### New Jersey Assembly Resolution 55/ Senate Resolution 36

These resolutions would urge the president and

U. S. Congress to repeal "the law effectively barring gay, lesbian, and bisexual individuals from serving in United States Armed Forces."

**STATUS:** *SR 36 was introduced in the Senate on Feb. 8, 2010, and AR 55 was introduced in the Assembly on Feb. 11, 2010. These resolutions were referred to their respective Military and Veteran's Affairs Committee.*

### ACTIVE

#### New Jersey Senate Bill 1728

This bill would clarify current protections for civil union couples in the areas of funeral arrangements, hospital visitation and financial information and banking.

**STATUS:** *This bill was introduced in the Assembly on March 11, 2010, and referred to the Judiciary Committee.*

### ACTIVE

#### New York Assembly Bill 3742

This bill would require that "people of all races, cultures, religions, incomes, education levels, and sexual preference" be treated equally with regard to the development and enforcement of environmental laws, regulations, and policies.

**STATUS:** *This bill was introduced in the Assembly on Jan. 27, 2011, and was referred to the Environmental Conservation Committee.*

### ACTIVE

#### New York Assembly Bill 4426

This bill would authorize the Office of Children and Family Services to establish policies and procedures affording all children in OCFS facilities an environment free of harassment and discrimination based on actual or perceived race, national origin, ethnic group, religion, disability, sexual orientation, gender, or sex. Gender is defined to include gender identity.

**STATUS:** *This bill was introduced in the Assembly on Feb. 3, 2011. It passed the Assembly Children and Families Committee on May 17, 2011, the Assembly Codes Committee on May 24, 2011, and the full Assembly on June 1, 2011. It was referred to the Senate Children and Families Committee.*

### ACTIVE

#### New York Assembly Bill 4427/ Senate Bill 2922

These bills would, in part, require that youth in detention and residential programs be free to express their gender identity through appropriate undergarments and hairstyles. It would also prohibit youth from being subjected to discrimination based on actual or perceived race, color, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, gender identity, or sex.

**STATUS:** *Both bills were introduced in their respective chambers on Feb. 3, 2011, and were referred to their respective Children and Families Committee.*

**ACTIVE****New York Assembly Bill 5039/  
Senate Bill 2873**

These bills would amend the state non-discrimination laws to prohibit discrimination on the basis of gender identity in credit, education, employment, housing, and public accommodations. In addition, these bills would add gender identity to the protected classes in the state hate crimes law.

**STATUS:** *SB 2873 was introduced in the Senate on Feb. 2, 2011, and was referred to the Senate Investigations and Government Operations Committee. AB 5039 was introduced in the Assembly on Feb. 10, 2011. It passed the Assembly Governmental Operations Committee on March 8, 2011, the Assembly Codes Committee on May 3, 2011, and the full Assembly on June 14, 2011. It was referred to the Senate Codes Committee.*

**ACTIVE****North Carolina House Bill 478/  
Senate Bill 452**

These bills would amend the state's equal employment opportunity law to include sexual orientation and gender identity.

**STATUS:** *HB 478 was introduced in the House on March 24, 2011, and was referred to the Committee on Rules, Calendar, and Operations of the House. SB 452 was introduced in the Senate on March 29, 2011, and was referred to the Committee on Rules and Operations of the Senate.*

**ACTIVE****North Carolina Senate Bill 305**

This bill would amend the charter of the town of Carrboro to allow the town to adopt ordinances prohibiting housing discrimination on the basis of "sexual orientation, gender identification, and gender expression."

**STATUS:** *This bill was introduced in the Senate on March 9, 2011, and was referred to the Committee on Rules and Operations of the Senate.*

**ACTIVE****Ohio House Bill 335/ Senate Bill 231**

These bills would amend the state non-discrimination law to prohibit discrimination on the basis of sexual orientation or gender identity in credit, education, employment, health care, housing, and public accommodations.

**STATUS:** *Both bills were introduced in their respective chambers on Sept. 27, 2011. HB 335 was referred to the House Commerce and Labor Committee. SB 231 was referred to the Senate Judiciary Committee.*

**ACTIVE****Oklahoma House Bill 1611**

This bill would prohibit judges from manifesting bias or prejudice, including but not limited to

bias or prejudice based upon race, sex, religion, national origin, disability, age, sexual orientation or socioeconomic status, and shall not permit staff, court officials and others subject to the judge's direction and control to do so. In addition, it would mandate that a judge require lawyers in proceedings before the judge to refrain from manifesting bias or prejudice based upon the same categories against parties, witnesses, counsel or others. Neither sex nor sexual orientation is defined in the bill.

**STATUS:** *This bill was introduced in the House on Feb. 7, 2011, and was referred to the Judiciary Committee.*

**ACTIVE****Pennsylvania House Bill 300/  
Senate Bill 910/ Senate Bill 1050**

These bills would amend the Pennsylvania Human Relations Act to add sexual orientation and gender identity. The act prohibits discrimination in employment, housing, and public accommodations.

**STATUS:** *SB 910 was introduced in the Senate on April 6, 2011, HB 300 was introduced in the House on April 28, 2011, and SB 1050 was introduced in the Senate on May 10, 2011. All three bills were referred to their respective State Government Committee.*

**ACTIVE****Pennsylvania Senate Bill 280**

This bill would amend the Pennsylvania Human Relations Act to add familial status and marital status. The Act prohibits discrimination in employment, housing, and public accommodations.

**STATUS:** *This bill was introduced in the Senate on Jan. 26, 2011, and was referred to the Labor and Industry Committee.*

**ACTIVE****Tennessee House Bill 1317/  
Senate Bill 1132**

These bills would amend the state anti-discrimination law to add sexual orientation as a protected category. The bills would cover employment, public accommodations, and housing.

**STATUS:** *Both bills were introduced in their respective chambers on Feb. 17, 2011, and were referred to their respective Judiciary Committee.*

**ACTIVE****Tennessee House Bill 1806/  
Senate Bill 1734**

These bills would prohibit bias-based policing. It would include enumerated categories including sexual orientation and gender identity.

**STATUS:** *HB 1806 was introduced in the House on Feb. 17, 2011, and was referred to the House State and Local Government Committee. SB 1734 was introduced in the Senate on Feb. 23, 2011, and was referred to the Senate Judiciary Committee.*

**Anti-Discrimination Bills****DEAD****Alabama House Bill 273**

This bill would have prohibited employment discrimination against state employees and teachers based on gender identity or sexual orientation.

**STATUS:** *This bill was introduced on March 22, 2011, and was referred to the Committee on Judiciary. It died on June 9, 2011, upon adjournment of the Legislature.*

**DEAD****Arizona Senate Bill 1288**

This bill would have prohibited the state from denying or revoking professional or occupational licenses, registrations, or certificates to individuals who refuse to affirm statements that are contrary to the person's moral or religious beliefs.

**STATUS:** *This bill was introduced in the Senate on Jan. 27, 2011. It passed the Government Reform Committee on Jan. 27, 2011, and the full Senate on March 8, 2011. It was transferred to the House and passed the Employment and Regulatory Affairs, and Rules Committees on March 10, 2011. The bill passed the full House on April 4, 2011. It was vetoed by the governor on April 11, 2011.*

**DEAD****Colorado Senate Bill 72**

This bill would have established the "Job Protection and Civil Rights Enforcement Act of 2011," which would allow the additional remedies of compensatory and punitive damages in employment discrimination cases brought under state law against employers where intentional discrimination is proven. This bill would have closed the loophole for discrimination on the basis of sexual orientation and gender identity, which is not covered by federal law.

**STATUS:** *This bill was introduced on Jan. 19, 2011, and was referred to the full Senate by the Appropriations Committee on March 4, 2011. It passed the full Senate on March 21, 2011. On April 6, 2011, the House Committee on State, Veterans, & Military Affairs postponed the bill indefinitely.*

**DEAD****Connecticut House Bill 5901**

This bill would have prohibited discrimination on the basis of gender identity or expression in employment, public accommodations, housing, credit, state contracts, education, utility service, state licensing, and state job trainings. Note: Another version of this bill passed and was signed into law.

**STATUS:** *This bill was introduced on Jan. 24, 2011, and was referred to the Joint Committee on Judiciary. It died on June 8, 2011, upon adjournment.*

**DEAD****Connecticut Senate Bill 1028**

This bill would have required state polygraph examiners to be licensed, and would have prohibited

licensed polygraph examiners from asking questions pertaining to sexual behavior, sexual orientation, or political or religious beliefs during the course of administering a polygraph examination unless such questions were material to the investigation.

**STATUS:** *This bill was introduced on Feb. 17, 2011, and was referred to the Joint Committee on General Law. It died on June 8, 2011, upon adjournment.*

**DEAD****Florida House Bill 361**

This bill would have added disability, sexual orientation, and gender identity and expression to state non-discrimination laws including credit, education, employment, housing, and public accommodations.

**STATUS:** *This bill was introduced on March 8, 2011, and was referred to the Business and Consumer Affairs Subcommittee, the Civil Justice Subcommittee, the Appropriations Committee, and the Economic Affairs Committee. It died on May 7, 2011, when the House indefinitely postponed the bill.*

**DEAD****Florida Senate Bill 346**

This bill would have created the "Competitive Workforce Act," revising existing anti-discrimination provisions to include sexual orientation and gender identity or expression as impermissible grounds for discrimination in credit, employment, housing, and public accommodations.

**STATUS:** *This bill was introduced on March 8, 2011, and was referred to the Judiciary, Regulated Industries, Governmental Oversight and Accountability, and Budget Committees. It died on May 7, 2011, when the Senate indefinitely postponed the bill.*

**DEAD****Idaho Senate Bill 1033**

This bill would have added sexual orientation and gender identity to the Idaho Human Rights Commission Act prohibiting discrimination in education, employment, housing, and public accommodations. The bill would have exempted religious organizations and expressive associations (e.g. The Boy Scouts) from the employment provision with regard to sexual orientation and gender identity.

**STATUS:** *This bill was introduced in the Senate on Jan. 21, 2011. It died upon adjournment on April 7, 2011.*

**DEAD****Kentucky House Bill 106/ Senate Bill 98**

These bills would have amended the state non-discrimination laws to add sexual orientation and gender identity as protected classes. They would have covered credit, employment, housing, and public accommodations.

**STATUS:** *HB 106 was introduced in the House*

on Jan. 4, 2011, and SB 98 was introduced in the Senate on Feb. 2, 2011. The bills were referred to their respective Judiciary Committees. Both bills died upon adjournment on March 9, 2011.

**DEAD****Louisiana Senate Bill 211**

This bill would have prohibited discrimination against state employees including on the basis of sexual orientation and gender identity.

**STATUS:** *This bill was introduced in the Senate on April 25, 2011, and referred to the Committee on Labor and Industrial Relations. It died upon adjournment on June 23, 2011.*

**DEAD****Maine Legislative Document 1046**

This bill would have amended the Maine Human Rights Act to provide that it is not unlawful public accommodations discrimination for a public or private entity to restrict rest room or shower facilities designated single sex to members of a "biological" sex.

**STATUS:** *This bill was introduced in the House on March 15, 2011, and was referred to the Committee on Judiciary. The bill died when it was voted down by the full House on June 7, 2011 and by the full Senate the next day.*

**DEAD****Maryland House Bill 235**

This bill would have prohibited discrimination based on gender identity with regard to housing, employment, and credit.

**STATUS:** *This bill was introduced in the House on Jan. 28, 2011. It passed the Committee on Health and Government Operations, and the full House on March 25, 2011. On April 6, 2011, the bill passed the Senate Committee on Judicial Proceedings. It died upon adjournment on April 11, 2011.*

**DEAD****Massachusetts House Bill 502/  
Senate Bill 764**

These bills would have amended the state nondiscrimination laws to prohibit discrimination on the basis of gender identity in credit, education, employment, housing, and public accommodations. It would have also added gender identity to the state hate crimes law. Note: An alternate version of this bill was signed into law.

**STATUS:** *These bills were introduced in their respective chambers on Jan. 24, 2011, and were referred to the Joint Committee on the Judiciary. The bills died when a new draft was offered on Nov. 15, 2011.*

**DEAD****Mississippi House Bill 159**

This bill would have abolished employment at will and required that decisions to terminate the employment of employees be made for good-

faith business reasons only. Neither sexual orientation nor gender identity would have been included in the enumerated categories, but the bill would have explicitly prohibited termination "based on personal dislike."

**STATUS:** *This bill was introduced on Jan. 4, 2011. It died in the Judiciary A Committee on Feb. 1, 2011.*

**DEAD****Missouri House Bill 477/ Senate Bill 239**

These bills would have added sexual orientation – defined to include gender identity – to the list of protected classes in the state non-discrimination laws. Discrimination would have been prohibited in employment, housing, and public accommodations.

**STATUS:** *SB 239 was introduced in the Senate on Feb. 9, 2011, and was referred to the Progress and Development Committee. HB 477 was introduced in the House on Feb. 10, 2011, and was referred to the Judiciary Committee. They died upon adjournment on May 30, 2011.*

**DEAD****Montana House Bill 512**

This bill would have amended the state non-discrimination laws to add sexual orientation and gender identity to the list of categories for protection in credit, education, employment, housing, and public accommodations.

**STATUS:** *This bill was introduced in the House on Feb. 12, 2011, and was tabled by the Judiciary Committee on Feb. 21, 2011. It died in the Standing Committee on April 28, 2011.*

**DEAD****Oregon House Bill 3081**

This bill would have prohibited the awarding of a public contract to a prospective contractor who provides benefits in a way that discriminates between employees with a domestic partner and employees with a spouse.

**STATUS:** *This bill was introduced in the House on Feb. 1, 2011, and was referred to the Business and Labor Committee. It died upon adjournment on June 30, 2011.*

**DEAD****Tennessee House Bill 330/ House Bill 331**

These bills would have prohibited any local government from imposing on any person contracting or doing business with the local government an anti-discrimination practice, standard, definition or provision that varies in any manner from the definition of "discriminatory practices" under present law; mandated that local government ordinances adopted prior to the effective date of this bill would be null and void; and defined sex as "the designation of the person as male or female as indicated on the person's birth certificate." Note: A broader

**Anti-Discrimination Bills**

version of these bills was signed into law.

**STATUS:** *HB 331 was introduced in the House on Feb. 9, 2011, and HB 330 was introduced in the House on Feb. 10, 2011. Both bills were referred to the State and Local Government Committee. They were withdrawn on Feb. 10, 2011, and thereby killed.*

**DEAD****Tennessee Senate Bill 632**

This bill would have prohibited any local government from imposing on any person an anti-discrimination practice, standard, definition, or provision that varies in any manner from the definition of "discriminatory practices" under present state law or other types of discrimination recognized by state law, but only to the extent recognized by the state; mandated any anti-discrimination provision adopted by a local government prior to the effective date of this bill which exceeds state law would be null and void; defined sex to mean "the designation of the person as male or female as indicated on the person's birth certificate." The anti-discrimination requirements would not have applied with respect to employees of a local government.

**STATUS:** *This bill was introduced in the Senate on Feb. 14, 2011. It passed the Senate State and Local Government Committee on May 9, 2011. On May 12, 2011, the Senate substituted House bill 600.*

**DEAD****Texas House Bill 208/ Senate Bill 741**

These bills would have added sexual orientation and gender identity to the state law prohibiting discrimination in insurance.

**STATUS:** *HB 208 was introduced in the House on Nov. 8, 2010, and was referred to the House Insurance Committee. SB 741 was introduced in the Senate on Feb. 16, 2011, and was referred to the State Affairs Committee. They died upon adjournment on May 30, 2011.*

**DEAD****Texas House Bill 665**

This bill would have added sexual orientation and gender identity to the state employment anti-discrimination law.

**STATUS:** *This bill was introduced in the House on Jan. 14, 2011, and was referred to the Economic and Small Business Development Committee. It died upon adjournment on May 30, 2011.*

**DEAD****Utah Senate Bill 148**

This bill would have prohibited discrimination on the basis of sexual orientation or gender identity in employment and housing.

**STATUS:** *This bill was introduced in the Senate on Feb. 3, 2011, and was referred to the Senate Rules Committee. It died when the Senate struck the enacting clause on March 10, 2011.*

**DEAD****Virginia House Bill 1509**

This bill would have prohibited discrimination in employment based on sexual orientation, defined to include gender identity.

**STATUS:** *This bill was introduced in the House on Dec. 17, 2010, and was referred to the Committee on General Laws. It died on Feb. 8, 2011, when it was left in committee.*

**DEAD****Virginia House Bill 1755**

This bill would have amended the state anti-discrimination law to include sexual orientation and gender identity. The law prohibits discrimination in education, employment, housing, and public accommodations.

**STATUS:** *This bill was introduced in the House on Jan. 11, 2011, and was referred to the Committee on General Laws. It died when it was left in committee on Feb. 8, 2011.*

**DEAD****Virginia House Bill 1964**

This bill would have prohibited discrimination in public employment, including on the basis of sexual orientation.

**STATUS:** *This bill was introduced in the House on Jan. 11, 2011, and was referred to the Committee on General Laws. It died when it was left in committee on Feb. 8, 2011.*

**DEAD****Virginia House Bill 2046**

This bill would have prohibited discrimination in public employment, including on the basis of sexual orientation, defined to include gender identity.

**STATUS:** *This bill was introduced in the House on Jan. 11, 2011, and was referred to the Committee on General Laws. It died when it was left in committee on Feb. 8, 2011.*

**DEAD****Virginia House Bill 2474**

This bill would have declared any individual ineligible to serve under the now obsolete "Don't Ask, Don't Tell" law to currently be ineligible to serve in the Virginia National Guard.

**STATUS:** *This bill was introduced in the House on Jan. 21, 2011. It died when it failed to pass the Committee on Rules on Feb. 1, 2011.*

**DEAD****Virginia Senate Bill 747**

This bill would have prohibited discrimination in state employment, including on the basis of sexual orientation, defined to include gender identity.

**STATUS:** *This bill was introduced in the Senate on Oct. 29, 2010. It passed the Committee on General Laws and Technology on Jan. 29, 2011, and the full Senate on Feb. 2, 2011. It died when it was left in the House Committee on General Laws on Feb. 22, 2011.*

**DEAD**

**Virginia Senate Bill 797**

This bill would have amended the state anti-discrimination law to include sexual orientation, defined to include gender identity. The law prohibits discrimination in education, employment, housing, and public accommodations.

**STATUS:** *This bill was introduced in the Senate on Dec. 29, 2010. It died when it failed to pass the Senate Committee on General Laws and Technology on Jan. 26, 2011.*

**DEAD**

**West Virginia House Bill 2045/  
Senate Bill 226**

These bills would have added sexual orientation, defined to include gender identity, to the Human Rights Act as a prohibited basis for discrimination and age and sexual orientation to the Fair Housing Act. These bills would have prohibited discrimination in employment and public accommodations under the Human Rights Act and in housing under the Fair Housing Act.

**STATUS:** *SB 226 was introduced in Senate on Jan. 20, 2011, and was referred to the Senate Judiciary Committee. HB 2045 was introduced in the House on Jan. 12, 2011, and was referred to the House Committees on Energy, Industry and Labor, and Economic Development and Small Business. Both bills died upon adjournment on March 18, 2011.*

**Hate Crimes Bills**

**PASSED**

**See Massachusetts House Bill 3810** on page 34. (Note: found under passed anti-discrimination bills)

**ACTIVE**

**Alaska Senate Bill 11**

This bill would expand the existing hate crimes law to cover crimes motivated by bias, prejudice, or hatred. It would also amend the existing enumerated categories to include sexual orientation and gender identity.

**STATUS:** *This bill was introduced Jan. 19, 2011, and passed the Finance Committee on Feb. 28, 2011.*

**ACTIVE**

**Georgia Senate Bill 228**

This bill would establish a hate crimes act applicable to incidents which target a victim due to the victim's race, religion, gender, gender identity, sexual orientation, or national origin.

**STATUS:** *This bill was introduced on March 7, 2011.*

**ACTIVE**

**New Jersey Assembly Bill 1185/  
Senate Bill 1616**

These bills would provide enhanced penalties for making a false report to law enforcement authorities with the purpose of implicating another because of race, color, religion, sexual orientation or ethnicity.

**STATUS:** *AB 1185 was introduced in the Assembly on Jan. 12, 2010, and SB 1616 was introduced in the Senate on March 4, 2010. These bills were referred to their respective Judiciary Committee.*

**ACTIVE**

**New York Assembly Bill 2526**

This bill would provide that the commissioner of the Division of Human Rights shall have power to investigate incidents apparently motivated by racial or other bias and, where appropriate, to recommend prosecution to the attorney general or to the appropriate district attorney.

**STATUS:** *This bill was introduced in the Assembly on Jan. 19, 2011, and was referred to the Governmental Operations Committee.*

**ACTIVE**

**New York Assembly Bill 5254**

This bill would specify that verbal use of commonly known profane slurs or biased language during the commission of specified offenses shall be presumptive evidence of a hate crime.

**STATUS:** *This bill was introduced in the Assembly on Feb. 14, 2011, and was referred to the Codes Committee.*

**ACTIVE**

**New York Senate Bill 2049**

This bill would create the crime of bias-related criminal mischief where property is defaced with derogatory references to race, creed, religion, color, sexual orientation, or national origin.

**STATUS:** *This bill was introduced in the Senate on Jan. 18, 2011, and was referred to the Codes Committee.*

**ACTIVE**

**New York Senate Bill 2089**

This bill would require police agencies to report offenses to the division of criminal justice services, which appear to such agencies to be motivated by the race, national origin, religion or sexual orientation of the victim or of the owner, resident, lessee or occupant where the offense is committed against property.

**STATUS:** *This bill was introduced in the Senate on Jan. 18, 2011, and was referred to the Investigations and Government Operations Committee.*

**ACTIVE**

**New York Senate Bill 2412**

This bill would create a governor's advisory

## Hate Crimes Bills

council on bias-related violence.

**STATUS:** *This bill was introduced in the Senate on Jan. 20, 2011, and was referred to the Finance Committee.*

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### ACTIVE

#### Ohio House Bill 235

This bill would rename the offense of “ethnic intimidation” to “identity intimidation” and prohibit a person from committing identity intimidation based on the victim’s ethnicity, sexual orientation, gender, gender identity, or disability.

**STATUS:** *This bill was introduced in the House on May 18, 2011, and was referred to the Criminal Justice Committee.*

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### ACTIVE

#### Oklahoma House Bill 1845

This bill would amend the state hate crimes law to add sexual orientation and gender identity.

**STATUS:** *This bill was introduced in the House on Feb. 7, 2011, and was referred to the Rules Committee.*

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### ACTIVE

#### Oklahoma Senate Bill 265

This bill would amend the state hate crimes law to add gender, sexual orientation, and gender identity.

**STATUS:** *This bill was introduced in the Senate on Feb. 7, 2011, and was referred to the Judiciary and Appropriations Committees.*

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### ACTIVE

#### Pennsylvania House Bill 1372/ Senate Bill 586

These bills would amend the state hate crimes law to add ancestry, mental or physical disability, sexual orientation, and gender or gender identity.

**STATUS:** *SB 586 was introduced in the Senate on Feb. 18, 2011, and HB 1372 was introduced in the House on April 25, 2011. Both bills were referred to their respective Judiciary Committee.*

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### ACTIVE

#### Pennsylvania House Bill 1535

This bill would, in part, make it a misdemeanor to harass a person based on race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation.

**STATUS:** *This bill was introduced in the House on May 11, 2011, and was referred to the Judiciary Committee.*

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### ACTIVE

#### Rhode Island House Bill 5089/ Senate Bill 121

These bills would amend the state hate crimes law to add gender identity.

**STATUS:** *HB 5089 was introduced in the House on Jan. 20, 2011. It passed the House Judiciary Committee on May 17, 2011, and the full House on May 25, 2011. It was transferred*

*to the Senate on June 1, 2011. SB 121 was introduced in the Senate on Jan. 27, 2011, and was referred to the Judiciary Committee.*

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### ACTIVE

#### South Carolina House Bill 4239

This bill would add sexual orientation to the state hate crimes law. Sexual orientation is defined to include gender identity.

**STATUS:** *This bill was introduced in the House on May 15, 2011, and was referred to the Judiciary Committee.*

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### ACTIVE

#### Tennessee House Bill 188 Senate Bill 314

This bill would amend existing state hate crimes laws to add gender identity and expression as enumerated categories.

**STATUS:** *HB 188 was introduced in the House on Jan. 28, 2011, and SB 314 was introduced in the Senate on Feb. 7, 2011. Both bills were referred to their respective Judiciary Committee.*

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### ACTIVE

#### Wisconsin Assembly Bill 199/ Senate Bill 145

These bills would amend the state hate crimes law to add gender as a protected category. They would neither explicitly include nor exclude gender identity.

**STATUS:** *SB 145 was introduced in the Senate on July 6, 2011, and was referred to the Senate Committee on Judiciary, Utilities, Commerce, and Government Operations. AB 199 was introduced in the Assembly on July 14, 2011, and was referred to the Assembly Committee on Criminal Justice and Corrections.*

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### DEAD

#### Alabama House Bill 247

This bill would have expanded the list of enumerated classes in the existing hate crimes law to provide additional penalties for crimes motivated by the victim’s sexual orientation or gender identity or expression.

**STATUS:** *This bill was introduced on March 10, 2011, and was referred to the Committee on Judiciary. It died on June 9, 2011, upon adjournment of the Legislature.*

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### DEAD

#### Indiana House Bill 1332

This bill would have required law enforcement officers to receive training in identifying, responding to, and reporting bias crimes. It also would have allowed an individual who suffers a personal injury or property damage caused by a criminal offense to bring a civil action to recover damages, including punitive damages, if the person who committed the offense knowingly or intentionally selected the victim because of

the victim's actual or perceived color, creed, disability, national origin, race, religion, sexual orientation, gender identity, or sex.

**STATUS:** *This bill was introduced in the House on Jan. 13, 2011, and was referred to Committee on Courts and Criminal Code. It died upon adjournment on April 29, 2011.*

#### DEAD

##### Nevada Senate Bill 180

This bill would have amended the state hate crimes statute to include gender identity as a protected category.

**STATUS:** *This bill was introduced in the Senate on Feb. 17, 2011. It passed the Senate Judiciary Committee on April 11, 2011, but failed by one vote in the full Senate on April 25, 2011.*

#### DEAD

##### North Dakota Senate Bill 2051

This bill would have amended the state hate crimes law to add sex and sexual orientation. Neither term is defined in the bill.

**STATUS:** *This bill was introduced on Jan. 4, 2011. It received a "do not pass" report from the Senate Judiciary Committee on Jan. 28, 2011. It then failed a full vote of the Senate on Feb. 1, 2011.*

#### DEAD

##### North Dakota Senate Bill 2052

This bill would have amended a limited selection of the hate crimes laws to include sex and sexual orientation. Neither term was defined in the bill.

**STATUS:** *This bill was introduced in the Senate on Jan. 4, 2011. It received a "do not pass" report from the Senate Judiciary Committee on Jan. 28, 2011. It failed to pass the full Senate on Feb. 2, 2011.*

#### DEAD

##### Oregon House Bill 3152/ Senate Bill 2011

These bills would have allow intimidation and fourth degree assault to be considered as hate crimes and would have required law enforcement agencies to report hate crimes to the FBI.

**STATUS:** *SB 2011 was introduced in the Senate on Jan. 10, 2011, and HB 3152 was introduced in the House on Feb. 7, 2011. Both bills were referred to their respective Judiciary Committees. They died upon adjournment on June 30, 2011.*

#### DEAD

##### Texas House Bill 172

This bill would have required the state attorney general to conduct a study on the effectiveness of the "James Byrd Jr. Hate Crimes Act."

**STATUS:** *This bill was introduced in the House on Nov. 8, 2010, and was referred to the Criminal Jurisprudence Committee. It died upon adjournment on May 30, 2011.*

#### DEAD

##### Texas House Bill 2227

This bill would have amended the state hate crimes law to add gender identity as a protected class.

**STATUS:** *This bill was introduced in the House on March 4, 2011, and was referred to the Criminal Jurisprudence Committee.*

#### DEAD

##### West Virginia House Bill 2840

This bill would have repealed most of West Virginia's hate crimes law and replaced it with language saying that all persons have a right to be free of violence without regard to the motivation behind the violence.

**STATUS:** *This bill was introduced in the House on Jan. 25, 2011, and was referred to the House Judiciary Committee. It died upon adjournment on March 18, 2011.*

## Parenting Bills

#### PASSED

##### Arizona Senate Bill 1188

This bill amended the adoption law to give preference to married couples in placing a child for adoption.

**STATUS:** *This bill was introduced in the Senate on Jan. 20, 2011. It passed the Public Safety and Human Services Committee on Feb. 2, 2011. It was amended by the full Senate March 2, 2011, then passed the full Senate March 8, 2011. It was transferred to the House and passed the Rules Committee on March 14, 2011. The bill passed the full House on April 12, 2011, and was signed into law by the governor on April 18, 2011.*

#### PASSED

##### Connecticut House Bill 6631

This bill clarifies that the parties to a gestational agreement may receive a replacement certificate of birth for the child born of the agreement, which identifies the intended parent or parents under the gestational agreement as parents of the child.

**STATUS:** *This bill was introduced in the House on March 24, 2011. It passed the Joint Committee on Judiciary on April 12, 2011, and the House Committee on Public Health on May 11, 2011. The bill was passed by the full House on June 2, 2011, and the full Senate on June 7, 2011. It was signed into law by the governor on July 8, 2011.*

#### PASSED

##### New Mexico Senate Bill 146

This bill makes technical corrections to the state Uniform Probate Code including clarifying under which circumstances children born via assisted reproduction and surrogacy are eligible to be

## Parenting Bills

considered a child of a deceased individual during probate.

**STATUS:** *This bill was introduced on Jan. 18, 2011. It passed the Senate Public Affairs Committee on Feb. 23, 2011, and the full Senate on Feb. 28, 2011. It then passed the House Judiciary Committee and the full House on March 11, 2011. It was signed by the governor on April 7, 2011.*

### PASSED

#### Virginia House Bill 2157

This bill allows a finalized foreign adoption decree to be valid in the Commonwealth of Virginia and eliminates the requirement that these adoptive parents readopt their child through the Virginia courts.

**STATUS:** *This bill was introduced in the House on Jan. 12, 2011. It passed the House Committee For the Courts of Justice on Jan. 31, 2011, and the full House on Feb. 4, 2011. It passed the Senate Committee for Courts of Justice on Feb. 9, 2011, but received a substitute bill in the Committee for Rehabilitation and Social Services on Feb. 18, 2011. The substitute bill passed the full Senate on Feb. 22, 2011. The House voted to reject the substitute on Feb. 23, 2011. Both the House and Senate voted to adopt the conference committee report on Feb. 25, 2011. The bill was signed by the governor on March 24, 2011.*

### PASSED

#### Washington House Bill 1267

This bill expands and clarifies the rights and obligations of state-registered domestic partners and other couples related to parentage. The bill establishes consistent standards and procedural safeguards for the protection of all parties involved in a surrogacy contract in the state and for confirming the legal status of children born as a result of these contracts.

**STATUS:** *This bill was introduced in the House on Jan. 18, 2011. The House Committee on Judiciary passed a substitute bill on Jan. 29, 2011. The House Committee on General Government Appropriations and Oversight passed a second substitute bill on Feb. 16, 2011. The full House passed the second substitute on Feb. 28, 2011. It passed the Senate Committee on Government Operations and Tribal Relations and Elections on March 22, 2011 and the full Senate on April 12, 2011. The bill was signed by the governor on May 10, 2011.*

### ACTIVE

#### California Assembly Bill 1217

This bill would establish the Model Act Governing Assisted Reproductive Technology, which would govern the provision of assisted reproduction. The bill would, in part, require informed consent by all participants prior to the commencement of assisted reproduction and would require that

binding agreements be reached by the parties relating to the future use of embryos created. This bill would also require all participants known to the assisted reproductive technology provider to undergo a mental health consultation and to be offered continuing mental health counseling to all participants.

**STATUS:** *This bill was introduced in the Assembly on Feb. 18, 2011. It passed the Assembly Committee on Judiciary on May 5, 2011, and the full Assembly on May 19, 2011. The bill was transferred to the Senate and assigned to the Senate Committee on Judiciary.*

### ACTIVE

#### District of Columbia Bill 615

This bill would expand the jurisdiction of the District of Columbia courts with regard to adoption to authorize the court to issue a determination of parentage for a child born in the District of Columbia but whose parents reside elsewhere.

**STATUS:** *This bill was introduced on Dec. 6, 2011, and was referred to the Committee on Judiciary.*

### ACTIVE

#### Hawaii House Bill 940/ Senate Bill 615

These bills would amend requirements for coverage of infertility treatments to include procedures other than in vitro fertilization and would remove the requirement that recipients of infertility treatment be married.

**STATUS:** *HB 940 was introduced in the House on Jan. 26, 2011, and was referred to the Health, Consumer Protection & Commerce, and Finance Committees. SB 615 was introduced on Jan. 21, 2011, and passed the Committees on Health and Judiciary and Labor on Feb. 4, 2011. The Committee on Ways and Means passed the bill on March 3, 2011. The Senate recommitted the bill to Ways and Means on March 8, 2011.*

### ACTIVE

#### Hawaii Senate Bill 1463

This bill would establish rules regarding the parental status of donors of eggs, sperm, or embryos and the requirements of consent to assisted reproduction.

**STATUS:** *This bill was introduced on Jan. 26, 2011, and was referred to the Committee on Judiciary and Labor.*

### ACTIVE

#### Illinois House Bill 3774/ Senate Bill 2495

These bills would allow a child welfare agency that is religiously based or owned by, operated by, or affiliated with a bona fide religious organization to refuse to provide adoption and foster care services that would constitute a violation of the organization's sincerely held religious doctrines or beliefs.

**STATUS:** *HB 3774 was introduced on May 11, 2011, and was referred to the House Rules*

*Committee. SB 2495 was introduced in the Senate on Oct. 12, 2011, and was referred to the Senate Assignments Committee.*

**ACTIVE****Massachusetts House Bill 2285**

This bill would codify that any child born to a married person as a result of artificial insemination or surrogate birth with the consent of his or her spouse shall be considered the legitimate child of the married persons.

**STATUS:** *This bill was introduced in the House on Jan. 21, 2011, and was referred to the Joint Committee on the Judiciary.*

**ACTIVE****Michigan House Bill 4249/ Senate Bill 167**

These bills would allow an unmarried couple to adopt jointly or complete a second parent adoption.

**STATUS:** *HB 4249 was introduced in the House on Feb. 15, 2011, and was referred to the House Committee on Families, Children, and Seniors. SB 167 was introduced in the Senate on Feb. 17, 2011, and was referred to the Senate Committee on Families, Seniors, and Human Services.*

**ACTIVE****Minnesota House Bill 644/ Senate Bill 727**

These bills would amend the state parentage codes to clarify that if a pregnancy was initiated by means other than sexual intercourse and a non-biological parent was intended at the outset of the process to be the legal parent of any resulting child pursuant to an express written agreement among all known presumptive parents entered into prior to the initiation of the pregnancy, that parent will be a legal parent. The bills would also provide that all sections relating to determination of paternity, including all presumptions and procedures, apply to determinations of maternity.

**STATUS:** *HB 644 was introduced in the House on Feb. 21, 2011, and was referred to the Civil Law Committee. SB 727 was introduced in the Senate on March 10, 2011, and was referred to the Judiciary and Public Safety Committee.*

**ACTIVE****New Jersey Senate Bill 2892**

This bill would mandate both parties to a marriage, civil union, or domestic partnership who choose to conceive a child by using a donated egg or a sperm to be presumed to legally be the parents of that child.

**STATUS:** *This bill was introduced in the Senate on May 19, 2011, and was referred to the Judiciary Committee.*

**ACTIVE****New York Senate Bill 3492**

This bill would prevent a judge from considering a

parent's decision to undergo gender reassignment when making a determination in a child custody case, and provide that the judge may not require the parent to refrain from undergoing gender reassignment as a condition of custody.

**STATUS:** *This bill was introduced in the Senate on Feb. 23, 2011, and was referred to the Senate Children and Families Committee.*

**DEAD****Maine Legislative Document 720**

This bill would have required insurance companies to cover infertility treatments, but would have limited the coverage to married couples. Same-sex couples can not marry in Maine.

**STATUS:** *This bill was introduced in the House on Feb. 18, 2011, and was referred to the Committee on Insurance and Financial Services. It died pursuant to Senate rules on April 28, 2011.*

**DEAD****Maryland House Bill 120/ Senate Bill 71**

These bills would have established a Commission on Surrogate Parenting to study and report to the governor and General Assembly on surrogacy in Maryland.

**STATUS:** *SB 71 was introduced in the Senate on Jan. 17, 2011, and received an unfavorable report from the Judiciary Committee on March 28, 2011. HB 120 was introduced on Jan. 24, 2011, and received an unfavorable report from the Health and Government Operations Committee on March 25, 2011.*

**DEAD****Missouri House Bill 417**

This bill would have allowed any person having a parent/child relationship with a minor child who is not the child's biological or legal parent to petition a court for an order establishing custody and visitation rights, regardless of whether the biological or legal parents are fit.

**STATUS:** *This bill was introduced in the House on Feb. 7, 2011, and was referred to the Judiciary Committee. It died upon adjournment on May 30, 2011.*

**DEAD****Missouri House Bill 515**

This bill would have required a written agreement between an embryo donor and recipient to terminate the donor's parental rights and responsibilities. It would have also provided that a child born to a recipient intended parent as the result of the donation – with written contract – shall be presumed to be the legal child of the recipient intended parent.

**STATUS:** *This bill was introduced on Feb. 15, 2011, and was referred to the Children and Families Committee. It died upon adjournment on May 30, 2011.*

## Schools-Related Bills

### DEAD

#### Nevada Senate Bill 52

This bill would have made the domestic partner of a mother at the time of the child's birth the presumptive second parent on the birth certificate. In addition, the bill would have prohibited the marking of a birth certificate as altered or amended when the change was court ordered.

**STATUS:** *This bill was introduced on Feb. 7, 2011. It passed the Senate Health and Human Services Committee on April 15, 2011. It died pursuant to the rules on April 27, 2011.*

### DEAD

#### New Mexico Senate Bill 396

This bill would have amended existing state law to prohibit a person who is not a parent of a child from having standing to seek custody of the child. In addition, it would have amended the definition of parent to exclude a person who is acting as a parent and a person who claims to have a right to have or share legal custody.

**STATUS:** *This bill was introduced in the House on Feb. 2, 2011, and was referred to the Public Affairs and Judiciary Committees. It was postponed indefinitely by the Public Affairs Committee.*

### DEAD

#### New York Assembly Bill 1234

This bill would have prevented a judge from considering a parent's decision to undergo gender reassignment when making a determination in a child custody case, and would have provided that the judge could not require the parent to refrain from undergoing gender reassignment as a condition of custody.

**STATUS:** *This bill was introduced in the Assembly on Jan. 5, 2011, and was referred to the Judiciary Committee. It died on July 11, 2011 when the enacting clause was stricken.*

### DEAD

#### Oregon House Bill 2379

This bill would have required all health benefit plans to cover in vitro fertilization.

**STATUS:** *This bill was introduced in the House on Jan. 11, 2011, and was referred to the Health Care Committee. It died upon adjournment on June 30, 2011.*

### DEAD

#### South Dakota House Bill 1218

This bill would have made it a felony to anyone other than the surrogate and intended parents to participate in a commercial surrogacy; made all surrogacy contracts unenforceable; given primary custody to the surrogate; and subjected the intended parents to civil penalties beginning at \$30,000.

**STATUS:** *This bill was introduced in the House on Jan. 31, 2011, and was referred to the Judiciary Committee. It died upon adjournment on March 28, 2011.*

### DEAD

#### Utah House Bill 108/ Senate Bill 62

These bills would have amended state law to explicitly allow an unmarried, cohabiting adult to enter into a second parent adoption.

**STATUS:** *These bills were introduced in their respective chamber on Feb. 3, 2011. HB 108 was referred to the House Rules Committee and SB 62 was referred to the Senate Health and Human Services Committee. They died when the House and Senate struck the enacting clauses on March 10, 2011.*

### DEAD

#### Utah House Bill 270

This bill would have emphasized that laws in support of families shall, to the fullest extent possible, strengthen, safeguard, and sustain families and shall "respect and promote the essential and complementary roles of both a father and a mother and uphold this public policy for the greatest public good."

**STATUS:** *This bill was introduced in the House on Feb. 3, 2011, and was referred to the House Rules Committee. It died when the House stripped the enacting clause on March 10, 2011.*

## Schools-Related Bills

### PASSED

#### Alabama House Resolution 187

This resolution recognizes public schools in Alabama that work with the AIDS Service Organization Network to promote HIV prevention.

**STATUS:** *This resolution was introduced and approved on March 24, 2011.*

### PASSED

#### Arizona House Bill 2415

This bill amends the existing school anti-bullying law to make small improvements including requiring a method for parents and school district employees to confidentially report incidents of harassment, intimidation, or bullying. The Arizona law does not include enumerated categories.

**STATUS:** *This bill was introduced in the House on Jan. 24, 2011, and passed both the Rules and Education Committees the same day. It passed the full House March 7, 2011. It was then sent to the Senate and passed the Judiciary Committee on March 24, 2011. On April 7, 2011, the bill was passed by the full Senate. The governor signed the bill into law on April 19, 2011.*

### PASSED

#### Arizona Senate Bill 1453

This bill allows a parent of a pupil in a public educational institution – who objects to any learning material or activity on the basis that the material or activity is harmful – to withdraw

that pupil from the activity or from the class or program in which the material is used. Objection to a learning material or activity on the basis that it is harmful includes objection to a material or activity because it questions beliefs or practices in sex, morality or religion.

**STATUS:** *This bill was introduced in the Senate on Feb. 1, 2011. It passed the Education Committee on Feb. 14, 2011, and the full Senate on March 14, 2011. It was transferred to the House and passed the Education and Rules Committees on March 21, 2011. The bill passed the full House on April 7, 2011, and the Senate concurred with the amendments on April 12, 2011. The governor signed the bill on April 15, 2011.*

**PASSED**

**Arkansas House Bill 1778**

This bill requires professional development for licensed professionals working in the public schools on teen suicide awareness and prevention.

**STATUS:** *This bill was introduced in the House on March 1, 2011. The bill passed the House Committee on Public Health, Welfare and Labor on March 3, 2011, and the full House on March 7, 2011. It was transferred to the Senate and passed the Senate Committee on Education on March 21, 2011. It passed the full Senate on March 23, 2011, and was enacted on March 30, 2011.*

**PASSED**

**Arkansas Senate Bill 214**

This bill amends the existing anti-bullying law to prohibit cyberbullying.

**STATUS:** *This bill was introduced in the Senate on Feb. 2, 2011. It passed the Committee on Judiciary on March 16, 2011, and the full Senate on March 17, 2011. The bill was transmitted to the House and passed the Committee on Judiciary on March 22, 2011. It was passed by the full House on March 28, 2011, and was enacted on April 1, 2011.*

**PASSED**

**Arkansas Senate Bill 892**

This bill amends the existing anti-bullying law to add enumerated categories, including sexual orientation and gender identity, and requires training.

**STATUS:** This bill was introduced on March 7, 2011. It passed the Senate Committee on Education on March 14, 2011, and the full Senate on March 15, 2011. It was transferred to the House and passed the House Committee on Education on March 22, 2011. The bill was passed by the full House on March 28, 2011, and was enacted on April 1, 2011.

**PASSED**

**California Assembly Bill 9**

This bill states the intent of the Legislature to enact legislation to protect pupils from acts of

bullying by requiring school personnel to report known or suspected instances of bullying to law enforcement entities; requires the policy adopted by the local educational agencies to prohibit discrimination, harassment, intimidation, and bullying based on actual or perceived characteristics; and requires that school personnel who witness such acts take immediate steps to intervene when it is safe to do so.

**STATUS:** *This bill was introduced in the Assembly on Dec. 6, 2010. It passed the Assembly Committee on Education on April 25, 2011, the Assembly Committee on Appropriations on May 27, 2011, and the full Assembly on June 1, 2011. It passed the Senate Committee on Education on June 22, 2011, the Senate Committee on Appropriations on Aug. 29, 2011, and the full Senate on Sept. 1, 2011. The Assembly concurred in the Senate amendments on Sept. 7, 2011. The bill was signed by the governor on Oct. 9, 2011.*

**PASSED**

**California Assembly Bill 620**

This bill requires the Trustees of the California State University and the Board of Governors of the California Community Colleges, and requests the Regents of the University of California, to adopt policies on harassment, intimidation, and bullying to be included within the rules of student conduct governing their respective segments of public postsecondary education. It also requires each segment of public postsecondary education to develop and implement professional development and awareness training programs to, among other things, train faculty with respect to generating an inclusive curriculum; address harassment of individuals based on sexual orientation and gender identity; train campus public safety officers about hate crimes and harassment based on sexual orientation and gender identity; and train financial aid advisers with respect to financial assistance for lesbian, gay, bisexual, and transgender students.

**STATUS:** *This bill was introduced in the Assembly on Feb. 16, 2011. It passed the Assembly Committee on Higher Education on March 30, 2011, the Assembly Committee on Appropriations on May 27, 2011, and the full House on June 1, 2011. It passed the Senate Committee on Education on June 22, 2011, the Senate Committee on Judiciary on June 28, 2011, and the full Senate on Aug. 31, 2011. The Assembly concurred in the Senate amendments on Sept. 6, 2011. The bill was signed by the governor on Oct. 8, 2011.*

**PASSED**

**California Assembly Bill 746**

This bill specifies that an electronic act for purposes of the existing anti-bullying law includes a post on a social network Internet web site.

## Schools-Related Bills

**STATUS:** *This bill was introduced in the Assembly on Feb. 17, 2011. It passed the Assembly Committee on Education on March 31, 2011, and the full Assembly on April 14, 2011. It passed the Senate Committee on Education on June 8, 2011, and the full Senate on June 23, 2011. The bill was signed into law by the governor on July 7, 2011.*

### PASSED

#### California Assembly Bill 1156

This bill amends the definition of bullying by specifying that bullying includes harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. It also requires training of school personnel in bullying prevention and allows victims of bullying to attend school in another district.

**STATUS:** *This bill was introduced in the Assembly on Feb. 18, 2011. It passed the Assembly Committee on Education on May 2, 2011, the Assembly Committee on Appropriations on May 27, 2011, and the full Assembly on June 2, 2011. It passed the Senate Committee on Education on July 5, 2011, the Senate Committee on Appropriations on Aug. 30, 2011, and the full Senate on Sept. 7, 2011. The Assembly concurred in the Senate amendments on Sept. 8, 2011. The bill was signed by the governor on Oct. 9, 2011.*

### PASSED

#### California Assembly Concurrent Resolution 22

This resolution declares March 2011 to be California School Bullying Prevention Awareness Month, and urges that the issue of bullying, and methods of preventing it, be discussed with appropriate activities in California schools during this time.

**STATUS:** *This resolution was introduced in the Assembly on Feb. 17, 2011. It passed the Committee on Education March 24, 2011, and was adopted by the full Assembly on March 25, 2011. The resolution was adopted by the full Senate on May 5, 2011, and was enrolled on May 12, 2011.*

### PASSED

#### California Senate Bill 48

This bill creates the Fair, Accurate, Inclusive, and Respectful (FAIR) Education Act, which amends the state education law to require schools to integrate factual information about social movements, current events and history of people with disabilities and LGBT people into existing social studies lessons. It also prevents the State Board of Education from adopting instructional materials that discriminate.

**STATUS:** *This bill was introduced in the*

*Senate on Dec. 13, 2010. It passed the Senate Committee on Education on March 23, 2011, the Senate Committee on Judiciary on April 6, 2011, and the full Senate on April 14, 2011. It passed the Assembly Committee on Education on June 23, 2011, and the full Assembly on July 5, 2011. The bill was signed by the governor on July 13, 2011. At the time of this publication, efforts were underway from opponents of the bill to place it on the November 2012 ballot.*

### PASSED

#### Colorado House Bill 1254

This bill creates a legislative interim committee during the 2013 interim to study issues related to bullying in public schools. The bill also creates the school bullying prevention and education grant program in the department of education to allow eligible applicants to apply for grants to fund programs to reduce the frequency of bullying incidents. In addition, the bill makes changes to existing safe-schools law to improve protections for students.

**STATUS:** *This bill was introduced on Feb. 10, 2011. It passed the full House on March 23, 2011, and the full Senate on May 5, 2011. Both the House and Senate adopted the committee report amendments on May 11, 2011. The bill was signed by the governor on May 13, 2011.*

### PASSED

#### Colorado Senate Resolution 5

This resolution declares June as "Colorado Adolescent Sexual and Reproductive Health Month," recognizing the need for medically accurate, age appropriate sex education.

**STATUS:** *This resolution was introduced in the Senate on April 18, 2011. It was passed by the full Senate on May 4, 2011, and was signed by the president of the Senate on May 18, 2011.*

### PASSED

#### Connecticut Senate Bill 1138

This bill amends the existing school anti-bullying law to enumerate categories, including sexual orientation and gender identity, add cyberbullying, and increase training.

**STATUS:** *This bill was introduced in the Senate on March 3, 2011. It passed the Joint Committee on Education March 23, 2011, the Committee on Judiciary on April 26, 2011, and the Senate Committee on Appropriations on May 16, 2011. It was passed by the full Senate on May 26, 2011 and the full House on June 8, 2011. This bill was signed into law by the governor on July 13, 2011.*

### PASSED

#### Hawaii House Bill 688

This bill requires the Board of Education to monitor compliance with Department of Education rules or statutes covering bullying, cyberbullying,

or harassment, and to establish reporting requirements for the Department of Education. It does not enumerate categories for protection.

**STATUS:** *This bill was introduced in the House on Jan. 24, 2011. It passed the House Education Committee on Feb. 2, 2011, the House Judiciary Committee on Feb. 17, 2011, and the House Finance Committee on March 3, 2011. It passed the full House on March 8, 2011, and was introduced in the Senate on March 10, 2011. The bill passed the Senate Education Committee on March 21, 2011, and the Senate Judiciary & Labor Committee on April 7, 2011. It then passed the full Senate on April 12, 2011, and both the House and Senate accepted amendments on May 3, 2011. It was signed into law by the governor on July 11, 2011.*

#### **PASSED**

##### **Kansas Senate Resolution 1820**

This resolution establishes that the first full week of October of each year, beginning with October 2011, be designated Anti-Bullying Awareness Week in Kansas.

**STATUS:** *This resolution was introduced and adopted by the full Senate on March 4, 2011. It was enrolled on March 8, 2011.*

#### **PASSED**

##### **Maryland House Bill 38**

This bill clarifies that any private school that participates in state-funded educational programs must adopt a policy prohibiting bullying, harassment, and intimidation. It does not require enumerated categories.

**STATUS:** *This bill was introduced in the House on Jan. 17, 2011. It passed the Committee on Ways and Means on March 14, 2011, and the full House on March 18, 2011. The bill passed the Senate Committee on Education, Health, and Environmental Affairs on April 4, 2011, and the full Senate on April 5, 2011. The House concurred with the Senate amendments on April 7, 2011. The governor signed the bill into law on May 19, 2011.*

#### **PASSED**

##### **Maryland Senate Bill 489**

This bill clarifies that any private school that participates in state-funded educational programs must adopt a policy prohibiting bullying, harassment, and intimidation. It does not require enumerated categories.

**STATUS:** *This bill was introduced in the Senate on Feb. 4, 2011. It passed the Committee on Education, Health, and Environmental Affairs on March 21, 2011, and the full Senate on March 24, 2011. The bill passed the House Committee on Ways and Means on April 5, 2011, and the full House on April 6, 2011. The Senate concurred with the House amendments on April 8, 2011. The governor signed the bill into law on May 19, 2011.*

#### **PASSED**

##### **Michigan House Bill 4163**

This bill requires the board of a school district, or intermediate school district, or board of directors of a public school academy to adopt and implement a policy prohibiting bullying at school; requires the adoption of anti-bullying procedures; mandates training; and encourages the formation of bullying prevention taskforces.

**STATUS:** *This bill was introduced in the House on Feb. 1, 2011. It passed the House Committee on Education on Nov. 9, 2011, and the full House on Nov. 10, 2011. It passed the Senate Committee of the Whole and the full Senate on Nov. 29, 2011. The bill was signed by the governor on Dec. 7, 2011.*

#### **PASSED**

##### **Mississippi House Bill 999**

This bill requires the adoption of abstinence-only or abstinence-plus sex education in public schools, and requires that all sex education take place in sex-segregated classes.

**STATUS:** *This bill was introduced in the House on Jan. 17, 2011. It passed the House Education Committee on Jan. 27, 2011, and the full House on Feb. 9, 2011. It passed the Senate Education Committee on Feb. 24, 2011, and the full Senate on March 3, 2011. It was signed into law by the governor on March 16, 2011.*

#### **PASSED**

##### **Nebraska Legislative Resolution 107**

This resolution designates October 2011, as Nebraska School Bullying Prevention Month, with the intention that the issue of bullying and its prevention be discussed in Nebraska during that time.

**STATUS:** *This resolution was introduced on March 8, 2011, and was adopted by the full Legislature on March 16, 2011.*

#### **PASSED**

##### **Nevada Assembly Bill 138**

This bill requires, in part, that the state Board of Education include in its annual report of accountability the number of incidents resulting in suspension or expulsion for bullying, cyberbullying, harassment or intimidation.

**STATUS:** *This bill was introduced in the Assembly on Feb. 11, 2011. It passed the Assembly Education Committee on April 8, 2011, and the full Assembly on April 18, 2011. It then passed the Senate Education Committee on May 19, 2011, and the full Senate on May 23, 2011. The bill was signed by the governor on May 29, 2011.*

#### **PASSED**

##### **Nevada Senate Bill 276**

This bill amends the existing anti-bullying laws to, in part, prohibit any person from bullying, cyberbullying, harassing, or intimidating a student.

## Schools-Related Bills

It requires the Department of Education to establish and recommend training programs for members of the state Board of Education, boards of trustees of school districts and school district personnel on the prevention of bullying, cyberbullying, harassment and intimidation in public schools; creates the bullying prevention fund in the state general fund; requires the principal of each public school to establish a school safety team; mandates reporting of the number of incidents resulting in suspension or expulsion for bullying, cyber-bullying, harassment or intimidation, reported for each school district; and requires the governor to annually proclaim the first week in October to be "Week of Respect."

**STATUS:** *This bill was introduced in the Senate on March 18, 2011. It passed the Senate Education Committee on April 19, 2011, and the Senate Finance Committee and the full Senate on May 30, 2011. It then passed the Assembly Education Committee on June 5, 2011. It was declared an emergency measure under the state constitution and passed the full Assembly the same day. The bill was signed into law on June 14, 2011.*

### PASSED

#### New Jersey Assembly Bill 3466

This bill strengthens the state cyberbullying law, extends coverage to bullying off school grounds that carries into schools, and incorporates the state's public universities into select provisions.

**STATUS:** *This bill was introduced Nov. 8, 2010, and passed out of the Assembly Education Committee Nov. 15, 2010. It passed both the full Assembly and the full Senate Nov. 22, 2010. It was signed by the governor on Jan. 5, 2011.*

### PASSED

#### New Mexico Senate Bill 78

This bill requires every local school board to promulgate a bullying prevention policy by August 2011, and every public school to implement a bullying prevention program by August 2012.

**STATUS:** *This bill was introduced in the Senate on Jan. 18, 2011. It passed the Senate Public Affairs Committee on Feb. 2, 2011, and the full Senate on Feb. 18, 2011. It then passed the House Education Committee and the full House on March 11, 2011. It was signed by the governor on April 4, 2011.*

### PASSED

#### New Mexico Senate Bill 446

This bill, in part, clarifies that charter schools shall be subject to all federal and state laws and constitutional provisions prohibiting discrimination, including on the basis of gender identity and sexual orientation.

**STATUS:** *This bill was introduced in the Senate on Feb. 9, 2011. It passed the Senate Judiciary Committee on Feb. 21, 2011, the*

*Senate Finance Committee on March 2, 2011, and the full Senate on March 7, 2011. It then passed the House Education and Judiciary Committees on March 11, 2011, and the full House on March 24, 2011. It was signed by the governor on March 30, 2011.*

### PASSED

#### North Dakota House Bill 1229

This bill requires each school district and nonpublic school to include "instruction pertaining to the risks associated with adolescent sexual activity and the social, psychological, and physical health gains to be realized by abstaining from sexual activity before and outside of marriage."

**STATUS:** *This bill was introduced in the House on Jan. 10, 2011. It passed the House Education Committee on Feb. 17, 2011, and the full House on Feb. 22, 2011. It then passed the Senate Education Committee on March 24, 2011, and the full Senate on March 28, 2011. The House refused to concur in the amended bill and a conference committee was established. The conference committee report was adopted by both the House and Senate on April 26, 2011. The bill was signed by the governor on May 20, 2011.*

### PASSED

#### North Dakota House Bill 1465

This bill requires every school district to develop a policy to prohibit the bullying of one student by another and to provide bullying prevention programs. It does not have included enumerated categories.

**STATUS:** *This bill was introduced in the House on Jan. 17, 2011. It passed the House Education Committee on Feb. 17, 2011, and the full House on Feb. 22, 2011. It then passed the Senate Education Committee on March 16, 2011, and the full Senate on March 17, 2011. The bill was signed by the governor on April 22, 2011.*

### PASSED

#### Pennsylvania House Resolution 457/ Senate Resolution 218

These resolutions recognize the week of Oct. 24 through 28, 2011, as "No Place for Hate Week" in Pennsylvania and commend the Anti-Defamation League for its "outstanding efforts to promote peace, brotherhood, and goodwill through its 'No Place for Hate' program."

**STATUS:** *HR 457 was introduced in the House on Oct. 18, 2011, and was adopted by the full House on Oct. 19, 2011. SR 218 was introduced and adopted by the full Senate on Oct. 24, 2011.*

### PASSED

#### Rhode Island House Bill 5941

This bill creates the "Safe School Act", which prohibits bullying and cyberbullying; requires schools to adopt the statewide anti-bullying

policy; and enumerates categories for protection including sexual orientation and gender identity.

**STATUS:** *This bill was introduced in the House on March 17, 2011. It passed the House Health, Education, and Welfare Committee on May 25, 2011, and the full House on May 31, 2011. The bill then passed the Senate Judiciary Committee on June 14, 2011 and the full Senate on June 23, 2011. It was signed by the governor on June 30, 2011.*

#### **PASSED**

##### **Tennessee House Bill 301**

This bill requires that each Local Education Authority (LEA) include a prohibition against cyberbullying in its existing policy prohibiting harassment, intimidation or bullying.

**STATUS:** *This bill was introduced in the House on Feb. 9, 2011. It passed the house Education Committee on April 26, 2011, and the full House on May 2, 2011. It then passed the full Senate on May 9, 2011. The bill was signed by the governor on May 23, 2011.*

#### **PASSED**

##### **Texas House Bill 1942**

This bill amends the state anti-bullying law to expand the definition of bullying; require the adoption of curricula on bullying prevention; prohibit bullying via electronic means; and require the adoption of an anti-bullying policy and procedure.

**STATUS:** *This bill was introduced in the House on March 1, 2011. It passed the House Public Education Committee on April 12, 2011, and the full House on May 4, 2011. It passed the Senate Education Committee on May 20, 2011, and the full Senate on May 23, 2011. On May 24, 2011, the House concurred in the Senate amendments. The bill was signed by the governor on June 17, 2011.*

#### **PASSED**

##### **Utah Senate Bill 304**

This bill adds prohibitions on cyberbullying and harassment to the state anti-bullying law.

**STATUS:** *This bill was introduced in the Senate on March 2, 2011. It passed the Senate Education Committee on March 3, 2011, and the full Senate on March 8, 2011. It passed the full House on March 10, 2011. The bill was signed by the governor on March 22, 2011.*

#### **PASSED**

##### **Washington House Bill 1163**

This bill provides for the creation of an ongoing work group on school bullying and harassment prevention to develop, recommend, and implement strategies to improve school climate and create respectful learning environments in Washington public schools. The bill also requires higher education boards to study the policies and environments at community

colleges and universities.

**STATUS:** *This bill was introduced into the House on Jan. 13, 2011. It passed the House Committee on Education on Feb. 11, 2011, the House Committee on Education Appropriations and Oversight on Feb. 18, 2011, and the full house on March 2, 2011. It passed the Senate Committee on Early Learning and K-12 Education on March 22, 2011, the Senate Committee on Ways and Means on March 30, 2011, and the full Senate on April 4, 2011. The House concurred in the Senate amendments on April 13, 2011. The bill was signed by the governor on April 29, 2011.*

#### **PASSED**

##### **West Virginia House Bill 3225**

This bill expands the definition of "harassment, intimidation or bullying" to include electronic acts, communications, or transmissions; and prohibits acts that would create an emotionally abusive educational environment or disrupt or interfere with the orderly operation of the school.

**STATUS:** *This bill was introduced in the House on Feb. 21, 2011. It passed the House Education Committee on Feb. 22, 2011, the House Judiciary Committee on Feb. 25, 2011, and the full House on March 2, 2011. It passed the Senate Education Committee on March 3, 2011, the Senate Judiciary Committee on March 9, 2011, and the full Senate on March 10, 2011. The House concurred in the Senate amendments on March 12, 2011. It was signed by the governor on April 1, 2011.*

#### **ACTIVE**

##### **California Assembly Bill 227**

This bill would, in part, required education for pupils and teachers on the prevention of, and legal consequences for, cyberbullying.

**STATUS:** *This bill was introduced in the Assembly on Feb. 2, 2011. It passed the Assembly Committee on Education on April 5, 2011, the Assembly Committee on Appropriations on April 7, 2011, and the full Assembly on April 25, 2011. It passed the Senate Committee on Education on June 30, 2011, and was re-referred to the Senate Committee on Appropriations.*

#### **ACTIVE**

##### **California Assembly Bill 630**

This bill would establish that it is the intent of the Legislature to encourage school districts to establish programs, to be implemented throughout the year and integrated either into the regular curriculum or through separate instruction, to reduce bullying through training and best practice methodologies involving collaboration among pupils, parents, and school staff.

**STATUS:** *This bill was introduced in the Assembly on Feb. 16, 2011, and was referred to the Committee on Education.*

## Schools-Related Bills

### ACTIVE

#### California Assembly Bill 1253

This bill would express the intent of the Legislature to enact legislation that would make it easier for pupils and their parents or guardians to report incidents of bullying.

**STATUS:** *This bill was introduced in the Assembly on Feb. 18, 2011.*

### ACTIVE

#### California Assembly Bill 1348

This bill would add gender and sexual orientation to the topics about which a test, questionnaire, survey, or examination containing any questions regarding the beliefs or practices of a pupil or the parents or legal guardians of a pupil would be prohibited unless the parent or legal guardian of the pupil was notified in writing and gave written permission.

**STATUS:** *This bill was introduced in the Assembly on Feb. 18, 2011, and was referred to the Committees on Education and Judiciary.*

### ACTIVE

#### California Assembly Bill 1373/ Senate Bill 13

These bills would, in part, require school districts that choose to provide healthy relationship and teen dating violence prevention education programs to use research-based materials that are appropriate for students of all races, genders, sexual orientations, gender identities, and ethnic, and cultural backgrounds, and for students with disabilities.

**STATUS:** *SB 13 was introduced in the Senate on Dec. 6, 2010. It failed to pass the Committee on Education on May 4, 2011, but reconsideration was granted. AB 1373 bill was introduced in the Assembly on Feb. 18, 2011. It passed the Assembly Committee on Education on April 25, 2011, and was re-referred to the Assembly Committee on Appropriations.*

### ACTIVE

#### California Senate Bill 453

This bill would include acts of bullying that have persisted and reoccurred, despite repeated efforts at remediation and termination of the behavior by the principal or the superintendent of schools, on the list of acts for which expulsion may be recommended.

**STATUS:** *This bill was introduced in the Senate on Feb. 16, 2011. It passed the Committee on Rules on May 3, 2011, and was re-referred to the Committee on Appropriations.*

### ACTIVE

#### District of Columbia Bill 11

This bill would establish anti-bullying laws for all schools accepting public funding as well as public libraries, parks, and recreational facilities. It would require enumerated categories including sexual orientation and gender identity, and prohibit cyberbullying.

**STATUS:** This bill was introduced on Jan. 4, 2011, and was referred to the Committee of the Whole, Libraries, Parks and Recreation.

### ACTIVE

#### Georgia House Bill 310

This bill would create "The End to Cyberbullying Act," which would amend existing state anti-bullying laws to prohibit acts of bullying via an electronic act that is directed specifically at another student or at school personnel.

**STATUS:** *This bill was introduced on Feb. 22, 2011.*

### ACTIVE

#### Hawaii House Bill 215

This bill would make bullying in schools a misdemeanor offense and requires counseling for anyone convicted of the offense. It does not include enumerated categories.

**STATUS:** *This bill was introduced on Jan. 21, 2011, and was referred to the Education and Judiciary Committees.*

### ACTIVE

#### Hawaii House Bill 685

This bill, in part, would provide that sexuality health education shall not discriminate on the basis of sex, race, ethnicity, national origin, disability, religion, sexual orientation, or gender identity. It would also provide parents the ability to opt out their child(ren) from sexuality health education.

**STATUS:** *This bill was introduced on Jan. 24, 2011, and was referred to the Education, Health, and Finance Committees.*

### ACTIVE

#### Hawaii House Bill 690

This bill would require the Department of Education to adopt rules to prohibit school bullying and cyberbullying. It does not contain enumerated categories for protection.

**STATUS:** *This bill was introduced Jan. 24, 2011, and was referred to the Education, Judiciary, and Finance Committees.*

### ACTIVE

#### Hawaii House Concurrent Resolution 222/ House Resolution 193

These resolutions would request the Department of Education to require counseling for anyone involved with bullying in school and possible expulsion for failure to comply therewith.

**STATUS:** These resolutions were introduced on March 16, 2011, and were referred to the Education and Finance Committees. The committees recommended the measures be deferred on March 30, 2011.

### ACTIVE

#### Hawaii Senate Bill 87

This bill would require the Board of Education to adopt a policy that prohibits bullying in schools and assigns a student to an alternative school if the

student has committed the offense of bullying three times in a school year. In addition, it would require the Department of Education to adopt a model anti-bullying policy. The bill is unenumerated.

**STATUS:** *This bill was introduced on Jan 21, 2011, and was assigned to the Education and Judiciary & Labor Committees. The Education Committee deferred the measure Feb. 2, 2011.*

#### ACTIVE

##### Hawaii Senate Bill 237

This bill would amend the existing cyberbullying law to include the Internet, cell phones, personal digital assistance devices, or any wireless hand-held in the definition of "electronic communication."

**STATUS:** *This bill was introduced in the Senate on Jan. 21, 2011. It passed the Committee on Economic Development and Technology on Feb. 11, 2011, and was re-referred to the Committee on Judiciary and Labor.*

#### ACTIVE

##### Hawaii Senate Bill 919

This bill would require the Department of Education to maintain, monitor, and enforce anti-bullying and anti-harassment policies and procedures to protect students or groups of students from bullying, cyberbullying, and harassment. It would not require enumeration.

**STATUS:** *This bill was introduced on Jan. 21, 2011, and was referred to the Committees on Education and Judiciary and Labor. On Feb. 9, 2011, the Committee on Education deferred the measure.*

#### ACTIVE

##### Hawaii Senate Bill 922

This bill would add clarifications to the law requiring schools to offer medically accurate sexuality health education, including a clarification that the curriculum shall not discriminate on the basis of sex, race, ethnicity, national origin, disability, religion, sexual orientation, or gender identity, and a clarification that parents may opt out their children via a written request.

**STATUS:** *This bill was introduced in the Senate on Jan. 21, 2011, and passed the Senate Committees on Education and Health on Feb. 9, 2011. It passed the full Senate on March 8, 2011, and was transmitted to the House where it was referred to the House Committees on Health, Education, and Finance.*

#### ACTIVE

##### Hawaii Senate Bill 934

This bill would require the establishment and implementation of a bullying and cyberbullying policy for all public schools and charter schools; establish bullying and cyberbullying reporting requirements; and enumerate categories for protection including sexual orientation and gender identity.

**STATUS:** *This bill was introduced in the Senate on Jan. 21, 2011. It passed the Senate Committee on Education on Feb. 9, 2011, and the Senate Committee on Judiciary and Labor on Feb. 24, 2011. The bill was passed by the full Senate on March 8, 2011, and was transmitted to the House. It passed the House Committee on Education on March 16, 2011, and the House Committee on Judiciary on March 22, 2011, then was referred to the House Committee on Finance.*

#### ACTIVE

##### Illinois House Bill 3387

This bill would require the State Board of Education to convene the School Bullying Prevention Task Force to continue to monitor bullying in schools and to consider any additional recommendations for the governor and General Assembly.

**STATUS:** *This bill was introduced in the House on Feb. 24, 2011, and was referred to the Rules Committee.*

#### ACTIVE

##### Illinois Senate Bill 1619

This bill would create the "Personal Responsibility Education Program Act," mandating that if an elementary or secondary public school offers sex education or sexual health education, the education must be medically accurate and developmentally and age appropriate and must include instruction regarding the benefits of delaying or abstaining from sexual activity. It would also require course material and instruction be free from bias in accordance with the Illinois Human Rights Act, which covers sexual orientation and gender identity. In addition, it would amend the "Critical Health Problems and Comprehensive Health Education Act" to replace references from "abstinence until marriage" with "abstinence."

**STATUS:** *This bill was introduced in the Senate on Feb. 9, 2011. It passed the Public Health Committee on March 15, 2011. The third reading of the bill was postponed on May 3, 2011.*

#### ACTIVE

##### Kansas Senate Bill 68

This bill would require all school districts to provide comprehensive, age-appropriate and medically accurate sex education.

**STATUS:** *This bill was introduced on Jan. 27, 2011, and was referred to the Committee on Education.*

#### ACTIVE

##### Maine Legislative Document 980

This bill would, in part, amend existing safe-school law to include cyberbullying.

**STATUS:** *This bill was introduced in the House on March 8, 2011, and was referred to the*

## Schools-Related Bills

*Committee on Education and Cultural Affairs. It was carried over to the next legislative session pursuant to House rules on June 29, 2011.*

### ACTIVE

#### Maine Legislative Document 1237

This bill would require each school administrative unit to adopt a harassment, intimidation and bullying prevention policy based upon a model policy developed by the Maine commissioner of education.

**STATUS:** *This bill was introduced in the House and Senate on March 22, 2011. It passed the full House on June 9, 2011. It was carried over to the next legislative session pursuant to House rules on June 29, 2011.*

### ACTIVE

#### Massachusetts House Bill 179/ Senate Bill 184

These bills would, in part, require the standards for health education be age-appropriate and medically accurate. They would also provide parents with notification of sex education in the schools with the opportunity to provide a written opt-out.

**STATUS:** *HB 179 was introduced in the House on Jan. 19, 2011, and SB 184 was introduced in the Senate on Jan. 21, 2011. Both bills were referred to the Joint Committee on Education.*

### ACTIVE

#### Massachusetts House Bill 1059

This bill would repeal the state anti-bullying law.

**STATUS:** *This bill was introduced in the House on Jan. 20, 2011, and was referred to the Joint Committee on Education.*

### ACTIVE

#### Massachusetts House Bill 1060

This bill would require any school program which involves "human sexual education, human sexuality issues, or alternative sexual behavior" to be offered only in clearly identified non-mandatory elective courses or activities in which parents or guardians may choose to enroll their children through written notification to the school. Alternative sexual behavior is defined as "homosexuality, bisexuality, lesbianism, transsexuality, transgenderism, cross-dressing, pansexuality, promiscuity, sodomy, pederasty, prostitution, oral sex, anal sex, masturbation, polygamy, polyandry, sex re-assignment treatments, 'bondage and discipline,' sado-masochism, bestiality, and similar behaviors... issues and relationships deriving from those behaviors, including but not limited to 'sexual orientation,' and alternative family, parenting, and marriage constructs."

**STATUS:** *This bill was introduced in the House on Jan. 24, 2011, and was referred to the Joint Committee on Education.*

### ACTIVE

#### Massachusetts House Bill 1063/ Senate Bill 190

These bills would require all sex education to be medically accurate, age appropriate, and be appropriate for students regardless of gender, race, disability status, or sexual orientation.

**STATUS:** *HB 1063 was introduced in the House on Jan. 20, 2011, and SB 190 was introduced in the Senate on Jan. 21, 2011. Both bills were referred to the Joint Committee on Education.*

### ACTIVE

#### Massachusetts House Bill 1934

This bill would require that curriculum on "human sexual education, human sexuality issues, or sexual orientation" shall be offered only in clearly identified non-mandatory elective courses in which parents or guardians may choose to enroll their children through written notification to the school.

**STATUS:** *This bill was introduced in the House on Jan. 24, 2011, and was referred to the Joint Committee on Education.*

### ACTIVE

#### Massachusetts House Bill 2715

This bill would require schools to adopt and implement a local policy that allows for a limited public forum and voluntary student expression of religious viewpoints at school events and graduation ceremonies, in class assignments, and in non-curricular school groups and activities.

**STATUS:** *This bill was introduced in the House on Jan. 21, 2011, and was referred to the Joint Committee on Education.*

### ACTIVE

#### Massachusetts House Bill 3584

This bill would require that each school district's plan include a statement recognizing that certain students may be more vulnerable to becoming targets of bullying, harassment, or teasing based on actual or perceived differentiating characteristics, including but not limited to race, color, religion, ancestry, national origin, sex, socioeconomic status, academic status, gender identity or expression, physical appearance, sexual orientation, mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics. It would also require the plan include specific steps the district will take to create a safe, supportive environment for vulnerable populations in the school community.

**STATUS:** *This bill was introduced in the House on July 13, 2011, and was referred to the Committee on Education.*

**ACTIVE****Massachusetts Senate Bill 259**

This bill would, in part, require all sex education to be medically accurate and age appropriate.

**STATUS:** *This bill was introduced in the Senate on Jan. 21, 2011, and was referred to the Joint Committee on Education.*

**ACTIVE****Michigan House Bill 4173**

This bill would require the board of a school district or board of directors of a public school academy to adopt a policy prohibiting harassment or bullying at school; encourage the formation of bullying prevention taskforces; require training; establish a procedure for addressing incidents; and include the following enumerated categories: actual or perceived religion, race, color, national origin, age, sex, sexual orientation, disability, height, weight, gender identity, socioeconomic status, or any other distinguishing characteristic.

**STATUS:** *This bill was introduced in the House on Feb. 1, 2011, and was referred to the Committee on Education.*

**ACTIVE****Michigan House Bill 4251/ Senate Bill 261**

These bills would require the Department of State Police to develop and maintain a cyberbullying awareness campaign.

**STATUS:** *HB 4251 was introduced in the House on Feb. 15, 2011, and SB 261 was introduced in the Senate on March 10, 2011. These bills were referred to their respective Committee on Judiciary.*

**ACTIVE****Michigan House Bill 4252**

This bill would require the Department of State Police and the Department of Education to utilize the Michigan school violence hotline to accept reports of cyberbullying in schools. It would also require law enforcement officials and school officials who receive a credible report of cyberbullying to report the incident to the parents of each alleged perpetrator or victim.

**STATUS:** *This bill was introduced in the House on Feb. 15, 2011, and was referred to the Committee on Judiciary.*

**ACTIVE****Michigan House Bill 4391/ Senate Bill 147**

These bills would require the board of a school district or board of directors of a public school academy to adopt a policy prohibiting harassment, intimidation, bullying or cyberbullying at school; and include the following enumerated categories: actual or perceived religion, race, color, national origin, age, sex, sexual orientation, disability, height, weight, gender identity, socioeconomic status, or any other distinguishing characteristic.

**STATUS:** *SB 147 was introduced in the*

*Senate on Feb. 16, 2011, and HB 4391 was introduced in the House on March 8, 2011. These bills were referred to their respective Committee on Education.*

**ACTIVE****Michigan House Bill 4807**

This bill would require sex education to be age appropriate, medically accurate, and objective.

**STATUS:** *This bill was introduced in the House on June 23, 2011, and was referred to the Committee on Health Policy.*

**ACTIVE****Michigan Senate Bill 45**

This bill would require the board of a school district, or intermediate school district, or board of directors of a public school academy to adopt and implement a policy prohibiting bullying at school; require the adoption of anti-bullying procedures; mandate training; encourage the formation of bullying prevention taskforces; and include the following enumerated categories: actual or perceived religion, race, color, national origin, age, sex, sexual orientation, disability, height, weight, gender identity, socioeconomic status, or any other distinguishing characteristic.

**STATUS:** *This bill was introduced in the Senate on Jan. 19, 2011. It passed the Senate Committee on Education on March 24, 2011, and was re-referred to the Committee on Judiciary.*

**ACTIVE****Michigan Senate Bill 137**

This bill would mandate that all public schools adopt and implement a policy prohibiting harassment and bullying; mandate training; require the adoption of an anti-bullying procedure; and encourage the formation of bullying prevention taskforces.

**STATUS:** *This bill was introduced in the Senate on Feb. 10, 2011. It passed the Senate Committee on Judiciary on May 5, 2011, the Senate Committee of the Whole on Nov. 2, 2011, and the full Senate on Nov. 2, 2011. It was referred to the House Committee on Education.*

**ACTIVE****Michigan Senate Bill 148**

This bill would require the Department of State Police and the Department of Education to utilize the Michigan school violence hotline to accept reports of cyberbullying in schools; and require law enforcement officials and school officials who receive a credible report of cyberbullying to report the incident to the parents of each alleged perpetrator or victim. It would define cyberbullying to include the following enumerated categories: actual or perceived race, color, religion, national origin, ancestry or ethnicity, sexual orientation, physical, mental, emotional, or learning disability,

## Schools-Related Bills

gender, gender identity and expression, or other distinguishing personal characteristic.

**STATUS:** *This bill was introduced in the Senate on Feb. 16, 2011, and was referred to the Committee on Education.*

### ACTIVE

#### Michigan Senate Bill 731

This bill would require sex education to be medically accurate and age appropriate.

**STATUS:** *This bill was introduced in the Senate on Oct. 6, 2011, and was referred to the Committee on Education.*

### ACTIVE

#### Minnesota House Bill 765/ Senate Bill 494

These bills would require school boards to adopt policies that prohibit harassment, bullying, intimidation, and violence. The policies would be required to contain enumerated categories including sexual orientation and gender identity.

**STATUS:** *Both bills were introduced in their respective chambers on Feb. 28, 2011. HB 765 was referred to the House Education Reform Committee and SB 494 was referred to the Senate Education Committee.*

### ACTIVE

#### Minnesota House Bill 1529/ Senate Bill 1222

These bills would, in part, require private schools that receive state aid, materials, services, or other publicly funded support to adopt an anti-bullying policy.

**STATUS:** *Both bills were introduced in their respective chambers on April 18, 2011. HB 1529 was referred to the House Education Reform Committee and SB 1222 was referred to the Senate Education Committee.*

### ACTIVE

#### Nebraska Legislative Bill 123

This bill would add a prohibition on cyberbullying to the state's existing anti-bullying law.

**STATUS:** *This bill was introduced on Jan. 06, 2011, and was referred to the Education Committee.*

### ACTIVE

#### Nebraska Legislative Bill 192

This bill would require all school districts to provide medically accurate, age appropriate sex education.

**STATUS:** *This bill was introduced on Jan. 07, 2011, and was referred to the Education Committee.*

### ACTIVE

#### New Jersey Assembly Bill 618/ Assembly Bill 2135

These bills would excuse students with conflicts of conscience from certain class requirements

of public institutions of higher education, such as health, family life education or sexual education, which are in conflict with the student's conscience or sincerely held moral or religious beliefs.

**STATUS:** *AB 618 was introduced Jan. 12, 2010, and referred to the Education Committee. AB 2135 was introduced Feb. 11, 2010, and referred to the Higher Education Committee.*

### ACTIVE

#### New Jersey Assembly Bill 1563

This bill would establish a one-year pilot program aimed at reducing bullying in the public schools.

**STATUS:** *This bill was introduced Jan. 12, 2010, and passed the Education Committee on Dec. 9, 2010.*

### ACTIVE

#### New Jersey Assembly Bill 3282

This bill would include nonpublic schools and incidents occurring off school grounds in the school bullying law and provide greater protections for victims of bullying.

**STATUS:** *This bill was introduced Oct. 7, 2010, and was referred to the Education Committee.*

### ACTIVE

#### New Jersey Senate Bill 436

This bill would, in part, amend the School Ethics Act to expand the definition of "immediate family member" to include domestic partner.

**STATUS:** *This bill was introduced Jan. 12, 2010, and was referred to the Education Committee.*

### ACTIVE

#### New York Assembly Bill 808/ Assembly Bill 1572/ Senate Bill 1572

These bills would require a sex education grant program through the Department of Health to be a comprehensive, age-appropriate program conducted by an eligible applicant.

**STATUS:** *SB 1572 was introduced in the Senate on Jan. 10, 2011, and was referred to the Senate Education Committee. AB 808 was introduced in the Assembly on Jan. 5, 2011, and was referred to the Health Committee. AB 1572 was introduced in the Assembly on Jan. 10, 2011, and was referred to the Corrections Committee.*

### ACTIVE

#### New York Assembly Bill 1452

This bill would require school principals to oversee enforcement of the anti-harassment policies and guidelines to ensure compliance with the regulations promulgated by the chancellor of the New York City Department of Education.

**STATUS:** *This bill was introduced in the Assembly on Jan. 10, 2011, and was referred to the Education Committee.*

**ACTIVE****New York Assembly Bill 2132/  
Senate Bill 1937**

These bills would, in part, require colleges to educate the campus community on bias-related crime and hazing.

**STATUS:** *Both bills were introduced in their respective chambers on Jan. 14, 2011. AB 2132 was referred to the Assembly Higher Education Committee. SB 1937 passed the Senate Higher Education Committee on March 9, 2011, and was re-referred to the Senate Finance Committee.*

**ACTIVE****New York Assembly Bill 2197**

This bill would require a police officer to immediately notify college and university personnel when a bias-related offense may have been committed upon any student or on any person on the campus or other college property.

**STATUS:** *This bill was introduced in the Assembly on Jan. 14, 2011, and was referred to the Higher Education Committee.*

**ACTIVE****New York Assembly Bill 3472/  
Senate Bill 1704**

These bills would require every school district to establish guidelines for filing criminal complaints against students who commit crimes against other students on schools grounds.

**STATUS:** *SB 1704 was introduced in the Senate on Jan. 11, 2011, and AB 3472 was introduced in the Assembly on Jan. 25, 2011. These bills were referred to their respective Education Committee.*

**ACTIVE****New York Assembly Bill 3713/  
Senate Bill 1176**

These bills would require school districts and boards of cooperative educational services to immediately report bias-related offenses to law enforcement agencies.

**STATUS:** *SB 1176 was introduced in the Senate on Jan. 5, 2011, and AB 3713 was introduced in the Assembly on Jan. 26, 2011. These bills were referred to their respective Education Committee.*

**ACTIVE****New York Assembly Bill 4586/  
Senate Bill 269**

These bills would require all schools to offer a course of instruction in the awareness of hate crimes, focusing on historical events and the significance of certain symbols and objects. The course would be required to cover all categories of hate crimes covered under state law.

**STATUS:** *SB 269 was introduced in the Senate on Jan. 5, 2011, and was defeated in the Senate Education Committee on March*

*29, 2011. AB 4586 was introduced in the Assembly on Feb. 4, 2011, and was referred to the Assembly Education Committee.*

**ACTIVE****New York Assembly Bill 5050**

This bill would require the commissioner of education to promulgate rules and regulations that prohibit harassment, intimidation, and bullying of students.

**STATUS:** *This bill was introduced in the Assembly on Feb. 11, 2011, and was referred to the Education Committee.*

**ACTIVE****New York Assembly Bill 6474/  
Senate Bill 71**

This bill would mandate comprehensive, medically accurate and age-appropriate sex education be taught in all public schools, grades one through 12.

**STATUS:** *SB 71 was introduced in the Senate on Jan. 5, 2011, and was defeated in the Senate Education Committee on March 29, 2011. AB 6474 was introduced in the Assembly on March 21, 2011, and was referred to the Assembly Education Committee.*

**ACTIVE****New York Assembly Bill 8310/  
Senate Bill 5834**

These bills would amend the state law on character education to require instruction that includes awareness and sensitivity to discrimination or harassment and civility in the relations of people of different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, genders, and sexes.

**STATUS:** *AB 8310 was introduced in the Assembly on June 13, 2011. It passed the Assembly Education Committee on June 16, 2011, the Assembly Rules Committee on June 17, 2011, and the full Assembly on June 17, 2011. The bill was referred to the Senate Rules Committee. SB 5834 was introduced in the Senate on June 21, 2011, and was referred to the Senate Education Committee.*

**ACTIVE****New York Assembly Bill 8504/  
Senate Bill 4921**

These bills would amend the state safe schools law to mandate additional training; to substitute all references to harassment with references to bullying; and provide a definition of bullying.

**STATUS:** *SB 4921 was introduced in the Senate on April 29, 2011. It passed the Senate Education Committee on May 17, 2011, and the full Senate on June 1, 2011. It was referred to the Assembly Education Committee. AB 8504 was introduced in the Assembly on June 20, 2011, and was referred to the Education Committee.*

## Schools-Related Bills

### ACTIVE

#### New York Senate Bill 1578

This bill would require individuals applying for certification or licensure to be a teacher to complete a course of training in recognizing and responding to incidents of bullying and harassment.

**STATUS:** *This bill was introduced in the Senate on Jan. 10, 2011, and was referred to the Education Committee.*

### ACTIVE

#### New York Senate Bill 5916

This bill would, in part, require the commissioner of education to implement a process for reporting of incidents of harassment and discrimination.

**STATUS:** *This bill was introduced in the Senate on Nov. 2, 2011, and was referred to the Rules Committee.*

### ACTIVE

#### Ohio House Bill 116

This bill would amend the state safe schools law to require age appropriate instruction pending the availability of state or federal funds. It would also require that schools send parents a written version of the safe schools policy once a year.

**STATUS:** *This bill was introduced in the House on Feb. 22, 2011. It passed the House Education Committee on June 9, 2011, and the full House on June 21, 2011. It was referred to the Senate Education Committee.*

### ACTIVE

#### Ohio House Bill 155/ Senate Bill 127

These bills would require that public school anti-bullying policies prohibit bullying by electronic means; address certain acts that occur off school property; and require staff training on the anti-bullying policy.

**STATUS:** *HB 155 was introduced in the House on March 15, 2011, and SB 127 was introduced in the Senate on March 22, 2011. These bills were referred to their respective Education Committee.*

### ACTIVE

#### Ohio House Bill 208

This bill would add enumerated categories to the state safe schools law, including sexual orientation and gender identity.

**STATUS:** *This bill was introduced in the House on April 20, 2011, and was referred to the Education Committee.*

### ACTIVE

#### Ohio House Bill 338/ Ohio Senate Bill 232

These bills would require sex education to be age-appropriate, medically and scientifically accurate, and comprehensive.

**STATUS:** *SB 232 was introduced in the Senate on Sept. 27, 2011, and HB 338 was introduced*

*in the House on Oct. 4, 2011. These bills were referred to their respective Education Committee.*

### ACTIVE

#### Oklahoma House Bill 1001

This bill would create the "Religious Viewpoints Antidiscrimination Act" requiring a limited open forum for schools so that students may organize prayer groups, religious clubs, "see you at the pole" gatherings, or other religious gatherings before, during, and after school to the same extent that students are permitted to organize other non-curricular student activities and groups; permitting students to express their beliefs about religion in homework, artwork, and other written and oral assignments regardless of its relevance to the assignment; and explicitly permit student speakers at graduation and other school events, including daily announcements, to voluntarily express their religious beliefs.

**STATUS:** *This bill was introduced in the House on Feb. 7, 2011, and passed the Common Education Committee on March 2, 2011.*

### ACTIVE

#### Oklahoma House Bill 1195 / Senate Bill 535

These bills would continue the state's focus on abstinence in sex education but would amend existing law to require that all information provided to students be age appropriate and medically accurate. They would also require education on HIV and AIDS.

**STATUS:** *HB 1195 was introduced in the House on Feb. 2, 2011, and was referred to the House Common Education Committee. SB 535 was introduced in the Senate on Feb. 7, 2011, and was referred to the Senate Education and Appropriations Committees.*

### ACTIVE

#### Oklahoma House Bill 1270

This bill would require the adoption of health curriculum for middle school students including a unit on bullying prevention.

**STATUS:** *This bill was introduced on Feb. 7, 2011, and passed the Common Education Committee on March 2, 2011.*

### ACTIVE

#### Oklahoma House Bill 1976/ Senate Bill 152

These bills would amend the state anti-bullying law to add cyberbullying, require the anti-bullying policy be publicized; mandate annual trainings for school employees and volunteers; and require educational programs for students and parents. These bills also provide enumerated categories, including sexual orientation and gender identity.

**STATUS:** *Both bills were introduced in their respective chambers on Feb. 7, 2011. HB 1976 was referred to the House Common Education Committee and SB 152 was referred to the Senate Education Committee.*

**ACTIVE****Oklahoma Senate Bill 37**

This bill would require sex education to be medically accurate.

**STATUS:** *This bill was introduced in the Senate on Feb. 7, 2011, and was referred to the Education Committee.*

**ACTIVE****Pennsylvania House Bill 416**

This bill would require schools to offer comprehensive, medically accurate, age appropriate sex education. In addition, it would require instructions and materials be appropriate for use with, and not promote bias against, pupils of all races, genders, sexual orientations, ethnic and cultural backgrounds, gender identities, sexually active pupils, and pupils with disabilities.

**STATUS:** *This bill was introduced in the House on Feb. 3, 2011, and was referred to the Education Committee.*

**ACTIVE****Pennsylvania House Bill 879**

This bill would amend the existing anti-bullying law to mandate specific reporting procedures, a statement prohibiting reprisal or retaliation for reporting, creation of a model policy by the Department of Education, and publication of the adopted policy.

**STATUS:** *This bill was introduced in the House on March 2, 2011, and was referred to the Education Department.*

**ACTIVE****Pennsylvania House Bill 1805**

This bill would amend the existing anti-bullying law to add prohibitions on harassment, intimidation, and cyberbullying; mandate specific reporting procedures, including a statement prohibiting reprisal or retaliation for reporting, creation of a model policy by the Department of Education, and publication of the adopted policy; require teacher training and student education; and extend the scope of protections to include activities that take place on a bus or at a school sponsored event.

**STATUS:** *This bill was introduced in the House on Aug. 10, 2011, and was referred to the Education Committee.*

**ACTIVE****Pennsylvania Senate Bill 191**

This bill would amend the existing anti-bullying law to prohibit bullying, harassment, and intimidation off school grounds when it creates a hostile environment in school or interferes with the education process; require principals to appoint an anti-bullying specialist; require schools to form a safe school team; require schools to educate students, teachers, staff,

and parents on bullying; and create a bullying prevention fund.

**STATUS:** *This bill was introduced on April 8, 2011, and was referred to the Education Committee.*

**ACTIVE****South Carolina House Bill 3142**

This bill would amend the law to provide that a person who violates the provisions of the Safe Schools Act – with respect to harassment, intimidation, or bullying towards a student – is guilty of a misdemeanor.

**STATUS:** *This bill was introduced in the House on Jan. 11, 2011, and was referred to the Committee on Education and Public Works. It was recalled from committee and re-referred to the Judiciary Committee.*

**ACTIVE****South Carolina Senate Bill 566**

This bill would amend the state safe schools law to add enumerated categories, including sexual orientation and gender identity; expand reporting and investigation procedures; and require that policies be placed prominently on the school district website and distributed annually to parents.

**STATUS:** *This bill was introduced in the Senate on Feb. 15, 2011, and was referred to the Education Committee.*

**ACTIVE****Tennessee House Bill 229**

This bill as introduced would prohibit the teaching of or furnishing of materials on human sexuality other than heterosexuality in public school grades K-8. As amended, the bill would require that any instruction or materials made available or provided in a public elementary or middle school must be limited exclusively to "natural human reproduction science."

**STATUS:** *This bill was introduced in the House on Feb. 3, 2011, and was referred to the Education Committee.*

**ACTIVE****Tennessee House Bill 432**

As amended, this bill would require that a parent or guardian of a student must provide a school with written permission for their child to join a club or organization prior to the school permitting such student to join a club or organization.

**STATUS:** *This bill was introduced in the House on Feb. 9, 2011. It passed the House Education Committee on March 8, 2011, and the full House on March 9, 2011. The Senate substituted the House bill for a compatible Senate bill and adopted the aforementioned amendment on May 16, 2011. It passed the Senate Education Committee on May 18, 2011.*

## Schools-Related Bills

### ACTIVE

#### Tennessee House Bill 1105/ Senate Bill 1923

These bills would require that upon revision Local Education Agency (LEA) policies prohibiting harassment, intimidation, or bullying be transmitted to the commissioner of education.

**STATUS:** *HB 1105 was introduced in the House on Feb. 17, 2011, and SB 1923 was introduced in the Senate on Feb. 23, 2011. Both bills were referred to their respective Education Committee.*

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### ACTIVE

#### Tennessee House Bill 1153/ Senate Bill 760

Present state law requires each school district to adopt a policy prohibiting harassment, intimidation or bullying. These bills would clarify that the policy may not be construed or interpreted to infringe upon the First Amendment rights of students and may not prohibit their expression of religious, philosophical, or political views as long as such expression does not include a threat of physical harm to a student or of damage to a student's property. In addition, the bills would specify that task forces, programs, and other initiatives may not include materials or training that explicitly or implicitly "promote a political agenda," make the characteristics of the victim the focus rather than the conduct of the person engaged in harassment, intimidation, or bullying, or teach or suggest that certain beliefs or viewpoints are discriminatory when an act or practice based on such belief or viewpoint is not a discriminatory practice under present state human rights law.

**STATUS:** *SB 760 was introduced in the Senate on Feb. 16, 2011, and HB 1153 was introduced in the House on Feb. 17, 2011. Both bills were referred to their respective Education Committee.*

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### ACTIVE

#### Tennessee House Bill 1352/ Senate Bill 1305

These bills would continue abstinence only before marriage as the only form of sex education but would require all information presented to be medically accurate. The bills would also require parents to opt their children into the sex education curriculum.

**STATUS:** *HB 1352 was introduced in the House on Feb. 17, 2011, and SB 1305 was introduced in the Senate on Feb. 23, 2011. Both bills were referred to their respective Education Committee.*

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### ACTIVE

#### Tennessee Senate Bill 49

As amended, this bill would require that any instruction or materials made available or provided at or to a public elementary or middle school on the topic of reproductive science

must be limited exclusively to natural human reproduction science. This requirement would also apply to a group or organization that provides instruction in reproduction science in public elementary or middle schools.

**STATUS:** *This bill was introduced in the Senate on Jan. 15, 2011. It passed the Senate Education Committee on April 20, 2011. On May 20, 2011, the full Senate adopted an amendment, which rewrote the bill to the language referenced above and passed the bill as amended.*

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### ACTIVE

#### Vermont House Bill 412

This bill would expand the definitions of "harassment" and "bullying" in the educational context to include actions committed electronically; permit school administrators to discipline students for actions conducted outside normal school hours and off school grounds where the conduct can be shown to pose a clear and substantial interference with another student's right to access educational programs; authorize the human rights commission to ensure educational institutions comply with procedures required in connection with allegations of harassment and would clarify the legal standard required to prove harassment in a civil action; and it would create a new position within the Human Rights Commission to direct harassment and bullying prevention and response training initiatives.

**STATUS:** *This bill was introduced in the House on March 8, 2011, and was referred to the Committee on Education.*

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### ACTIVE

#### Washington House Bill 1602

This bill would, in part, amend existing law to change the age of consent to medical treatment, including HIV testing and results, from 14 to a stance that would prohibit unemancipated minors from consenting without parental consent. In addition, the bill would require schools to have on file signed parental approval for a student to participate in any school-sponsored class, program, or activity that concerns suicide or euthanasia, or includes human sexuality issues dealing with sex education, sexually transmitted diseases, contraception, or sexual orientation.

**STATUS:** *This bill was introduced in the House on Jan. 26, 2011, and was referred to the Committee on Judiciary.*

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### ACTIVE

#### Washington House Bill 1604

This bill would allow public school students to attend or participate in AIDS prevention education or sexual health education only if the school or school district has on file a signed confirmation from the student's parent or legal guardian that the parent or legal guardian has

received notification of the planned instruction and approves of the student's attendance or participation.

**STATUS:** *This bill was introduced in the House on Jan. 26, 2011, and was referred to the Committee on Education.*

#### ACTIVE

##### Wisconsin Assembly Bill 337/ Senate Bill 237

These bills would, in part, remove required topics for sex education and make them recommended; change discussions of the value of abstinence from the most reliable way to prevent pregnancy and sexually transmitted infection to the only reliable way; and encourage addressing "the positive connection between marriage and parenting."

**STATUS:** *SB 237 was introduced in the Senate on Oct. 14, 2011. It passed the Senate Committee on Education on Oct. 27, 2011, and the full Senate on Nov. 2, 2011. AB 337 was introduced in the Assembly on Oct. 25, 2011, and was referred to the Committee on Education.*

#### DEAD

##### Alabama House Bill 226

This bill would have expanded the definition of "harassment" to include as a protected enumerated characteristic of a student the gender identity or sexual orientation of the student or of the individual with whom the student associates.

**STATUS:** *This bill was introduced on March 10, 2011, and was referred to the Committee on Education Policy. It died on June 9, 2011, upon adjournment.*

#### DEAD

##### Alabama House Bill 560/ Senate Bill 25

These bills would have amended existing anti-bullying laws to provide that a student can be reassigned to another school for the purpose of separating the student from his or her harassment victim; direct the Department of Education to post its model policy on its website; and provide that a person shall be immune from civil liability for reporting harassment.

**STATUS:** *These bills were introduced in the Senate on March 1, 2011, and in the House on April 27, 2011. SB 25 passed the Senate Committee on Judiciary on March 24, 2011, and HB 560 passed the House Committee on Education Policy on May 3, 2011. Both bills died on June 1, 2011, when they were indefinitely postponed.*

#### DEAD

##### Arizona House Bill 2268/ House Bill 2601

These bills would have amended the school anti-bullying law to clarify that bullying on the basis of sexual orientation is included in the anti-bullying prohibitions. Neither bill addressed

gender identity.

**STATUS:** *These bills were introduced in the House on Jan. 24, 2011, and Feb. 7, 2011, respectively. HB 2268 was referred to the Education, Judiciary, and Rules Committees and HB 2601 was referred to the Education, Military Affairs and Public Safety, and Rules Committees. Both bills died upon adjournment on April 20, 2011.*

#### DEAD

##### Arizona House Bill 2580

This bill would have amended the existing school anti-bullying law to provide for enumerated categories including sexual orientation and gender identity. It would have also prohibited cyberbullying.

**STATUS:** *This bill was introduced in the House on Feb. 3, 2011, and was referred to the Education and Rules Committees. It died upon adjournment on April 20, 2011.*

#### DEAD

##### Arizona Senate Bill 1457

This bill would have required all public schools to provide comprehensive, age-appropriate, medically accurate sex education. It would have also removed prohibitions on teaching about sexual orientation in age-appropriate, medically accurate curriculum.

**STATUS:** *This bill was introduced in the Senate on Feb. 1, 2011, and was assigned to the Education and Rules Committees. It died upon adjournment on April 20, 2011.*

#### DEAD

##### Arizona Senate Bill 1549

This bill would have amended existing anti-bullying law to prohibit cyberbullying and added a list of enumerated categories including sexual orientation and gender identity.

**STATUS:** *This bill was introduced in the Senate on Feb. 1, 2011, and was assigned to the Education Committee. On Feb 14, 2011, the Education Committee held the bill and it died upon adjournment on April 20, 2011.*

#### DEAD

##### Connecticut House Bill 5535

This bill would have amended existing statutes to include cyberbullying; improved and strengthened school districts' policies on bullying – including timelines for reporting and investigating allegations of bullying, and made such policies available on school district web sites; created safety plans for students who are the victims of bullying; collected data relating to incidents of bullying at schools; and established a state-wide "No Name Calling Day" at schools.

**STATUS:** *This bill was introduced on Jan. 20, 2011, and was referred to the Joint Committee on Education. It died on June 8, 2011, upon adjournment.*

## Schools-Related Bills

### DEAD

#### Connecticut House Bill 5664

This bill would have provided incentives for local and regional boards of education that use research-based practices to identify and prevent bullying and cyberbullying in schools.

**STATUS:** *This bill was introduced on Jan. 21, 2011, and was referred to the Joint Committee on Education. It died on June 8, 2011, upon adjournment.*

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### DEAD

#### Connecticut House Bill 5756

This bill would have established an independent Office of School Bullying Appeals Ombudsman who would have been responsible for overseeing appeals from the parents of a student whose school bullying claim had been denied by the local or regional board of education.

**STATUS:** *This bill was introduced on Jan. 21, 2011, and was referred to the Senate Committee on Education. It died on June 8, 2011, upon adjournment.*

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### DEAD

#### Connecticut House Bill 6252

This bill would have permitted a local or regional board of education to include cyberbullying in the school district's policy against bullying.

**STATUS:** *This bill was introduced on Jan. 28, 2011, and was referred to the Joint Committee on Education. It died on June 8, 2011, upon adjournment.*

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### DEAD

#### Connecticut Senate Bill 66

This bill would have included cyberbullying as part of the state's laws regarding bullying in schools. Note: Another bill which was signed into law added cyberbullying.

**STATUS:** *This bill was introduced on Jan. 10, 2011, and was referred to the Joint Committee on Education. It died on June 8, 2011, upon adjournment.*

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### DEAD

#### Connecticut Senate Bill 235

This bill would have, in part, required the state Department of Education to develop model anti-bullying policies; expand the definition of bullying to include electronic communications and certain other acts that may occur off of school property; require local and regional boards of education to include an anti-bullying curriculum in the coursework for each grade; and prohibit and punish acts of retaliation against individuals who report or aid in a bullying investigation.

**STATUS:** *This bill was introduced on Jan. 20, 2011, and was referred to the Joint Committee on Education. It died on June 8, 2011, upon adjournment.*

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### DEAD

#### Florida House Bill 1077/ Senate Bill 1492

These bills would have required schools to receive affirmative parental permission for student participation in "reproductive health or sexually transmitted disease education, including HIV/AIDS instruction." Existing law allows parents to opt children out of such instruction.

**STATUS:** *HB 1077 was introduced in the House on March 8, 2011, and was referred to the House Education Committee, the K-20 Competitiveness Subcommittee, and the PreK-12 Appropriations Subcommittee. SB 1492 was introduced in the Senate on March 9, 2011, and was referred to the Senate Education, Health Regulations, and Budget Committees. Both bills died on May 7, 2011, when the House and Senate indefinitely postponed their respective bills.*

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### DEAD

#### Florida House Bill 1159/ Senate Bill 1582

These bills would have required the Florida Department of Education to create a model policy designed to protect students from bullying and harassment, required public elementary and secondary educational institution to designate school employee as counselors for students suffering from bullying or harassment, and required the Department to provide training materials.

**STATUS:** *HB 1159 was introduced in the House on March 8, 2011, and was referred to the House Education Committee, the K-20 Competitiveness Subcommittee, and the PreK-12 Appropriations Subcommittee. SB 1582 was introduced in the Senate on March 9, 2011, and was referred to the Senate Education and Budget Committees. Both bills died on May 7, 2011, when the House and Senate indefinitely postponed their respective bills.*

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### DEAD

#### Florida House Bill 1181/ Senate Bill 1648

These bills would have required public schools to teach comprehensive, medically accurate sex education.

**STATUS:** *HB 1181 was introduced in the House on March 8, 2011, and was referred to the House Education Committee, K-20 Innovation Subcommittee, and the PreK-12 Appropriations Subcommittee. It died on May 7, 2011, when the House indefinitely postponed the bill. SB 1648 was introduced in the Senate on March 10, 2011, and was referred to the Senate Education and Budget Committees. The Senate withdrew the bill from consideration on April 27, 2011.*

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### DEAD

#### Florida House Bill 213/ Senate Bill 448

These bills would have updated the state anti-bullying law to strengthen and clarify the cyberbullying prohibition, and would have added

"emotional hurt" to the definition of bullying.

**STATUS:** *Both bills were introduced on March 8, 2011, in their respective chambers. HB 213 was referred to the House K-20 Innovation Subcommittee, the PreK-12 Appropriations Subcommittee, and the Education Committee. SB 448 was referred to the Senate Education, Budget, and Rules Committees. They died on May 7, 2011, when the House and Senate indefinitely postponed the bills.*

#### DEAD

##### Florida Senate Bill 108

This bill would have removed the requirement that schools teach abstinence from sexual activity outside of marriage as the expected standard for all school-age students as part of instruction in human sexuality.

**STATUS:** *This bill was introduced Nov. 23, 2010, and was referred to the Referred to Education Committee, Health Regulation Committee, and Children, Families, and Elder Affairs Committee. It died on May 7, 2011, when the House indefinitely postponed the bill.*

#### DEAD

##### Idaho Senate Bill 1105

This bill would have amended the existing safe schools law to clarify that harassment, intimidation or bullying includes – but is not limited to – incidents perpetrated against a student because of any actual or perceived differentiating characteristic or by association with a person who has or is perceived to have one or more of these characteristics. It would not have enumerated classifications.

**STATUS:** *This bill was introduced in the Senate on Feb. 14, 2011. It passed the Education Committee on Feb. 24, 2011, and the full Senate on March 8, 2011. It passed the House Education Committee on March 23, 2011. The bill died upon adjournment on April 7, 2011.*

#### DEAD

##### Indiana House Bill 1567/ Senate Bill 538

These bills would have required the Department of Education to develop guidelines to assist schools in establishing bullying prevention programs and investigation and reporting procedures. They would have also modified the definition of bullying, but would not have added enumerated categories.

**STATUS:** *SB 538 was introduced in the Senate on Jan. 18, 2011, and was assigned to the Committee on Education and Career Development. HB 1567 was introduced in the House on Jan. 20, 2011, and referred to the Committee on Education. Both bills died upon adjournment on April 29, 2011.*

#### DEAD

##### Kentucky House Bill 273

This bill would have required school districts

providing sex education to include medically accurate and age-appropriate information about human sexuality as a normal and healthy aspect of human development. In addition, it would have prohibited discrimination on the basis of sex, race, ethnicity, national origin, disability, religion, sexual orientation, or gender identity in sex education.

**STATUS:** *This bill was introduced on Feb. 1, 2011, and was referred to the Education Committee. It died upon adjournment on March 9, 2011.*

#### DEAD

##### Kentucky House Bill 370

This bill would have required each local school board to adopt a code prohibiting harassment, intimidation, bullying and cyberbullying in schools. It would have also required each code to be enumerated on the basis of actual or perceived race; color; religion; national origin; ancestry or ethnicity; sexual orientation; physical, mental, emotional, or learning disability; gender; gender identity and expression; or other distinguishing personal characteristic.

**STATUS:** *This bill was introduced on Feb. 7, 2011. It passed the Education Committee on Feb. 22, 2011, and was recommitted to the Appropriations & Revenue Committee on March 3, 2011. It died upon adjournment on March 9, 2011.*

#### DEAD

##### Kentucky House Resolution 25

This resolution would have declared the support of the House of Representatives for the proposition that Kentucky students should be free to participate in student groups that have religious expression as a component of the group's activities and that they should be free to express their religious viewpoints in school activities to the same extent as they are permitted to express their non-religious viewpoints.

**STATUS:** *This resolution was introduced on Jan. 4, 2011, and was referred to the Education Committee. It died upon adjournment on March 9, 2011.*

#### DEAD

##### Kentucky Senate Bill 85

This bill would have required a school district, public school, or family resource and youth services center that offers human sexuality education to adopt science-based content standards and provide age-appropriate, culturally sensitive, and medically accurate information that includes but is not limited to abstinence education and contraception.

**STATUS:** *This bill was introduced on Feb. 1, 2011, and was referred to the Committee on Veterans, Military Affairs, and Public Protection. It died upon adjournment on March 9, 2011.*

## Schools-Related Bills

### DEAD

#### Louisiana House Bill 112

This bill would have amended the existing safe schools law to add enumerated categories, including sexual orientation and gender identity. **STATUS:** *This bill was introduced in the House on April 8, 2011. It passed the Committee on Education on May 16, 2011, but failed to pass the full House on May 19, 2011.*

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### DEAD

#### Maryland House Bill 685/ Senate Bill 549

These bills would have required the State Board of Education to include in its model policy information on safety risks and health and mental problems that may affect a student who is a victim or an alleged perpetrator of bullying, harassment, or intimidation.

**STATUS:** *SB 549 was introduced in the Senate on Feb. 4, 2011, and received an unfavorable report from the Senate Committee on Education, Health, and Environmental Affairs on March 21, 2011. HB 685 was introduced in the House on Feb. 10, 2011. It passed the Committee on Ways and Means and the full House on March 25, 2011. It died after receiving an unfavorable report from the Senate Committee on Education, Health, and Environmental Affairs on April 7, 2011.*

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### DEAD

#### Maryland House Bill 812/ Senate Bill 617

These bills would have amended the existing anti-bullying law to include dating violence, and defined dating partner in a gender neutral manner.

**STATUS:** *HB 812 was introduced in the House on Feb. 11, 2011. It passed the Committee on Ways and Means, and the full House on March 21, 2011. It died on April 7, 2011, when the bill received an unfavorable report from the Senate Committee on Education, Health, and Environmental Affairs. SB 617 was introduced in the Senate on Feb. 4, 2011. It died on March 21, 2011, when it received an unfavorable report from the Education, Health, and Environmental Affairs Committee.*

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### DEAD

#### Mississippi House Bill 60

This bill would have created the "Religious Viewpoints Antidiscrimination Act" or "Schoolchildren's Religious Liberties Act", to prohibit local school districts from discriminating against students based on their expression of religious viewpoints on otherwise permissible subjects; to require school districts to adopt a policy that establishes a limited public forum for student speakers at school events; to clarify that students may express their beliefs about religion in homework, artwork and other assignments; to authorize students to organize prayer groups, religious clubs and other religious gatherings to

the same extent that students are permitted to organize other non-curricular student activities and groups; to require school districts to adopt a policy regarding limited public forums and voluntary expression of religious viewpoints; to provide a model policy on student expression of religious viewpoints and student speakers which school districts may adopt.

**STATUS:** *This bill was introduced on Jan. 4, 2011. It died in the Judiciary A Committee on Feb. 2, 2011.*

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### DEAD

#### Mississippi House Bill 273

This bill would have repealed the section of the Mississippi Code of 1972, which created the Civil Rights Education Commission and authorized civil rights and human rights education in public schools.

**STATUS:** *This bill was introduced on Jan. 4, 2011, and was referred to the Education Committee. It died in committee on Feb. 1, 2011.*

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### DEAD

#### Mississippi House Bill 507

This bill would have required the adoption of abstinence-only or abstinence-plus sex education in public schools, required that all sex education take place in sex segregated classes, and required parents to opt in to sex education for their children.

**STATUS:** *This bill was introduced on Jan. 10, 2011, and was referred to the Education Committee. It died in committee on Feb. 1, 2011.*

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### DEAD

#### Mississippi House Bill 965

This bill would have required public schools to adopt comprehensive, medically accurate, age appropriate sex education. In addition, it would have required that course materials and instruction be free from "sexual orientation biases."

**STATUS:** *This bill was introduced on Jan. 17, 2011, and was referred to the Committee on Education. It died in committee on Feb. 1, 2011.*

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### DEAD

#### Mississippi House Bill 1091

This bill would have required public schools to adopt a policy to implement a "Personal Responsibility" curriculum. The Personal Responsibility curriculum would have been required to be evidence-based and focused on strategies designed to improve health knowledge and develop life skills that are conducive to improved individual and community health.

**STATUS:** *This bill was introduced on Jan. 17, 2011, and was referred to the Education Committee. It died in committee on Feb. 1, 2011.*

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### DEAD

#### Mississippi House Bill 1124/ House Bill 1187

These bills would have required schools to adopt

a gender neutral model dating violence policy.  
**STATUS:** *Both bills were introduced on Jan. 17, 2011, and were referred to the Education Committee. They died in committee on Feb. 1, 2011.*

**DEAD****Mississippi Senate Bill 210/  
Senate Bill 2151/ Senate Bill 2579**

These bills would have created the “Mississippi Student Religious Liberties Act of 2011,” to prohibit local school districts from discriminating against students based on their expression of religious viewpoints on otherwise permissible subjects; to require school districts to adopt a policy that establishes a limited public forum for student speakers at school events; to clarify that students may express their beliefs about religion in homework, artwork and other assignments; to authorize students to organize prayer groups, religious clubs and other religious gatherings to the same extent that students are permitted to organize other non-curricular student activities and groups; and to require school districts to adopt a policy regarding limited public forums and voluntary expression of religious viewpoints.  
**STATUS:** *SB 210 and SB 2151 were introduced on Jan. 4, 2011, and SB 2579 was introduced on Jan. 17, 2011. They all died in the Education Committee on Feb. 2, 2011.*

**DEAD****Mississippi Senate Bill 2313**

This bill would have created the “Healthy Youth Act,” and required every public school that offers sex-related education to ensure that all sexual health information, instruction, and materials are medically and scientifically accurate.  
**STATUS:** *This bill was introduced on Jan. 10, 2011, and was referred to the Education and Appropriations Committees. It died in committee on Feb. 1, 2011.*

**DEAD****Missouri House Bill 273**

This bill would have amended the existing anti-bullying law to add a definition of cyberbullying; set minimum requirements for district anti-bullying policies; required schools to have a reporting procedure; and required dissemination of anti-bullying policies to students.  
**STATUS:** *This bill was introduced in the House on Jan. 201, 2011, and was referred to the Elementary and Secondary Education Committee. It died upon adjournment on May 30, 2011.*

**DEAD****Missouri House Bill 350/ House Bill 870/  
Senate Bill 332/ Senate Bill 348**

These bills would have required that sex education be based on peer-reviewed projects that have been demonstrated to influence

healthy behavior and that the curriculum be age appropriate.

**STATUS:** *HB 350 was introduced in the House on Jan. 27, 2011, SB 332 was introduced in the Senate on Feb. 23, 2011, SB 348 was introduced in the Senate on Feb. 24, 2011, and HB 870 was introduced in the House on March 16, 2011. Both House bills were referred to the Elementary and Secondary Education Committee. Both Senate bills were referred to the Senate Health, Mental Health, Seniors and Families Committee. They all died upon adjournment on May 30, 2011.*

**DEAD****Missouri House Bill 460/ Senate Bill 240**

These bills would have amended existing anti-bullying law to include a prohibition on discrimination, to add enumerated categories including sexual orientation – defined to include gender identity – and to add requirements for reporting and investigation procedures.  
**STATUS:** *Both bills were introduced in their respective chambers on Feb. 9, 2011. HB 460 was referred to the House Elementary and Secondary Education Committee, and SB 240 was referred to the Senate Progress and Development Committee. They died upon adjournment on May 30, 2011.*

**DEAD****Missouri House Bill 829**

This bill would have removed the existing prohibition on enumerated categories from the current anti-bullying law, but would not have required enumeration. It would have also added discrimination to the definition of bullying, and required inclusion of anti-bullying policies in student handbooks.  
**STATUS:** *This bill was introduced in the House on March 10, 2011, and was referred to the Elementary and Secondary Education Committee. It died upon adjournment on May 30, 2011.*

**DEAD****Missouri House Joint Resolution 10**

This resolution would have proposed an amendment to the Missouri Constitution repealing the prohibition against state funds being used to support any religion or religious school and adding the following language: “The parents or guardians of children in this state shall have the freedom to choose any school for their minor children to attend and, should they choose a school outside that assigned to them by geographical location, then shall be provided with a stipend to pay for education at any accredited school of elementary or secondary education in an amount equal to the amount that would otherwise be paid by local and state government for the child to attend the public school in his or her school district. Notwithstanding this provision, no grant or

## Schools-Related Bills

donation of real estate shall ever be made by the state, or any county, city, town, or other municipal corporation, for any religious creed, church, or sectarian purpose whatever (sic)."

**STATUS:** *This resolution was introduced on Jan. 18, 2011, and was referred to the Elementary and Secondary Education Committee. It died upon adjournment on May 30, 2011.*

### DEAD

#### Montana House Bill 456

This bill would have prohibited schools from allowing a child to attend a course of instruction, a class period, an assembly, an organized school function, or instruction of any type that involves human sexual education, human sexuality issues, or information regarding sexual acts unless each child's parent or guardian agrees in writing to allow the child to attend the instruction.

**STATUS:** *This bill was introduced in the House on Feb. 8, 2011. It passed the Education Committee on Feb. 16, 2011, and the full House on Feb. 22, 2011. It then passed the Senate Judiciary Committee on March 14, 2011, and the full Senate on April 1, 2011. The bill was vetoed by the governor on April 13, 2011. The veto was overridden by the House on April 27, 2011, but the bill died in process on April 28, 2011.*

### DEAD

#### Montana Senate Bill 141

This bill would have amended the existing anti-bullying law to alter the definition of bullying and established a standard of liability for schools. The bill did not include enumerated categories.

**STATUS:** *This bill was introduced on Jan. 8, 2011. It passed the Senate Committee on Education and Cultural Resources on Feb. 21, 2011, and full Senate on Feb. 24, 2011. The bill was then transferred to the House and referred to the House Committee on Education. It died in the Standing Committee on April 28, 2011.*

### DEAD

#### Nevada Assembly Bill 314

This bill would have required all public schools to provide comprehensive, medically accurate, and age appropriate sex education. It would have shifted parental consent from opt-in to opt-out and added instruction in HIV and dating violence.

**STATUS:** *This bill was introduced on March 18, 2011. It failed to receive a recommendation from the Assembly Education Committee on April 15, 2011, and was re-referred to the Assembly Ways and Means Committee. It died upon adjournment on June 6, 2011.*

### DEAD

#### Nevada Senate Bill 275

This bill would have amended existing anti-bullying laws to prohibit any person from bullying,

cyberbullying, harassing, or intimidating a student. Current law only prohibits a student from such action.

**STATUS:** *This bill was introduced on March 18, 2011, and was referred to the Senate Education Committee. It died pursuant to the rules on April 16, 2011.*

### DEAD

#### New Hampshire House Bill 370

This bill would have amended the state anti-bullying law to remove the enumerated categories, including sexual orientation and gender identity; deleted a provision authorizing the superintendent to grant the principal a waiver from providing notice of an incident of bullying within 48 hours to the victim or the perpetrator; and removed a provision extending the bullying and cyberbullying statute to actions occurring off school property.

**STATUS:** *This bill was introduced in the House on Jan. 21, 2011. It passed the House Education Committee on March 8, 2011, and the full House on March 15, 2011. It received an "inexpedient to legislate" report from the Senate Education Committee, which killed the bill, on May 4, 2011.*

### DEAD

#### New Hampshire House Bill 542

This bill would have required school districts to adopt a policy allowing an exception to specific course material based on a parent's or legal guardian's determination that the material is objectionable.

**STATUS:** *This bill was introduced in the House on Jan. 24, 2011. It passed the House Education Committee on March 9, 2011, and the full House on March 15, 2011. It was then voted "inexpedient to legislate" by the Senate Education Committee on April 6, 2011, but was pulled to the full Senate by a procedural maneuver. It passed the full Senate on June 1, 2011. Differences in the House and Senate version required a Conference Committee report which was accepted on June 22, 2011. The bill was vetoed by the governor on July 18, 2011. An attempt to override the veto failed on Nov. 30, 2011.*

### DEAD

#### New Mexico Senate Joint Memorial

This memorial would have requested the Children, Youth and Families Department, the Public Education Department and the Department of Health conduct a joint study to determine the current status of bullying prevention efforts in the state; to research evidence-based strategies to prevent bullying; to collect, analyze and report data related to the impact of bullying on juvenile justice, education and health; and to make recommendations on the best approach to ensuring effective bullying prevention programs statewide.

**STATUS:** *This memorial was introduced on Jan. 20, 2011. It passed the Senate Education Committee on Feb. 2, 2011, but was tabled indefinitely on Feb. 23, 2011.*

**DEAD****North Dakota House Bill 1147/  
House Bill 1250**

These bills would have required every school district to develop a policy to prohibit the bullying of one student by another. They would not have included enumerated categories. Note: An alternate, stronger version of the bill was passed and signed into law.

**STATUS:** *HB 1147 was introduced on Jan. 5, 2011, and HB 1250 was introduced on Jan. 10, 2011. Both bills received a recommendation of do not pass from the House Education Committee on Feb. 17, 2011. They failed a full House second reading vote on Feb. 22, 2011.*

**DEAD****North Dakota Senate Bill 2167**

This bill would have required every school district to develop a policy to prohibit the bullying of one student by another and to provide bullying prevention programs to students and teachers. It did not have included enumerated categories.

**STATUS:** *This bill was introduced in the Senate on Jan. 11, 2011. It passed the Senate Education Committee on Feb. 1, 2011, and the full Senate on Feb. 7, 2011. It then received a "do not pass" report from the House Education Committee on March 22, 2011 and failed to pass the full House on March 24, 2011.*

**DEAD****Oklahoma House Bill 1461**

This bill would have amended the state anti-bullying law to add cyberbullying; require politicization of the anti-bullying policy; mandate annual trainings for school employees and volunteers; and require educational programs for students and parents. This bill did not include enumerated categories.

**STATUS:** *This bill was introduced in the House on Feb. 7, 2011. It passed the House Common Education Committee on Feb. 23, 2011, and the full House on March 8, 2011. It then passed the Senate Public Safety Committee on April 5, 2011, and the full Senate on April 13, 2011. The House rejected the Senate amendments on April 25, 2011, and a conference committee was established. The House rejected the Conference Committee Report on May 16, 2011.*

**DEAD****Oregon House Bill 2832**

This bill would have expanded prohibited acts related to harassment, intimidation or bullying, or to cyberbullying to include actions by or against school employees. It also would have required school employee to report act of harassment,

intimidation, bullying, or cyberbullying.

**STATUS:** *This bill was introduced in the House on Jan. 11, 2011, and was referred to the Education Committee. It died upon adjournment on June 30, 2011.*

**DEAD****South Dakota Senate Bill 104**

This bill would have prohibited bullying in schools and mandated that every school district adopt an anti-bullying policy.

**STATUS:** *This bill was introduced in the Senate on Jan. 24, 2011. It failed to pass the Education Committee on Jan. 27, 2011. It died upon adjournment on March 28, 2011.*

**DEAD****Tennessee Senate Bill 165**

An amendment to this bill would have required the Department of Education, in consultation with the state Board of Education, to review the current curriculum standards for the teaching of sex education or for the teaching of other subjects in which the discussion of human sexuality may occur incidental to the subject. The purpose of the proposed review was to determine if the General Assembly's belief regarding the sensitivity of particular subjects "that are best explained and discussed in the home" and the statutory guidelines for sex education and family life curricula were being met.

**STATUS:** *This bill was introduced in the Senate on Feb. 7, 2011, and passed the Senate Government Operations Committee on May 11, 2011. On May 18, 2011, the Senate substituted House bill 249 for Senate bill 165. At that time the above referenced amendment was passed by the Senate. On May 20, 2011, the House "non-concurred" in the amendment, thereby killing it.*

**DEAD****Tennessee Senate Bill 426**

As amended, this bill would have required that a parent or guardian of a student must provide a school with written permission for their child to join a club or organization prior to the school permitting such student to join a club or organization.

**STATUS:** *This bill was introduced in the Senate on Feb. 9, 2011. It passed the Senate Education Committee on April 20, 2011. On May 16, 2011, the Senate substituted House Bill 432, thereby killing the Senate bill.*

**DEAD****Texas House Bill 130**

This bill would have required the Department of Education to develop and operate an anti-bullying hotline.

**STATUS:** *This bill was introduced in the House on Nov. 8, 2010, and was referred to the Human Services Committee. It died upon adjournment on May 30, 2011.*

## Schools-Related Bills

### DEAD

#### Texas House Bill 224/ House Bill 1348

These bills would have amended state law to expand the definition of bullying; prohibit cyberbullying; require procedures for reporting; provide notice of the policy; and provide training. Note: An alternate version of these bills was signed into law.

**STATUS:** *HB 224 was introduced in the House on Nov. 9, 2010, and HB 1348 was introduced in the House on Feb. 14, 2011. Both bills were referred to the House Public Education Committee. They died upon adjournment on May 30, 2011.*

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### DEAD

#### Texas House Bill 604/ House Bill 2156

These bills would have removed the requirement that sex education include curriculum emphasizing "that homosexuality is not a lifestyle acceptable to the general public and that homosexual conduct is a criminal offense."

**STATUS:** *HB 604 was introduced in the House on Jan. 12, 2011, and HB 2156 was introduced in the House on March 3, 2011. Both bills were referred to the House Criminal Jurisprudence Committee. They died upon adjournment on May 30, 2011.*

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### DEAD

#### Texas House Bill 944

This bill would have required local school health advisory councils to submit to the Board of Trustees a written report that includes council recommendations concerning the school district's policies, programs, and resources on dating violence, bullying, and sexual harassment.

**STATUS:** *This bill was introduced in the House on Jan. 26, 2011, and was referred to the Public Health Committee. It died upon adjournment on May 30, 2011.*

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### DEAD

#### Texas House Bill 1059

This bill would have amended state law to expand the definition of bullying; prohibit cyberbullying; require procedures for reporting; and require schools to adopt policies.

**STATUS:** *This bill was introduced in the House on Feb. 1, 2011, and was referred to the Committee on Public Education. It died upon adjournment on May 30, 2011.*

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### DEAD

#### Texas House Bill 1255/ Senate Bill 585

While continuing the state's abstinence focus, these bills would have required sex education to be evidence-based.

**STATUS:** *These bills were introduced in their respective chamber on Feb. 10, 2011. HB 1255 was referred to the House Public Health Committee. SB 585 was referred to the Senate Health and Human Services Committee. They died upon adjournment on May 30, 2011.*

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### DEAD

#### Texas House Bill 1467/ Senate Bill 242

These bills would have amended the state anti-bullying law to expand the definition of bullying; prohibit cyberbullying; require the adoption of an anti-bullying policy and procedure; and provide training.

**STATUS:** *SB 242 was introduced in the Senate on Dec. 1, 2010, and was referred to the Senate Education Committee. HB 1467 was introduced in the House on Feb. 17, 2011, and was referred to the House Public Education Committee. Both bills died upon adjournment on May 30, 2011.*

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### DEAD

#### Texas House Bill 1624/ Senate Bill 852

While continuing the state's abstinence focus, these bills would have required sex education to be evidence-based and would have prohibited bias against sexually active students or students of any race, gender, sexual orientation, or ethnic or cultural background.

**STATUS:** *Both bills were introduced in their respective chamber on Feb. 22, 2011. HB 1624 was referred to the House Public Education Committee and SB 852 was referred to the Senate Education Committee. They died upon adjournment on May 30, 2011.*

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### DEAD

#### Texas House Bill 2343

This bill would have amended the state anti-bullying law to prohibit harassment and discrimination on the basis of actual or perceived ethnicity, color, gender, gender identity or expression, sexual orientation, disability, religion, or national origin; required the development and implementation of a comprehensive suicide prevention program; expanded the definition of bullying; prohibited cyberbullying; and required the adoption of an anti-bullying policy and procedure.

**STATUS:** *This bill was introduced in the House on March 7, 2011, and was referred to the Public Health Committee. It died upon adjournment on May 30, 2011.*

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### DEAD

#### Texas House Bill 2402

This bill would have, in part, required schools to receive written consent from parents before providing their child(ren) with sex education.

**STATUS:** *This bill was introduced in the House on March 7, 2011, and was referred to the Public Education Committee. It died upon adjournment on May 30, 2011.*

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### DEAD

#### Texas Senate Bill 42

This bill would have prohibited bullying through electronic means.

**STATUS:** *This bill was introduced in the Senate on Nov. 8, 2010, and was referred*

to the Education Committee. It died upon adjournment on May 30, 2011.

**DEAD****Texas Senate Bill 205**

This bill would have amended the existing anti-bullying law to prohibit cyberbullying, harassment, and intimidation; and to require the adoption of an anti-bullying policy and procedure.

**STATUS:** *This bill was introduced in the Senate on Nov. 15, 2011. It passed the Senate Education Committee on April 18, 2011, and the full Senate on April 26, 2011. It passed the House Public Education Committee on May 19, 2011. It died upon adjournment on May 30, 2011.*

**DEAD****Texas Senate Bill 245**

This bill would have amended the state anti-bullying law to expand the definition of bullying; prohibit cyberbullying; require the adoption of an anti-bullying policy and procedure; provide training; and require reporting of incidents including a breakdown of the number, rate, and type of incidents of bullying, including cyberbullying, harassment, sexual harassment, and discrimination against any student on the basis of the actual or perceived race, ethnicity, color, religion, gender, sexual orientation, gender identity and expression, national origin, or disability.

**STATUS:** *This bill was introduced in the Senate on Dec. 2, 2010, and was referred to the Education Committee. It died upon adjournment on May 30, 2011.*

**DEAD****Utah Senate Joint Resolution 27**

This resolution would have urged the Utah State Board of Education, boards of school districts, and governing boards of charter schools, as they plan for safe and effective schools, to encourage and allow complete and full parental assumption of the opportunity and obligations that attend their minor children's participation in public schools; and requested Utah's congressional delegation to make further inquiry of the U. S. Department of Education and the U. S. Department of Justice to consider the feasibility of modifying their longitudinal studies to track data addressing the structure of the family unit of the instigator or recipient of bullying or cyberbullying, to request that these agencies acknowledge the significant role parents and family can have in the prevention, remediation, and implementation of sanctions regarding bullying and other physical or emotional harm, and to report on the involvement of parents and family in both discouraging and preventing ongoing bullying, cyberbullying, or other physical or emotional harm.

**STATUS:** *This resolution was introduced in the Senate on Feb. 23, 2011. It passed the Senate Education Committee on Feb. 28, 2011. The*

*resolution died when the Senate struck the enacting clause on March 10, 2011.*

**DEAD****Virginia House Bill 1575**

This bill would have amended the state anti-bullying law to include harassment and intimidation; require the adoption of procedures for handling a complaint; include conduct that occurs off campus but that substantially interferes with a student's educational opportunities, benefits, or performance; and add enumerated categories including sexual orientation and gender identity.

**STATUS:** *This bill was introduced in the House on Jan. 5, 2011, and was referred to the Committee for Education. It died upon adjournment on April 6, 2011.*

**DEAD****Virginia House Bill 1576**

This bill would have expanded the definition of bullying to include the use of information or communication technology.

**STATUS:** *This bill was introduced in the House on Jan. 5, 2011, and was referred to the Committee for the Courts of Justice. It died when it was left in committee on Feb. 8, 2011.*

**DEAD****Virginia House Bill 1748**

This bill would have amended the state anti-bullying law to explicitly include cyberbullying and held school administrators responsible for implementing the procedures in the local policy.

**STATUS:** *This bill was introduced in the House on Jan. 11, 2011, and was referred to the Committee for the Courts of Justice. It died when it was left in committee on Feb. 8, 2011.*

**DEAD****Virginia House Joint Resolution 625**

This resolution requests the Virginia Department of Education to study the nature and effectiveness of local anti-bullying policies.

**STATUS:** *This resolution was introduced in the House on Jan. 11, 2011. It passed the House Committee on Rules on Feb. 1, 2011, and the full House on Feb. 4, 2011. It passed the Senate Committee on Rules on Feb. 18, 2011, and the Full Senate on Feb. 22, 2011.*

**DEAD****Virginia Senate Bill 967**

This bill would have required sex and substance abuse education to be medically accurate and evidence-based.

**STATUS:** *This bill was introduced in the Senate on Jan. 11, 2011. It passed the Committee on Education and Health on Jan. 27, 2011, and the full Senate on Feb. 2, 2011. It died when it was left in the House Committee on Education on Feb. 21, 2011.*

## Health and Safety Bills

### DEAD

#### West Virginia House Bill 2704

This bill would have expanded the current anti-bullying law to include electronic communications; added enumerated categories including sexual orientation and gender identity; and required that a student guilty of bullying be provided counseling for two months.

**STATUS:** *This bill was introduced in the House on Jan. 21, 2011, and was referred to the House Education Committee. It died upon adjournment on March 18, 2011.*

### DEAD

#### West Virginia House Concurrent Resolution 150

This resolution would have requested that the Joint Committee on Government and Finance conduct a study relating to bullying in the public schools of West Virginia.

**STATUS:** *This resolution was introduced in the House on March 10, 2011, and was referred to the Rules Committee. It was adopted by the House in a voice vote on March 12, 2011. It died upon adjournment on March 18, 2011.*

## Health & Safety Bills

### PASSED

#### California Assembly Bill 433

This bill allows a person who has undergone clinically appropriate treatment for the purpose of gender transition to file a petition in any superior court to recognize the change in gender and, additionally, if applicable, a name change and request for a new birth certificate. The bill also makes the physician's affidavit conclusive proof of gender change if it contains specified language. The bill does not allow objections to be filed and requires the court to grant the petition if the affidavit shows that the petitioner has undergone clinically appropriate treatment for the purpose of gender transition.

**STATUS:** *This bill was introduced in the Assembly on Feb. 14, 2011. It passed the Assembly Committee on Judiciary on March 25, 2011, and the full Assembly on May 5, 2011. The bill passed the Senate Committee on Judiciary on June 9, 2011, and the full Senate on July 14, 2011. The Assembly concurred in the Senate amendments on Aug. 22, 2011. The bill was signed by the governor on Oct. 9, 2011.*

### PASSED

#### California Assembly Bill 673

This bill amends the section of the Health and Safety Code relating to public health. Existing law requires the Office of Multicultural Health to perform various duties on behalf of the state Department of Public Health and the state Department of Health Care Services relating to

the state's racial and ethnic communities. This bill requires the office to also perform those duties with respect to the state's lesbian, gay, bisexual, and transgender communities.

**STATUS:** *This bill was introduced in the Assembly on Feb. 17, 2011. It passed the Assembly Committee on Health on April 12, 2011, the Assembly Committee on Appropriations on May 5, 2011, and the full Assembly on May 12, 2011. It passed the Senate Committee on Health on June 8, 2011, the Senate Committee on Appropriations on Aug. 25, 2011, and the full Senate on Aug. 31, 2011. The Assembly concurred in the Senate amendments on Sept. 6, 2011. The bill was signed by the governor on Oct. 9, 2011.*

### PASSED

#### California Senate Bill 757

This bill provides that any healthcare service plan contract, health insurance policy, or any other insurance policy that is issued to or intended to cover any person residing in California shall be deemed to provide coverage for registered domestic partners that is equal to the coverage provided to a spouse, and shall comply with all nondiscrimination requirements set forth in state law.

**STATUS:** *This bill was introduced in the Senate on Feb. 18, 2011. It passed the Senate Committee on Health on April 28, 2011, the Senate Committee on Judiciary on May 4, 2011, the Senate Committee on Appropriations on May 17, 2011, and the full Senate on May 31, 2011. It passed the Assembly Committee on Health on June 22, 2011, the Assembly Committee on Judiciary on July 1, 2011, the Assembly Committee on Appropriations on Aug. 18, 2011, and the full Assembly on Sept. 1, 2011. The Senate concurred in the Assembly amendments on Sept. 2, 2011. The bill was signed by the governor on Oct. 9, 2011.*

### PASSED

#### Delaware Senate Bill 13

This bill continues, without sunset, the needle exchange program and directs the director of the Division of Public Health to maintain a sterile needle and syringe program.

**STATUS:** *This bill was introduced in the Senate on Jan. 20, 2011. It passed the Senate Health and Social Services Committee on March 30, 2011, and the full Senate on April 6, 2011. It passed the House Health & Human Development Committee on May 4, 2011, and the full House on June 7, 2011. It was signed by the governor on July 5, 2011.*

### PASSED

#### Illinois House Bill 2935

This bill amended the cyberstalking law to include electronic communications via a telephone, cellular phone, computer, or pager,

which communication includes, but is not limited to, e-mail, instant message, text message, or voice mail.

**STATUS:** *This bill was introduced in the House on Feb. 22, 2011. It passed the House Judiciary II Committee on March 10, 2011, and the full House on April 6, 2011. It passed the Senate Criminal Law Committee on May 11, 2011, and the full Senate on May 17, 2011. The bill was signed by the governor on Aug. 11, 2011.*

**PASSED**

**Illinois House Bill 3184**

This bill changes the "Married Families Domestic Violence Fund" into the "Domestic Violence Fund." A portion of the licensing fee from both marriages and civil unions will go toward supporting the fund.

**STATUS:** *This bill was introduced in the House on Feb. 23, 2011. It passed the Elections and Campaign Reform Committee on April 5, 2011, and the full House on April 7, 2011. The bill passed the Senate Executive Committee on May 5, 2011, and the full Senate on May 25, 2011. It was signed by the governor on May 31, 2011.*

**PASSED**

**Michigan House Bill 4770**

This bill prohibits public employers from providing health benefits to the domestic partner of a public employee.

**STATUS:** *This bill was introduced in the House on June 16, 2011. It passed the House Committee on Oversight, Reform, and Ethics on June 22, 2011, and the full House on Sept. 15, 2011. It passed the Senate Committee on Reforms, Restructuring, and Reinventing on Oct. 20, 2011, the Senate Committee of the Whole on Dec. 7, 2011, and the full Senate on Dec. 7, 2011. The House concurred in the Senate amendments on Dec. 8, 2011. It was signed by the governor on Dec. 28, 2011.*

**PASSED**

**Nebraska Legislative Bill 226**

This bill makes it a Class I misdemeanor for any person to knowingly and intentionally strike or attempt to strike with a bodily fluid a public safety officer who is engaged in the performance of his or her official duties. Additionally, a violation under this bill constitutes a Class IIIA felony if the perpetrator knows he or she is infected with HIV, hepatitis B or hepatitis C.

**STATUS:** *This bill was introduced on Jan. 10, 2011. It passed the Judiciary Committee on May 4, 2011, and the full Legislature on May 18, 2011. The bill was signed into law by the governor on May 24, 2011.*

**PASSED**

**New York Senate Bill 1303**

This bill requires the state Office for the Aging to report on the delivery of services to and needs of

traditionally underserved populations, including LGBT communities, in their annual report to the governor and legislature.

**STATUS:** *This bill was introduced in the Senate on Jan. 6, 2011. It passed the Senate Aging Committee on June 11, 2011, the full Senate on June 14, 2011. It passed the Assembly Ways and Means and the full Assembly on June 16, 2011. It was signed by the governor on Sept. 23, 2011.*

**PASSED**

**Pennsylvania House Resolution 511**

This resolution recognizes Dec. 1, 2011, as "World AIDS Day."

**STATUS:** *This resolution was introduced and unanimously adopted by the full House on Dec. 5, 2011.*

**PASSED**

**West Virginia Senate Bill 213**

This bill extends cyberbullying protections for the general public by prohibiting bullying behavior on computers, mobile phones, personal digital assistants, and other electronic devices. It also enhances penalties for third or subsequent offenses.

**STATUS:** *This bill was introduced in the Senate on Jan. 19, 2011. A substitute bill passed the Senate Judiciary Committee on Jan. 27, 2011. The bill passed the full Senate on Feb. 1, 2011. It passed the House Judiciary Committee on March 7, 2011, and the full House on March 10, 2011. The Senate concurred in the House amendments on March 11, 2011. The bill was signed by the governor on April 5, 2011.*

**PASSED**

**West Virginia Senate Bill 488**

This bill requires that HIV-related testing on a voluntary basis be recommended by any healthcare provider in a health facility as part of a routine screening for treatable conditions and as part of routine prenatal and perinatal care; requires that a patient be informed either orally or in writing that HIV-related testing will be performed as part of his or her routine care, that HIV-related testing is voluntary and that the patient may decline HIV-related testing; allows any person seeking an HIV-related test to remain anonymous; mandates that courts order that an HIV-related test be performed on any persons charged with prostitution, sexual abuse, sexual assault, incest or sexual molestation; and provides for confidentiality of records and circumstances for permissible disclosure.

**STATUS:** *This bill was introduced in the Senate on Feb. 10, 2011. The Senate Health and Human Resources Committee passed a substitute bill on Feb. 17, 2011. The Senate Judiciary Committee passed another substitute bill on Feb. 24, 2011. The second substitute passed the full Senate on March 1, 2011. The*

## Health and Safety Bills

*bill passed the House Health and Human Resources Committee on March 4, 2011, the House Judiciary Committee on March 9, 2011, and the full House on March 12, 2011. The Senate concurred in the House amendments on March 12, 2011. The bill was signed by the governor on April 5, 2011.*

### ACTIVE

#### Alaska Senate Bill 14

This bill would allow a health care provider to refuse to provide healthcare services that violate the providers' conscience so long as the provider has given advance notice to the employer and services are not denied to a patient in life-threatening circumstances.

**STATUS:** *This bill was introduced Jan. 19, 2011, and was referred to the Health and Social Services Committee.*

### ACTIVE

#### California Assembly Bill 59

This bill would increase the circumstances under which an employee is entitled to protected leave pursuant to the Family Rights Act by eliminating the age and dependency elements from the definition of "child," thereby permitting an employee to take protected leave to care for his or her independent adult child suffering from a serious health condition; expanding the definition of "parent" to include an employee's parent-in-law; and permitting an employee to also take leave to care for a seriously ill grandparent, sibling, grandchild, or domestic partner, as defined.

**STATUS:** *This bill was introduced in the Assembly on Dec. 7, 2010. It passed the Committee on Labor and Employment on March 31, 2011 and was re-referred to the Committee on Appropriations.*

### ACTIVE

#### California Assembly Bill 491

This bill would require medical care providers and other eligible to perform HIV tests to obtain informed consent from the individual prior to ordering an HIV test; and to provide information orally or in writing about available treatment options and voluntary partner notification services, as well as provide the patient with contact information for HIV medical care, and support and social services, in writing.

**STATUS:** *This bill was introduced in the Assembly on Feb. 15, 2011. It passed the Assembly Committee on Health on May 9, 2011, and the full Assembly on May 31, 2011. It was referred to the Senate Committees on Health and Judiciary.*

### ACTIVE

#### California Senate Bill 747

This bill would require physicians and surgeons, registered nurses, certified vocational nurses, psychologists, marriage and family therapists,

licensed clinical social workers, and psychiatric technicians to complete at least one course of two to five hours in duration that provides instruction on cultural competency, sensitivity, and best practices for providing adequate care to lesbian, gay, bisexual, and transgender persons.

**STATUS:** *This bill was introduced in the Senate on Feb. 18, 2011. It passed the Senate Committee on Business, Professions, and Consumer Protection on April 12, 2011, the Senate Committee on Appropriations on May 10, 2011, and the full Senate on May 16, 2011. It passed the Assembly Committee on Business, Professions, and Consumer Protection on June 21, 2011, the Assembly Committee on Appropriations on Aug. 26, 2011, and the full Assembly on Sept. 1, 2011. The Senate concurred in the Assembly amendments on Sept. 22, 2011. The bill was vetoed by the governor on Oct. 9, 2011. Consideration of the governor's veto is pending in the Senate.*

### ACTIVE

#### District of Columbia Bill 3

This bill would designate the HIV/AIDS, Hepatitis, STD, and Tuberculosis Administration as a cabinet-level agency for purposes of management of programs and services related to the transmission, prevention, and treatment of HIV/AIDS and other communicable diseases.

**STATUS:** *This bill was introduced on Jan. 4, 2011, and was referred to the Health Committee.*

### ACTIVE

#### District of Columbia Bill 524

This bill would establish the "Senior HIV/AIDS Education and Outreach Program" to train seniors to serve as peer educators on HIV and AIDS.

**STATUS:** *This bill was introduced on Oct. 18, 2011, and was referred to the Committee on Health.*

### ACTIVE

#### Hawaii House Bill 214

This bill would make bullying in the workplace a misdemeanor offense and require counseling for anyone convicted of the offense.

**STATUS:** *This bill was introduced on Jan. 21, 2011, and was referred to the Labor and Public Employment, Economic Revitalization and Business, and Judiciary Committees.*

### ACTIVE

#### Hawaii Senate Bill 131

This bill would make abusive conduct against an employee in the workplace a violation of occupational safety and health law.

**STATUS:** *This bill was introduced on Jan. 21, 2011, and was referred to the Judiciary and Labor Committee.*

**ACTIVE****Illinois Senate Bill 127**

This bill would create the Illinois Family and Medical Leave Act. It contains provisions similar to those in the federal Family and Medical Leave Act of 1993, except that it applies to a son-in-law, daughter-in-law, father-in-law, mother-in-law, domestic partner, or sibling who has a serious health condition, and increases the leave allowed to 16 work weeks.

**STATUS:** *This bill was introduced in the Senate on Jan. 27, 2011, and was assigned to the Labor Committee.*

**ACTIVE****Illinois Senate Resolution 98**

This resolution would designate March 10, 2011, as "Women and Girls HIV/AIDS Awareness Day in the State of Illinois."

**STATUS:** *This resolution was introduced in the Senate on March 8, 2011, and was referred to the Assignments Committee.*

**ACTIVE****Kansas Senate Bill 56**

This bill would remove consensual adult sodomy from the criminal statutes.

**STATUS:** *This bill was introduced on Jan. 25, 2011, and passed the Committee on Judiciary on Feb. 14, 2011.*

**ACTIVE****Massachusetts House Bill 48/  
House Bill 1099**

These bills would require the State Department of Health to focus on the prevention and elimination of discrimination based on sexual orientation and gender identity and expression, as well as on improving access to services for lesbian, gay, bisexual, and transgender elders and caregivers; ensure that a curriculum is developed that will support the training for the delivery of services; and require that over a period of time such training be completed by all providers of services who contract with or receive funding from the department.

**STATUS:** *HB 48 was introduced in the House on Jan. 14, 2011, and was referred to the Joint Committee on Children, Families and Persons with Disabilities. HB 1099 was introduced in the House on Jan. 24, 2011, and was referred to the Committee on Elder Affairs.*

**ACTIVE****Massachusetts House Bill 2908**

This bill would establish a special commission for the purpose of devising a statewide strategy to modernize HIV/AIDS prevention and treatment in the Commonwealth.

**STATUS:** *This bill was introduced in the House on Jan. 21, 2011, and was referred to the Joint Committee on Public Health.*

**ACTIVE****Massachusetts House Bill 3594**

This bill would require every healthcare provider who delivers primary medical care services or infectious disease services to an adolescent or adult patient to offer an HIV test to the patient; prohibit HIV tests from being conducted for any purpose related to insurance coverage of any type without the written informed consent of the subject of the test; require any person who orders the performance of an HIV test, or such person's representative, to provide any patient testing positive for HIV with a connection to HIV-related medical care and counseling; prohibit healthcare facilities and healthcare providers from disclosing HIV-related medical information to any person other than the subject of the test without first obtaining the subject's written informed consent; prohibit an employer from requiring an HIV test as a condition of employment or from requiring the disclosure of any HIV-related medical information as part of any medical examination; and require most insurance providers to cover the costs of HIV testing.

**STATUS:** *This bill was introduced in the House on July 18, 2011, and passed the Joint Committee on Public Health the same day. It was re-referred to the Committee on Health Care Financing.*

**ACTIVE****Michigan House Bill 4237/ Senate Bill 124/  
Senate Bill 262**

These bills would amend the state penal code to make it a crime to engage in cyberbullying.

**STATUS:** *SB 124 was introduced in the Senate on Feb. 9, 2011, HB 4237 was introduced in the House on Feb. 10, 2011, and SB 262 was introduced in the Senate on March 10, 2011. The bills were referred to their respective Committee on Judiciary.*

**ACTIVE****Michigan House Bill 4238/ Senate Bill 125**

These bills would amend the state penal code to make it a crime to cyberbully a minor.

**STATUS:** *SB 125 was introduced in the Senate on Feb. 9, 2011, and HB 4238 was introduced in the House on Feb. 10, 2011. These bills were referred to their respective Committee on Judiciary.*

**ACTIVE****Michigan House Bill 4889**

This bill would prohibit the use of public funds for sex reassignment surgery except for treatment of "disorders of sex development."

**STATUS:** *This bill was introduced in the House on Aug. 24, 2011, and was referred to the Committee on Appropriations.*

**ACTIVE**

**Michigan House Resolution 111/  
Senate Resolution 66**

These resolutions would ask the president and the U. S. Congress to enact legislation "protecting the rights of conscience" of students seeking counseling degrees and licensed professional counselors. Students have been dismissed from programs for refusing to counsel LGBT people with supportive measures.

**STATUS:** *SR 66 was introduced in the Senate on June 23, 2011, and HR 111 was introduced in the House on June 30, 2011. These resolutions were referred to their respective Committee on Education.*

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**ACTIVE**

**Michigan Senate Bill 518**

This bill would prohibit public and private educational institutions from disciplining or "discriminat[ing] against a student" in a counseling, social work, or psychology program because the student refuses to counsel or serve a client "as to goals that conflict with a sincerely held religious belief or moral conviction of the student," provided that the student refers the client to a counselor who will provide the counseling or services.

**STATUS:** *This bill was introduced in the Senate on June 23, 2011, and was referred to the Committee on Education.*

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**ACTIVE**

**Michigan Senate Bill 735**

This bill would require pharmacies to deliver lawfully prescribed drugs or devices to patients and to distribute drugs and devices approved by the U. S. Food and Drug Administration for restricted distribution by pharmacies, or provide a therapeutically equivalent drug or device in a timely manner consistent with reasonable expectations for filling the prescription.

**STATUS:** *This bill was introduced in the Senate on Oct. 6, 2011, and was referred to the Committee on Health Policy.*

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**ACTIVE**

**Minnesota House Bill 1313/ Senate Bill 466**

These bills would require the commissioner of health to design, implement, and evaluate an ongoing statewide campaign to raise awareness and educate the public about HIV transmission and prevention. They would require the campaign to include messages directed to the general population as well as culturally specific and community-based messages.

**STATUS:** *SB 466 was introduced in the Senate on Feb. 24, 2011, and HB 1313 was introduced in the House on March 28, 2011. Both bills were referred to their respective Committee on Health and Human Services Reform.*

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**ACTIVE**

**Minnesota House Bill 1438**

This bill would require that health insurance benefits be made available to domestic partners of state employees if they are also made available to spouses.

**STATUS:** *This bill was introduced in the House on April 11, 2011, and was referred to Government Operations and Elections.*

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**ACTIVE**

**New Jersey Assembly Bill 1314**

This bill would change the definitions of "widow," "widower" and "spouse" in the Police and Firemen's Retirement System so that those definitions include the domestic partners of all members. Domestic partners of members would then be eligible for any system benefits designated for a widow, widower or spouse.

**STATUS:** *This bill was introduced Jan. 12, 2010, and referred to the State Government Committee.*

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**ACTIVE**

**New Jersey Assembly Bill 3328**

This bill would upgrade the degree of the crime for harassment under certain circumstances and would restrict cyberbullying offenders' access to the Internet.

**STATUS:** *This bill was introduced Oct. 7, 2010, and was referred to the Judiciary Committee.*

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**ACTIVE**

**New Jersey Assembly Bill 3409**

This bill would makes harassment by electronic means, or cyberbullying, a crime of the fourth degree. It applies to all people and is not restricted to schools.

**Status:** *This bill was introduced Oct. 18, 2010, and was referred to the Judiciary Committee.*

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**ACTIVE**

**New Jersey Assembly Resolution 170**

This resolution would urge the United States Congress to support rescission of the FDA lifetime ban on blood donations by gay and bisexual men.

**STATUS:** *This resolution was introduced in the Assembly on June 27, 2011, and was referred to the Health and Senior Services Committee.*

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**ACTIVE**

**New York Assembly Bill 614**

This bill would require the Department of Corrections to provide an inmate, upon his or her discharge, with educational information about the prevention of HIV, instructions about how to obtain free HIV testing, and referrals to community-based HIV prevention, education and counseling resources.

**STATUS:** *This bill was introduced in the Assembly on Jan. 5, 2011, and was referred to the Corrections Committee.*

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**ACTIVE**

**New York Assembly Bill 2355/  
Assembly Bill 2598**

These bills would establish the crime of cyber harassment.

**STATUS:** *AB 2355 was introduced in the Assembly on Jan. 18, 2011, and AB 2598 was introduced in the Assembly on Jan. 19, 2011. Both bills were referred to the Assembly Codes Committee.*

**ACTIVE**

**New York Assembly Bill 2636**

This bill would provide a means for an individual, who may have been infected by the AIDS virus during the course of a crime, to receive funds from the crime victims compensation board for appropriate HIV diagnostic testing to determine if such individual contracted HIV.

**STATUS:** *This bill was introduced in the Assembly on Jan. 19, 2011, and was referred to the Health Committee.*

**ACTIVE**

**New York Assembly Bill 2807**

This bill would require insurers providing family health insurance coverage to offer coverage for the domestic partner of an insured person.

**STATUS:** *This bill was introduced in the Assembly on Jan. 20, 2011. It passed the Assembly Insurance Committee on March 2, 2011, and the full Assembly on May 10, 2011. It was referred to the Senate Insurance Committee.*

**ACTIVE**

**New York Assembly Bill 2808**

This bill would require health care service plans and health insurers to provide insurance coverage for HIV testing.

**STATUS:** *This bill was introduced in the Assembly on Jan. 20, 2011, and was referred to the Health Committee. It was re-referred to the Insurance Committee on Feb. 8, 2011.*

**ACTIVE**

**New York Assembly Bill 2947**

This bill would allow employees to utilize accrued and available sick leave to provide care to immediate family, household members, or domestic partners.

**STATUS:** *This bill was introduced in the Assembly on Jan. 21, 2011. It passed the Assembly Rules Committee on June 15, 2011.*

**ACTIVE**

**New York Assembly Bill 3007/  
Senate Bill 1143**

These bills would require that patient hospital admissions forms allow patients to designate a domestic partner with the same privileges as a next-of-kin respecting visitation and the authorizing of surgery for a patient in the

absence and unavailability of a next-of-kin or nearest relative where the patient has given no specific instructions and becomes unable to execute a health care proxy or make decisions about his or her health care.

**STATUS:** *SB 1143 was introduced in the Senate on Jan. 5, 2011, and AB 3007 was introduced in the Assembly on Jan. 21, 2011. These bills were referred to their respective Health Committee.*

**ACTIVE**

**New York Assembly Bill 3030/  
Senate Bill 70**

These bills would allow employer-provided domestic partner benefits to be taxed at the same rate as employer provided spousal benefits under state law.

**STATUS:** *SB 70 was introduced in the Senate on Jan. 5, 2011, and was referred to the Senate Investigations and Government Operations Committee. AB 3030 was introduced in the Assembly on Jan. 21, 2011. It passed the Assembly Ways and Means Committee on June 2, 2011, the Assembly Rules Committee on June 6, 2011, and the full Assembly on June 6, 2011. AB 3030 was referred to the Senate Investigations and Government Operations Committee.*

**ACTIVE**

**New York Assembly Bill 4109**

This bill would provide for the exemption of contributions made by an employer to an accident or health plan for the benefit of an employee's domestic partner from federal gross income for tax purposes.

**STATUS:** *This bill was introduced in the Assembly on Feb. 1, 2011, and was referred to the Ways and Means Committee.*

**ACTIVE**

**New York Assembly Bill 4253**

This bill would provide accidental death benefits to domestic partners and the children of domestic partners for most state and local benefits systems.

**STATUS:** *This bill was introduced in the Assembly on Feb. 2, 2011. It passed the Assembly Governmental Employees Committee on March 22, 2011, the Assembly Ways and Means Committee on June 14, 2011, and the Assembly Rules Committee on June 15, 2011.*

**ACTIVE**

**New York Assembly Bill 4659/  
Senate Bill 1285**

These bills would establish duties for pharmacies when pharmacists employed by such pharmacy refuse to fill prescriptions on the basis of personal beliefs; require a pharmacy to ensure the prescription is filled by another pharmacist; require the pharmacy to inform individuals of items not in stock; and require such items to be

## Health and Safety Bills

ordered by another pharmacist without delay.

**STATUS:** *SB 1285 was introduced in the Senate on Jan. 6, 2011, and AB 4659 was introduced in the Assembly on Feb. 4, 2011. These bills were referred to their respective Higher Education Committee.*

### ACTIVE

#### New York Assembly Bill 5322

This bill would extend the benefits of the variable supplements fund to all New York City police officers, firefighters, housing police, transit police, and their widows, widowers, or registered domestic partners.

**STATUS:** *This bill was introduced in the Assembly on Feb. 15, 2011, and was referred to the Governmental Employees Committee.*

### ACTIVE

#### New York Assembly Bill 6449/ Senate Bill 2743

This bill would require cultural awareness and competence training for medical professionals, and would include information regarding sexual orientation and gender identity.

**STATUS:** *SB 2743 was introduced in the Senate on Jan. 31, 2011, and AB 6449 was introduced in the Assembly on March 17, 2011. These bills were referred to their respective Higher Education Committee.*

### ACTIVE

#### New York Assembly Bill 8278

This bill would establish a health care disparities data collection system, which would include health disparities based on sexual orientation.

**STATUS:** *This bill was introduced in the Assembly on June 9, 2011, and was referred to the Health Committee.*

### ACTIVE

#### New York Senate Bill 894

This bill would prohibit pharmacists from refusing to dispense medication solely for philosophical, moral, or religious reasons.

**STATUS:** *This bill was introduced in the Senate on Jan. 5, 2011, and passed the Higher Education Committee on April 12, 2011. It was re-referred to the Health Committee.*

### ACTIVE

#### New York Senate Bill 5030

This bill would require confidentiality of reports and information relating to tests for sexually transmissible diseases.

**STATUS:** *This bill was introduced in the Senate on May 2, 2011, and was referred to the Health Committee.*

### ACTIVE

#### North Carolina Senate Bill 208

This bill would amend the state's "crimes against nature" law to bring it into compliance with the

Supreme Court ruling in *Lawrence v. Texas*.

**STATUS:** *This bill was introduced in the Senate on March 3, 2011, and was referred to the Committee on Rules and Operations of the Senate.*

### ACTIVE

#### Pennsylvania House Bill 271

This bill would make bullying a summary offense or misdemeanor and would not be bound to educational settings.

**STATUS:** *This bill was introduced on Jan. 27, 2011, and was referred to the Judiciary Committee.*

### ACTIVE

#### Pennsylvania House Bill 383

This bill would establish a right of conscience for healthcare providers and institutions who do not want to counsel, advise, provide, perform, assist, or participate in providing or performing healthcare services that violate their consciences, including abortion, artificial birth control, artificial insemination, assisted reproduction, emergency contraception, human cloning, human embryonic stem cell research, fetal experimentation and sterilization.

**STATUS:** *This bill was introduced in the House on Feb. 1, 2011, and was referred to the Health Committee.*

### ACTIVE

#### Rhode Island Senate Bill 675

This bill would provide a right of conscience for all healthcare providers, institutions and payers, permitting them to decline to counsel, advise, pay for, provide, perform, assist, or participate in providing or performing healthcare services that violate their consciences. Such healthcare services may include, but are not limited to, abortion, artificial birth control, artificial insemination, assisted reproduction, human cloning, euthanasia, human embryonic stem cell research, fetal experimentation, physician-assisted suicide, and sterilization.

**STATUS:** *This bill was introduced in the Senate on March 10, 2011, and was referred to the Senate Judiciary Committee.*

### ACTIVE

#### Tennessee House Bill 187/ Senate Bill 313

This bill would authorize the amendment of an original certificate of birth to reflect a change in gender, upon receipt of a sworn statement by a physician, surgeon, endocrinologist, gynecologist, internist, neurologist, psychiatrist, psychologist, or social worker indicating that the gender of the person has been changed.

**STATUS:** *HB 187 was introduced in the House on Jan. 28, 2011, and was referred to the House Health and Human Resources Committee. HB 313 was introduced in the Senate on Feb. 7, 2011, and was referred to the Senate Judiciary Committee.*

**ACTIVE**

**Washington Senate Bill 5296**

This bill would modify the public employee health benefits law to cover opposite-sex couples eligible for a state registered domestic partnership. The existing law already provided for same-sex domestic partners.

**STATUS:** *This bill was introduced in the Senate on Jan. 20, 2011, and was referred to the Committee on Health and Long-Term Care.*

**DEAD**

**Alabama House Bill 178**

These bills would have allowed healthcare providers, healthcare institutions, and healthcare payers to refuse to perform or to participate in healthcare services that violate their conscience.

**STATUS:** *These bills were introduced in the Senate on March 1, 2011, and in the House on March 8, 2011. SB 46 passed the Committee on Health on April 14, 2011, and HB 178 passed the Committee on Health on May 31, 2011. Both bills died on June 1, 2011, when they were indefinitely postponed.*

**DEAD**

**Arizona House Bill 2432**

This bill would have provided paid sick and safe time leave for all employees. Employees would have been permitted to take paid leave to care for their domestic partner or the children of their domestic partner.

**STATUS:** *This bill was introduced in the House on Feb. 3, 2011, and was referred to the Employment and Regulatory Affairs, Commerce, and Rules Committees. It died upon adjournment on April 20, 2011.*

**DEAD**

**Arkansas House Bill 1983**

This bill would have allowed a healthcare provider, healthcare institution, or healthcare payer to decline to participate in a healthcare service that violates the conscience of the healthcare provider, healthcare institution, or healthcare payer.

**STATUS:** *This bill was introduced on March 7, 2011, and was referred to the Public Health, Welfare and Labor Committee. The bill died upon adjournment on April 27, 2011.*

**DEAD**

**Arkansas House Bill 2100**

This bill would have required the House Committee on Public Health, Welfare, and Labor and the Senate Committee on Public Health, Welfare, and Labor to study barriers to HIV testing that contribute to the inability to reduce the incidence of HIV infection in Arkansas and to present final findings concerning this interim study and recommendations for legislation to the governor and the Legislature Council on or before Dec. 1, 2012.

**STATUS:** *This bill was introduced in the House on March 7, 2011, and was referred to the Committee on Public Health, Welfare, and Labor. The bill died upon adjournment on April 27, 2011.*

**DEAD**

**Florida Senate Bill 180**

This bill would have required all antiretroviral agents to be included on health plan formularies, and prohibited access-limiting procedures used to restrict antiretroviral agents prescribed to treat a person with HIV.

**STATUS:** *This bill was introduced March 8, 2011, and was referred to the Health Regulation, Banking and Insurance, and Budget Committees. It died on May 7, 2011, when the House indefinitely postponed the bill.*

**DEAD**

**Indiana Senate Bill 530**

This bill would have incorporated the offense of "deviate sexual conduct" into the crime of rape, and repeals the statute defining the crime of "criminal deviate conduct." "Deviate sexual conduct" is defined as to include oral and anal sex.

**STATUS:** *This bill was introduced on Jan. 18, 2011, and passed the Committee on Corrections, Criminal, and Civil Matters on Feb. 10, 2011. It passed the full Senate on Feb. 17, 2011, and was transferred to the House where it was referred to the Committee on Courts and Criminal Codes. The bill died upon adjournment on April 29, 2011.*

**DEAD**

**Kansas House Bill 2321**

This bill would have amended the existing criminal law to, in part, remove consensual adult sodomy from the criminal statutes.

**STATUS:** *This bill was introduced Feb. 11, 2011. It was passed by the Committee on Corrections and Juvenile Justice on March 9, 2011. The bill failed in the full House by a vote of 32 to 91 on March 14, 2011.*

**DEAD**

**Kentucky House Bill 35/ Senate Bill 49**

These bills would have added dating partners to the class of persons allowed to obtain domestic violence protective orders. Dating partners was defined in a gender neutral manner.

**STATUS:** *HB 35 was introduced in the House on Jan. 4, 2011. It passed the House Judiciary Committee on Feb. 4, 2011, and the full House on Feb. 8, 2011. The bill was transferred to the Senate and assigned to the Senate Judiciary Committee. SB 49 was introduced in the Senate on Jan. 5, 2011, and was referred to the Senate Judiciary Committee. Both bills died upon adjournment on March 9, 2011.*

**DEAD**

**Louisiana House Bill 126**

This bill would have amended existing domestic violence law to remove the requirement that the abuser and adult victim be of the opposite sex.

**STATUS:** This bill was introduced in the House on April 8, 2011, and was referred to the Committee on Administration of Criminal Justice. It died upon adjournment on June 23, 2011.

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**DEAD**

**Maryland House Bill 582**

This bill would have amended existing law prohibiting harassment via electronic communications to extend the definition from just computers and electronic communications to include any available technology.

**STATUS:** This bill was introduced in the House on Feb. 9, 2011. It died upon receiving an unfavorable Committee report from the Judiciary Committee on March 23, 2011.

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**DEAD**

**Massachusetts House Bill 2906**

This bill would have required every healthcare provider who delivers primary medical care services or infectious disease services to an adolescent or adult patient to offer an HIV test to the patient; prohibited HIV tests from being conducted for any purpose related to insurance coverage of any type without the written informed consent of the subject of the test; required any person who orders the performance of an HIV test, or such person's representative, to provide any patient testing positive for HIV with a connection to HIV-related medical care and counseling; prohibited health care facilities and healthcare providers from disclosing HIV-related medical information to any person other than the subject of the test without first obtaining the subject's written informed consent; prohibited an employer from requiring an HIV test as a condition of employment or from requiring the disclosure of any HIV-related medical information as part of any medical examination; and required most insurance providers to cover the costs of HIV testing.

**STATUS:** This bill was introduced in the House on Jan. 24, 2011. It passed the Joint Committee on Health on July 18, 2011, but died the same day when a new version was issued.

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**DEAD**

**Michigan House Bill 4771**

This bill would have prohibited collective bargaining on domestic partner benefits.

**STATUS:** This bill was introduced in the House on June 16, 2011. It passed the House Committee on Oversight, Reform, and Ethics on June 22, 2011, and the full House on Sept. 15, 2011. It passed the Senate Committee on Reforms, Restructuring, and Reinventing on

Oct. 20, 2011, the Senate Committee of the Whole on Dec. 7, 2011, and the full Senate on Dec. 7, 2011. It was vetoed by the governor on Dec. 22, 2011.

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**DEAD**

**Montana Legislative Request 438/  
Senate Bill 276**

This request and bill would have revised the definition of "deviate sexual relations" to exclude "sexual contact or intercourse between persons of the same-sex." This provision of the law has been unenforceable since the U.S. Supreme Court decision in Lawrence v. Texas in 2003.

**STATUS:** The request was made on Sept. 20, 2010, and died in the drafting process on April 28, 2011. The bill was introduced on Feb. 5, 2011. It passed the Judiciary Committee on Feb. 18, 2011, and the full Senate on Feb. 24, 2011. It was transferred to the House and referred to the House Judiciary Committee. It died in Standing Committee on April 28, 2011.

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**DEAD**

**Montana Senate Bill 196**

This bill would have prohibited bullying in the workplace and provided remedies to address hostile work environments.

**STATUS:** This bill was introduced on Jan. 20, 2011, and was referred to the Judiciary Committee. It died in Standing Committee on April 28, 2011.

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**DEAD**

**Nevada Assembly Bill 370**

This bill would have required that the gender indicated on a document filed with the government must be the gender shown on the person's birth certificate unless the person has undergone gender reassignment surgery.

**STATUS:** This bill was introduced on March 21, 2011, and was referred to the Government Affairs Committee. It died pursuant to the rules on April 16, 2011.

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**DEAD**

**New Mexico House Bill 494**

This bill would have created the crime of bullying. It would have included enumerated categories including sexual orientation and gender identity.

**STATUS:** This bill was introduced in the House on Feb. 14, 2011, and was referred to the House Consumer and Public Affairs, and Judiciary Committees. It was postponed indefinitely in the Judiciary Committee on March 11, 2011.

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**DEAD**

**New York Assembly Bill 880**

This bill would have required the state Office for the Aging to report on the delivery of services to and needs of traditionally underserved

populations, including LGBT communities, in their annual report to the governor and Legislature.

**STATUS:** *This bill was introduced in the Assembly on Jan. 5, 2011. It passed the Assembly Rules Committee on June 16, 2011, but died the same day when a substitute bill was submitted.*

**DEAD**

**New York Assembly Bill 5185**

This bill would have required cultural awareness and competence training for medical professionals, and would include information regarding sexual orientation and gender identity.

**STATUS:** *This bill was introduced in the Assembly on Feb. 14, 2011, and was referred to the Higher Education Committee. It died when the enacting clause was stricken on March 9, 2011.*

**DEAD**

**Texas House Bill 786**

This bill would have required that a healthcare provider who takes a sample of a person's blood as part of a routine medical screening submit the sample for an HIV diagnostic test, regardless of whether an HIV test is part of a primary diagnosis, unless the person opts out of the HIV test. In addition, the bill would have required any standard health benefit plan to include coverage for tests or procedures to determine HIV infection, antibodies to HIV, or infection with any other probable causative agent of AIDS.

**STATUS:** *This bill was introduced in the House on Jan. 21, 2011, and was referred to the Insurance Committee. It died upon adjournment on May 30, 2011.*

**DEAD**

**Texas House Bill 1909**

This bill would have amended the state's indecency law to remove unequal treatment between people of the same sex and people of the opposite sex.

**STATUS:** *This bill was introduced in the House on Feb. 28, 2011, and was referred to the Criminal Jurisprudence Committee. It died upon adjournment on May 30, 2011.*

**DEAD**

**Texas House Concurrent Resolution 102**

This resolution would have memorialized the U. S. Congress to enact comprehensive legislation "to protect religious liberty and individual conscience rights of all participants involved in accessing or providing healthcare."

**STATUS:** *This resolution was introduced in the House on March 11, 2011, and was referred to the Public Health Committee. It died upon adjournment on May 30, 2011.*

**DEAD**

**Texas Senate Bill 1821**

This bill would have established the Texas HIV Medication Advisory Committee to advise the executive commissioner and Department of Health and Human Services in the development of procedures and guidelines for the Texas HIV Medication Program.

**STATUS:** *This bill was introduced in the Senate on March 11, 2011, and was referred to the Health and Human Services Committee. It died upon adjournment on May 30, 2011.*

**DEAD**

**West Virginia House Bill 2565/  
House Bill 3029**

These bills would have extended cyberbullying protections for the general public by prohibiting bullying behavior on computers, mobile phones, personal digital assistants, and other electronic devices. They would also have enhanced penalties for third or subsequent offenses. Note: An alternate version of these bills was signed into law.

**STATUS:** *HB 2565 was introduced in the House on Jan. 19, 2011, and was referred to the House Judiciary Committee. HB 3029 was introduced in the House on Feb. 7, 2011, and passed the House Judiciary Committee on Feb. 8, 2011. Both bills died upon adjournment on March 18, 2011.*

**DEAD**

**West Virginia House Bill 3170**

This bill would have provided that pharmacists may not obstruct a patient in obtaining a prescription drug or device that has been legally prescribed or ordered for that patient.

**STATUS:** *This bill was introduced in the House on Feb. 17, 2011, and was referred to the House Committee on Health and Human Resources. It died upon adjournment on March 18, 2011.*

**DEAD**

**West Virginia House Concurrent  
Resolution 92**

This resolution would have requested the Joint Committee on Government and Finance to study abusive mistreatment of employees at work and procedures for legal relief for employees who have been harmed, psychologically, physically, or economically, by being deliberately subjected to abusive work environments and legal incentive for employers to prevent and respond to abusive mistreatment of employees at work.

**STATUS:** *This resolution was introduced in the House on Feb. 21, 2011, and was referred to the Rules Committee. It died upon adjournment on March 18, 2011.*

## Other Bills

### PASSED

#### California House Resolution 15/ Senate Resolution 18

These resolutions proclaim June 2011 as Lesbian, Gay, Bisexual, and Transgender (LGBT) Pride Month, urges all residents to join in celebrating the culture, accomplishments, and contributions of lesbian, gay, bisexual, and transgender people, and encourages the people of California to work to help advance the cause of equality for lesbian, gay, bisexual, and transgender people and their families.

**STATUS:** *HR 15 was introduced in the Assembly on May 16, 2011. It passed the Assembly Committee on Rules on June 9, 2011, and was adopted by the full Assembly on June 20, 2011. SR 18 was introduced in the Senate on June 8, 2011, and was adopted on June 23, 2011.*

### PASSED

#### Missouri House Joint Resolution 2

This bill proposes an amendment to the Missouri Constitution reading: "That all men and women have a natural and inalienable right to worship Almighty God according to the dictates of their own consciences; that no human authority can control or interfere with the rights of conscience; that no person shall, on account of his or her religious persuasion or belief, be rendered ineligible to any public office or trust or profit in this state, be disqualified from testifying or serving as a juror, or be molested in his or her person or estate; that to secure a citizen's right to acknowledge Almighty God according to the dictates of his or her own conscience, neither the state nor any of its political subdivisions shall establish any official religion, nor shall a citizen's right to pray or express his or her religious beliefs be infringed; that the state shall not coerce any person to participate in any prayer or other religious activity, but shall ensure that any person shall have the right to pray individually or corporately in a private or public setting so long as such prayer does not result in disturbance of the peace or disruption of a public meeting or assembly; that citizens as well as elected officials and employees of the State of Missouri and its political subdivisions shall have the right to pray on government premises and public property so long as such prayers abide within the same parameters placed upon any other free speech under similar circumstances; that the General Assembly and the governing bodies of political subdivisions may extend to ministers, clergypersons, and other individuals the privilege to offer invocations or other prayers at meetings or sessions of the General Assembly or governing bodies; that students may express their beliefs about

religion in written and oral assignments free from discrimination based on the religious content of their work; that no student shall be compelled to perform or participate in academic assignments or educational presentations that violate his or her religious beliefs; that the state shall ensure public school students their right to free exercise of religious expression without interference, as long as such prayer or other expression is private and voluntary, whether individually or corporately, and in a manner that is not disruptive and as long as such prayers or expressions abide within the same parameters placed upon any other free speech under similar circumstances; and, to emphasize the right to free exercise of religious expression, that all free public schools receiving state appropriations shall display, in a conspicuous and legible manner, the text of the Bill of Rights of the Constitution of the United States; but this section shall not be construed to expand the rights of prisoners in state or local custody beyond those afforded by the laws of the United States, excuse acts of licentiousness, nor to justify practices inconsistent with the good order, peace, or safety of the state, or with the rights of others."

**STATUS:** *This resolution was introduced in the House on Jan. 5, 2011. It passed the House Children and Families Committee on Feb. 16, 2011, the House Rules Committee on Feb. 28, 2011, the House Fiscal Review Committee on March 9, 2011, and the full House on March 10, 2011. It passed the Senate General Laws Committee on April 19, 2011, the Senate Ways and Means and Fiscal Oversight Committee on April 28, 2011, and the full Senate on May 10, 2011. The resolution was delivered to the secretary of state on May 26, 2011. The amendment will appear on the November 2012 ballot.*

### ACTIVE

#### California Senate Bill 416

This bill would require that the director of General Services provide notice to state agencies, form management representatives, and departmental forms coordinators that in the usual course of reviewing and revising all surveys that collect demographic data and that are administered, or funded fully or in part, by the state, appropriate voluntary self-identification information shall be collected by the surveys pertaining to sexual orientation and gender identity and gender expression. In addition, it would specify that surveys that ask about marital status shall also ask about registered domestic partnership status and about the sex of the spouse or partner.

**STATUS:** *This bill was introduced in the Senate on Feb. 16, 2011. It passed the Senate Committee on Governmental Organization on March 22, 2011, the Senate Committee on Appropriations on May 26, 2011, and the full Senate on June 1, 2011. It passed*

*the Assembly Committee on Health on July 6, 2011, the Assembly Committee on Appropriations on Aug. 26, 2011, and the full Assembly on Sept. 8, 2011. The Senate concurred in the Assembly amendments on Sept. 9, 2011. The bill was vetoed by the governor on Oct. 9, 2011. Consideration of the governor's veto is pending in the Senate.*

**ACTIVE****Kansas House Bill 2260/ House Bill 2384**

These bills would provide that "Government shall not substantially burden a person's exercise of religion even if the burden results from a rule of general applicability, unless such government demonstrates, by clear and convincing evidence, that application of the burden to the person: (1) Is in furtherance of a compelling governmental interest; and (2) is the least restrictive means of furthering that compelling governmental interest." However, it would prohibit application of the law to marriages and relationships in violation of the Kansas Constitution (i.e. same-sex couples). In addition, it would apply to all government action including, but not limited to, all state and local laws, ordinances, rules, regulations and policies.

**STATUS:** *HB 2260 was introduced on Feb. 9, 2011, and was referred to the Judiciary Committee. HB 2384 was introduced on March 11, 2011, and was referred to the Committee on Federal and State Affairs.*

**ACTIVE****New York Senate Bill 833**

This bill would provide that government shall not substantially burden a person's exercise of religion by any act or failure to act; require that religious rights may not be burdened by government absent compelling interest; and require that the application of any rule in furtherance of such compelling interest be performed in the least restrictive manner.

**STATUS:** *This bill was introduced in the Senate on Jan. 5, 2011, and was referred to the Codes Committee.*

**ACTIVE****New York Senate Bill 2283**

This bill would provide that the state and political subdivisions thereof be prohibited from enacting or enforcing any law which substantially burdens a religious belief or practice unless there is compelling governmental interest and such law is the least restrictive means necessary to accomplish such interest.

**STATUS:** *This bill was introduced in the Senate on Jan. 18, 2011, and was referred to the Finance Committee.*

**ACTIVE****Pennsylvania House Resolution 482**

This resolution would designate the October 2011 as "LGBT History Month" in Pennsylvania.

**STATUS:** *This resolution was introduced on Oct. 26, 2011, and was referred to the State Government Committee.*

**DEAD****Arkansas House Bill 1917**

This bill would have prohibited government entities from "burden[ing] a person's free exercise of religion unless it demonstrates by clear and convincing evidence that application of the burden to the person and the specific act or refusal to act is: (1) Essential to further a compelling governmental interest; and (2) The least restrictive means of furthering the compelling governmental interest." Note: Such bills may conflict with non-discrimination laws.

**STATUS:** *This bill was introduced in the House on March 4, 2011, and passed the Judiciary Committee March 17, 2011. It was transferred to the Senate and referred to the Senate Judiciary Committee on March 21, 2011. The bill died upon adjournment on April 27, 2011.*

**DEAD****Kentucky House Bill 168**

This bill would have proposed to add an amendment to the Kentucky Constitution reading: "The Commonwealth shall not burden freedom of religion for persons or religious organizations. The right to act or refuse to act in a manner motivated by sincere religious belief shall not be burdened unless the Commonwealth demonstrates it has a compelling governmental interest in infringing the specific act or refusal to act and has used the least restrictive means to further that interest. As used in this section, "burden" includes but is not limited to such actions as withholding benefits, assessing penalties, or exclusion from programs or access to facilities."

**STATUS:** *This bill was introduced on Jan. 4, 2011, and was referred to the Committee on Elections, Constitutional Amendments & Intergovernmental Affairs. It died upon adjournment on March 9, 2011.*

**DEAD****Missouri House Joint Resolution 26/  
Senate Joint Resolution 15**

These resolutions would have proposed an amendment to the State Constitution "prohibiting the Missouri legislative, executive, and judicial branches of government from recognizing, enforcing, or acting in furtherance of any federal law, executive order, judicial ruling ... or other action by the legislative, executive, or judicial branches of the federal government that exceeds the limited powers enumerated and delegated to the federal government; not recognize, enforce, or act in furtherance of the following ... mandating the recognition of same-sex marriage, civil unions, or any relationship other than the marriage of one man and one woman; increasing the punishment

## Other Bills

for a crime based on the perpetrator's thoughts or designating a crime as a hate crime; interpreting the Establishment Clause of the United States Constitution as creating a wall of separation between church and state ..."

**STATUS:** *SJR 15 was introduced in the Senate on Feb. 8, 2011, and passed the General Laws Committee on March 8, 2011. HJR 26 was introduced in the House on Feb. 17, 2011, and passed the General Laws Committee on March 15, 2011. It died upon adjournment on May 30, 2011.*

### DEAD

#### Missouri Senate Joint Resolution 16

This bill would have proposed an amendment to the Missouri Constitution reading: "That all men and women have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences; that no human authority can control or interfere with the rights of conscience; that no person shall, on account of his or her religious persuasion or belief, be rendered ineligible to any public office or trust or profit in this state, be disqualified from testifying or serving as a juror, or be molested in his or her person or estate; that to secure a citizen's right to acknowledge Almighty God according to the dictates of his or her own conscience, neither the state nor any of its political subdivisions shall establish any official religion, nor shall a citizen's right to pray or express his or her religious beliefs be infringed; that the state shall not coerce any person to participate in any prayer or other religious activity, but shall ensure that any person shall have the right to pray individually or corporately in a private or public setting so long as such prayer does not result in disturbance of the peace or disruption of a public meeting or assembly; that citizens as well as elected officials and employees of the State of Missouri and its political subdivisions shall have the right to pray on government premises and public property so long as such prayers abide within the same parameters placed upon any other free speech under similar circumstances; that the General Assembly and the governing bodies of political subdivisions may extend to ministers, clergypersons, and other individuals the privilege to offer invocations or other prayers at meetings or sessions of the General Assembly or governing bodies; that students may express their beliefs about religion in written and oral assignments free from discrimination based on the religious content of their work; that no student shall be compelled to perform or participate in academic assignments or educational presentations that violate his or her religious beliefs; that the state shall ensure public school students their right to free exercise of religious expression without interference, as long as such prayer or other expression is private

and voluntary, whether individually or corporately, and in a manner that is not disruptive and as long as such prayers or expressions abide within the same parameters placed upon any other free speech under similar circumstances; and, to emphasize the right to free exercise of religious expression, that all free public schools receiving state appropriations shall display, in a conspicuous and legible manner, the text of the Bill of Rights of the Constitution of the United States; but this section shall not be construed to expand the rights of prisoners in state or local custody beyond those afforded by the laws of the United States, excuse acts of licentiousness, nor to justify practices inconsistent with the good order, peace or safety of the state, or with the rights of others." Note: the House version of this resolution passed both chambers and will appear on the November 2012 ballot.

**STATUS:** *This resolution was introduced on Feb. 10, 2011, and passed the Senate General Laws Committee on April 25, 2011. It died upon adjournment on May 30, 2011.*

### DEAD

#### Texas House Joint Resolution 135/ Senate Joint Resolution 49

These resolutions would have proposed an amendment to the Texas Constitution reading: "Government may not, directly, indirectly, or incidentally, substantially burden an individual's or a religious organization's conduct that is based on a sincerely held religious belief, unless the government is: (1) acting to further a compelling governmental interest; and (2) using the least restrictive available means to do so."

**STATUS:** *HJR 135 was introduced in the House on March 10, 2011. It passed the House State Affairs Committee on April 20, 2011. It failed a vote in the full House on May 13, 2011. SJR 49 was introduced in the Senate on March 11, 2011, and was referred to the State Affairs Committee. It died upon adjournment on May 30, 2011.*

### DEAD

#### Utah House Bill 109

This bill would have prohibited the state or a political subdivision of the state from "substantially burden a person's religious liberty unless the state or political subdivision can demonstrate by clear and convincing evidence that the application of the burden to the person is in furtherance of a compelling state interest required to protect the peace, health, and safety of the state; and strictly necessary to avoid the gravest abuses endangering a constitutionally recognized and more paramount interest; and that there are no other means reasonably available to achieve such ends.

**STATUS:** *This bill was introduced in the House on Feb. 3, 2011, and was referred to the House Rules Committee. It died when the House struck the enacting clause on March 10, 2011.*

**DEAD****Virginia House Joint Resolution 593**

This resolution would have proposed an amendment to the Virginia Constitution reading: "To secure further the people's right to acknowledge God according to the dictates of conscience, neither the Commonwealth nor its political subdivisions shall establish any official religion, but the people's right to pray and to recognize their religious beliefs, heritage, and traditions on public property, including public schools, shall not be infringed; however, the Commonwealth and its political subdivisions, including public school divisions, shall not compose school prayers, nor require any person to join in prayer or other religious activity."

**STATUS:** *This resolution was introduced in the House on Jan. 10, 2011. It passed the Committee on Privileges and Elections on Jan. 28, 2011, and the full House on Feb. 1, 2011. The resolution died when it was left in the Senate Committee on Privileges and Elections on Feb. 22, 2011.*

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**DEAD****West Virginia HB 2657**

This bill would have established the West Virginia Religious Freedom Restoration Act, which would have provided that a government entity may not substantially burden a person's free exercise of religion, even if the burden results from a rule of general applicability, unless it demonstrates that the application of the burden is essential to and the least restrictive means of furthering a compelling government interest.

**STATUS:** *This bill was introduced in the House on Jan. 20, 2011, and was referred to the House Judiciary Committee. It died upon adjournment on March 18, 2011.*

## About the Author

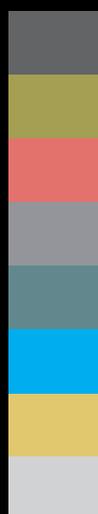
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