

STATE EQUALITY INDEX

A REVIEW OF STATE LEGISLATION AFFECTING THE
LESBIAN, GAY, BISEXUAL, TRANSGENDER AND
QUEER COMMUNITY AND A LOOK AHEAD IN 2018

2017

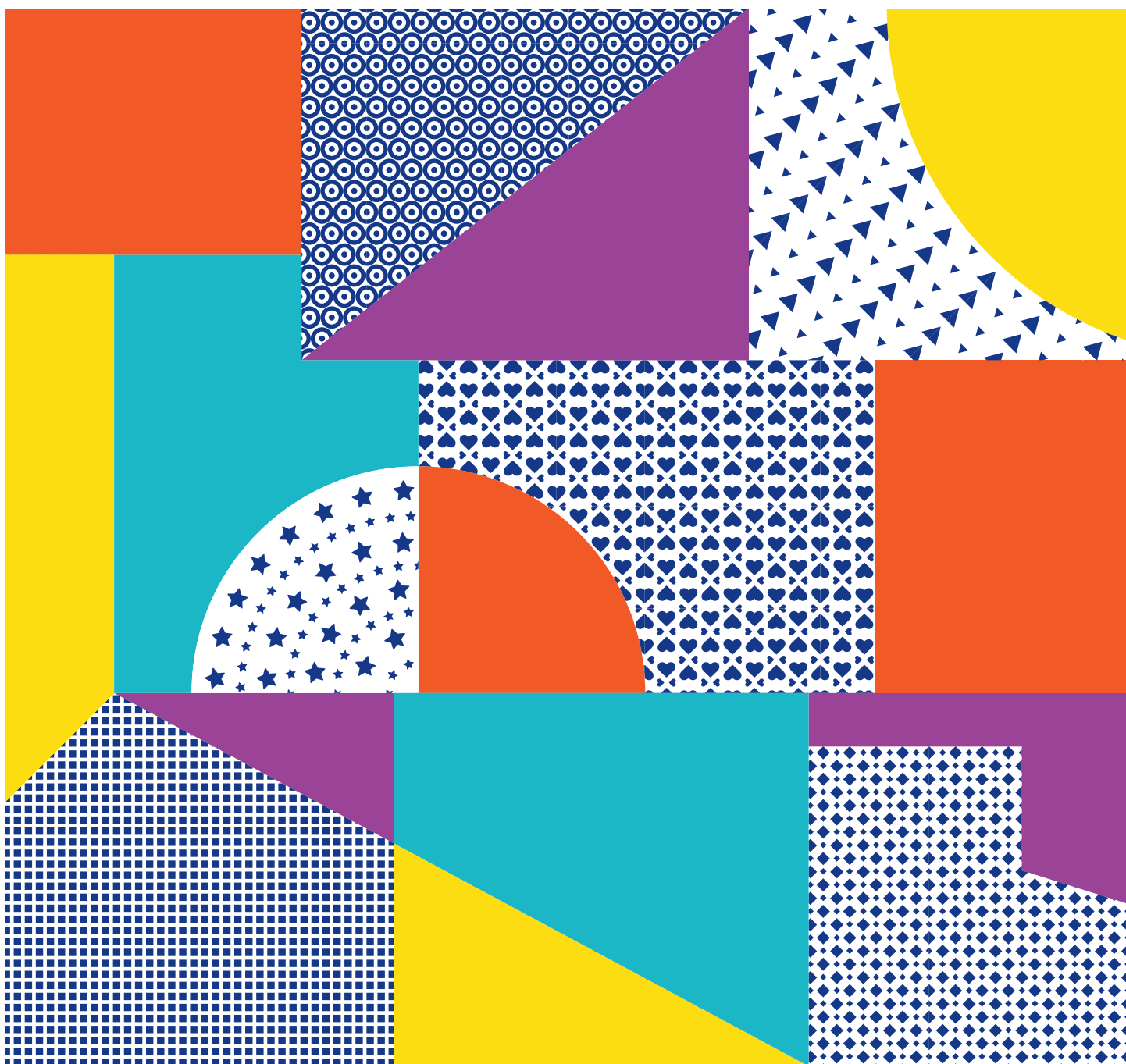


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PRESIDENT OF THE HUMAN RIGHTS CAMPAIGN FOUNDATION
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EXECUTIVE DIRECTOR OF THE EQUALITY FEDERATION INSTITUTE

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If you would like to request use of state maps or scorecards, please contact us at SEI@HRC.ORG. When referencing this document, we recommend the following citation:

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DEAR FRIENDS

Across the country, anti-equality state lawmakers have been emboldened by a political climate where hate and discrimination have entered the mainstream.

This year, lawmakers across 30 states introduced more than 129 anti-LGBTQ bills. But even as so much of our progress is under attack from our nation's capital to state houses across the country, pro-equality lawmakers continue to lead the way forward with large majorities of the American people standing with them against discrimination.

This year, ten states attempted to target transgender people with discriminatory legislation that would ban them from access to appropriate public facilities. In Texas, the governor even went so far as to call a costly special session to pass anti-trans legislation. All of those attempts failed to become law.

2017 also saw an increase in dangerous proposed measures seeking to grant a license to discriminate to businesses and governments. All those attempts were also defeated, including in Virginia, where Governor Terry McAuliffe vetoed a discriminatory bill passed by the legislature.

But even as we played defense against a wave of attacks on our community, pro-equality lawmakers were advancing equality as well. Four states — Connecticut, New Mexico, Rhode Island and Nevada — passed bans on the practice of so-called “conversion therapy,” prohibiting state-licensed mental health care providers from engaging in these abusive practices with youth.

In 2018, some states will likely act to expand non-discrimination protections to include sexual orientation and gender identity, and other states will move to join the growing number of jurisdiction that have outlawed “conversion therapy.” But we also expect yet another flurry of anti-equality bills in the coming year.

A key factor in defeating these attacks will continue to be the voice of the American business community. Coupled with the Municipal Equality Index (MEI), the State Equality Index (SEI) serves as a vital tool for business leaders and state officials alike when it comes to economic development. As businesses look for

expansion or relocation opportunities, it has become standard practice to prioritize inclusive communities that value diversity. CEOs know that in order to attract and retain the best employees, they must grow their companies in places that protect LGBTQ citizens from discrimination and actively open their doors to all communities.

We've also seen, in places like North Carolina, that corporate America's bottom line is hurt by anti-equality measures and initiatives. The SEI, along with the MEI, are the best tools to help these businesses make crucial evaluations about the welcoming (and unwelcoming) nature of all 50 states.

Across the country, we see communities that want to spur development and improve the lives of their LGBTQ residents and visitors embrace inclusive policies that protect the fundamental rights of all. We are proud to work alongside leaders across the country who understand this principle, and are committed to ensuring full equality for all those who work and live in their communities. This work would not be possible without our partners at the Equality Federation Institute and the statewide LGBTQ organizations and leaders who work to bring equality to the communities they call home. By working in coalition, we continue to defend our progress and advance equality.

Sincerely,


CHAD GRIFFIN
President
Human Rights Campaign
Foundation



DEAR READERS

Every year, the State Equality Index gives us an opportunity to share some of the victories and heartbreak from the state-based movement for equality. This year it's more important than ever because our progress is under assault from the Trump administration, Congress, and the courts.

Despite our emboldened opposition, we still have great opportunity for legislative advocacy and policy making on the ground in the states, where this work has a critical impact for millions of Americans.

In fact, **we won** significant victories this year!

Equality New Mexico, along with three other states, banned conversion “therapy” on minors. Equality Texas, and 14 other states, blocked anti-transgender bathroom bans. Equality California passed a groundbreaking roster of legislation including a bill that will allow for a nonbinary gender marker on state issued IDs, a bill of rights protecting LGBTQ seniors, and reform to the state's HIV criminalization laws. Basic Rights Oregon also passed a bill for residents who don't identify as male or female to mark their gender as “not specified” when they apply for a driver's license, learner's permit or identity card.

This is real progress, but there's too much on the line for any of us to become complacent. This year we saw a troubling new trend as Alabama, South Dakota and Texas all passed laws allowing adoption and foster care agencies to refuse placements to prospective LGBTQ parents. We also face another enormous threat: an unfavorable ruling by the Supreme Court in the Masterpiece Cakeshop case could seriously undermine our nondiscrimination laws.

Our struggle is about so much more than cakes. It's about freedom, fairness, and the opportunity to thrive. It's about our families and our ability to provide for them. The State Equality Index reminds us that the strength of our movement is where it has always been: in the states, in the communities we call home. We are a more united, more strategic movement than ever before and I know that we will get through these challenges by standing together. Justice will prevail!

In solidarity,



REBECCA ISAACS
Executive Director
Equality Federation
Institute



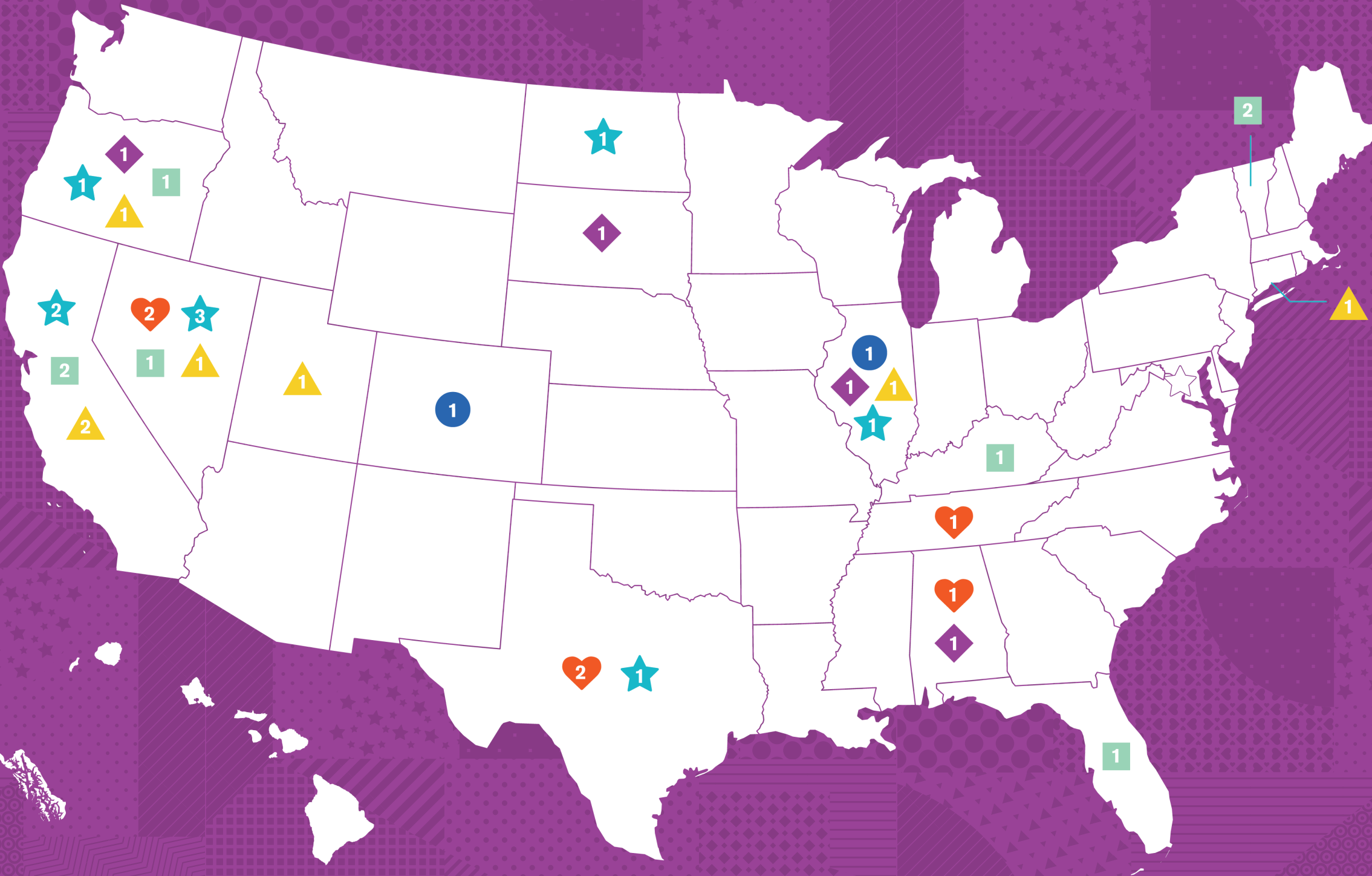
SUMMARY OF STATE DEVELOPMENTS IN 2017

Despite the very real threat of bad bills across the country, 2017 saw tremendous momentum on good bills. This map shows the states that passed laws pertaining to LGBTQ equality in their respective SEI categories this year.

On the state legislative front, most positive legislative victories didn't make a big news splash, but brought important gains for LGBTQ people. There were several bright spots as states considered innovative bills and administrative policies to protect youth, enhance transgender healthcare and enact non-discrimination protections setting the stage for future advances to further LGBTQ equality.

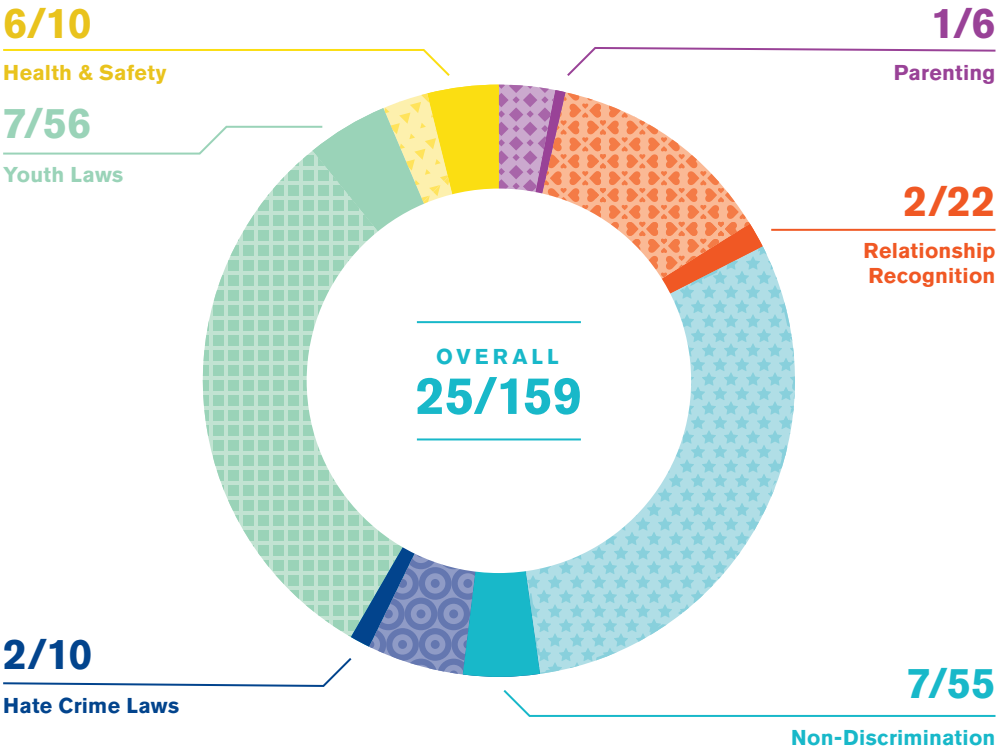
For a full review of state legislation that was introduced, considered, passed, or killed in 2017, please see HRC.ORG/SEI.

- ♥ Relationship Recognition
- ★ Parenting Laws
- ★ Non-Discrimination Laws
- Hate Crime Laws
- Youth Laws
- ▲ Health & Safety

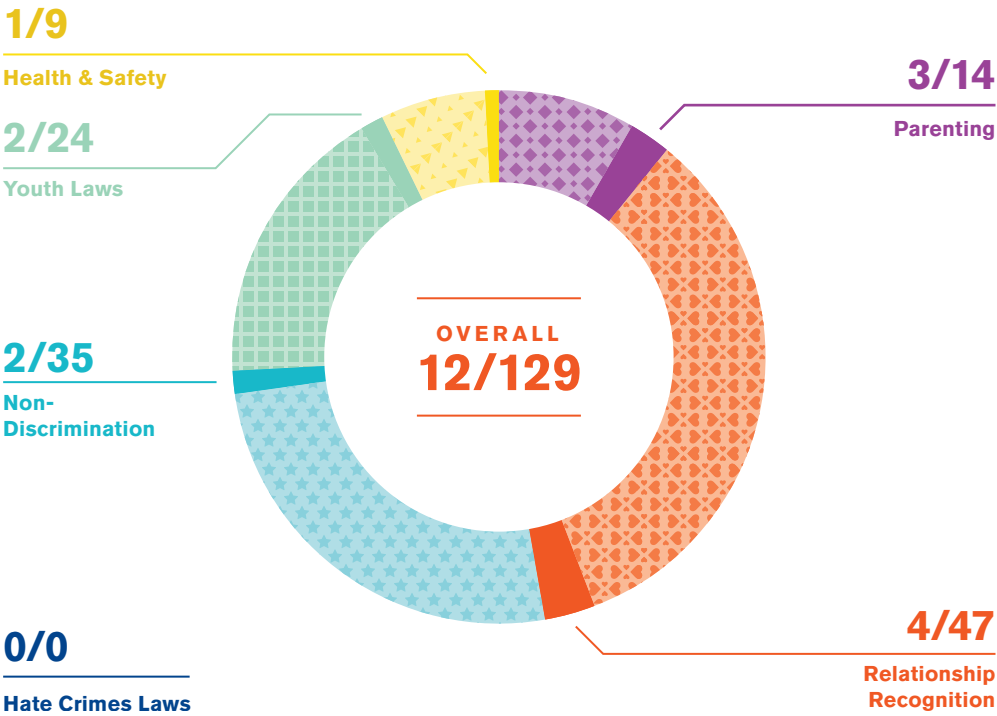


GOOD vs BAD 2017

GOOD BILLS



BAD BILLS



INTRODUCED
PASSED

KEY STATE LAW AND POLICY DEVELOPMENTS IN 2017

PARENTING

Several changes in parenting laws occurred or were attempted via state legislatures this year. Georgia and Oklahoma attempted to pass legislation impeding the ability of same-sex couples to adopt by granting child placement agencies a license to discriminate in foster care or adoption services based on religious or moral objections. While those bills did not succeed, similar bills in Texas, South Dakota and Alabama did.

Alabama's law applies only to providers who do not receive public funds. South Dakota and Texas both now allow for discrimination against not only LGBTQ prospective parents, but also against LGBTQ children in care.

Oregon updated its adoption codes to be inclusive of same-sex couples, in accordance with the *Obergefell* decision.

RELATIONSHIP RECOGNITION/RELIGIOUS REFUSAL

Over the past year, states considered legislation related to relationship recognition that, in some cases, made state law more equal; in other cases states considered legislation that would create loopholes that would allow for continued discrimination against LGBTQ people. The latter bills fall into three main categories: undermining marriage equality, creating broad religious carve-outs in state non-discrimination laws, and instituting religious exemptions in standards governing professional training and practice.

This year also saw an increase in so-called "Religious Freedom Restoration Acts" and "First Amendment Defense Acts". None passed into law this year. Virginia Governor Terry McAuliffe vetoed a bill that would have allowed taxpayer-funded organizations like homeless shelters and adoption agencies to refuse service to same-sex couples, transgender people, and anyone suspected of having intimate relationships outside of a heterosexual marriage without the risk of losing taxpayer funding, contracts, licensing, or other forms of state recognition.

Seven states introduced bills amending various provisions of state code replacing gendered language with gender-neutral language to better reflect the implications of the *Obergefell* decision. Nevada passed such a bill removing gendered language from statutes and documents relating to marriage, such as marriage licenses. However, Tennessee passed a bill accomplishing the opposite by requiring undefined terms throughout the Tennessee code, such as "wife," "husband," "mother," and "father," be defined based on their "natural" meaning and understanding.

Finally, three states considered bills that exempt professionals from complying with professional standards of conduct that purportedly conflict with the individual's religious beliefs. Texas passed such a law allowing nurses to refuse to work with a patient if the patient's goals, outcomes, or behaviors purportedly conflict with the sincerely held principles of the nurse. Bills such as these create loopholes that allow for discrimination, including anti-LGBTQ discrimination, that is otherwise prohibited by professional standards.

Last year, Mississippi passed the deceptively named "Protecting Freedom of Conscience from Government Discrimination Act," enabling almost any individual or organization to discriminate against LGBTQ Mississippians at work, at school and in their communities. The bill had never gone into effect, as it was blocked by a federal district court shortly before its effective date and has been suspended since. Unfortunately, earlier this year a conservative three-judge panel from the U.S. Court of Appeals for the Fifth Circuit lifted the injunction and the bill is in full effect.

NON-DISCRIMINATION

The North Carolina General Assembly, with the support of Governor Roy Cooper, failed to repeal the infamous HB2 and instead passed what they falsely called a “compromise” bill, House Bill 142, that keeps some of the most discriminatory provisions of last year’s House Bill 2 alive. Under HB142, the North Carolina General Assembly reserves control over bathroom access throughout the state to itself (a law completely unique to North Carolina - no other state has made regulating bathrooms its exclusive responsibility), thereby eliminating the ability of any city, state agency, public university or school board to ever adopt a policy that ensures transgender people are able to have access to restrooms consistent with their gender identity. Further, HB142 takes away the ability of cities to pass any protections for LGBTQ people until 2020.

At the end of this discriminatory “moratorium,” cities will still be prevented from ensuring transgender people are able to use facilities consistent with their gender identity. This action targeting LGBTQ individuals — particularly transgender people — is the very definition of discrimination and continues this shameful chapter for North Carolina.

Ten states introduced legislation targeting transgender people’s access to places of public accommodation, specifically prohibiting transgender people from using gender-segregated facilities consistent with their gender identity. Although none of these bills passed this year, Texas Governor Greg Abbott even called a special session of the state legislature in a desperate attempt to pass one of these discriminatory bills.

HATE CRIMES

2017 brought encouraging developments in state hate crime laws. Alabama, Iowa, South Carolina, and Utah introduced bills that either sought to broaden the scope of existing hate crime laws to include sexual orientation and gender identity or create new, more inclusive hate crime laws.

Additionally, Illinois passed legislation prohibiting the use of the “gay and trans panic defense,” making it the second state to do so.



At the end of this discriminatory “moratorium,” cities will still be prevented from ensuring transgender people are able to use facilities consistent with their gender identity. This action targeting LGBTQ individuals — particularly transgender people — is the very definition of discrimination.



YOUTH

In 2017, twenty three states considered bills related to so-called “conversion therapy” - dangerous and discredited practices that falsely claim to change a person’s sexual orientation or gender identity or expression. Four states—Connecticut, New Mexico, Rhode Island and Nevada—passed conversion therapy bans which prohibit state-licensed mental health care providers from engaging in these abusive practices with youth.

Much legislation was proposed this year that would regulate the way in which LGBTQ issues are taught, or not taught, in public schools including higher education. Several states also considered legislation to repeal bans on providing LGBTQ-inclusive sex education — one such bill passed in Utah.

However, an increasing number of states considered bills that would allow for discrimination on the basis of religion via religious-based opt-outs to curricula and programs in public schools as well as colleges and universities. One such bill passed in Kentucky, undermining inclusive “all comers” policies at public colleges, universities, and now high schools, by allowing student organizations to discriminate against students under the guise of religion.

Lastly, eight states introduced bills prohibiting transgender youth from using bathrooms and other gender-segregated facilities inconsistent with their sex assigned at birth. Fortunately, no such bills passed in any of the states this year.

HEALTH AND SAFETY

Noticeable advancements occurred in state HIV laws and ID document modernization. Although two states proposed bills to either criminalize the transmission of HIV for the first time or to make existing HIV criminalization laws more egregious - one of which passed in Utah - California passed an HIV modernization law. This law makes several updates in California’s criminal code, including approaching the transmission of HIV in the same way as the transmission of other serious communicable diseases.

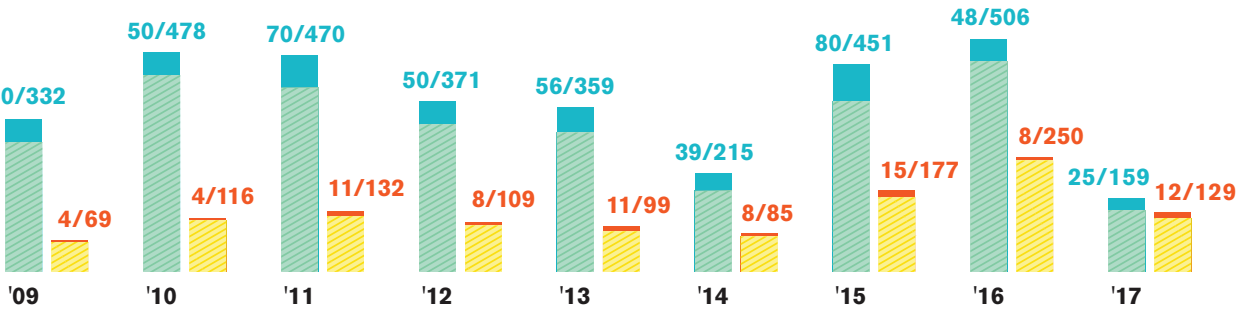
Moreover, three states, Oregon, Illinois and Nevada, passed ID document modernization laws allowing transgender people to more easily update the gender marker on their driver licenses or birth certificates. Finally, California, Oregon and the District of Columbia passed bills adding non-binary as a third gender option on identity documents.

COMPARATIVE LEGISLATION

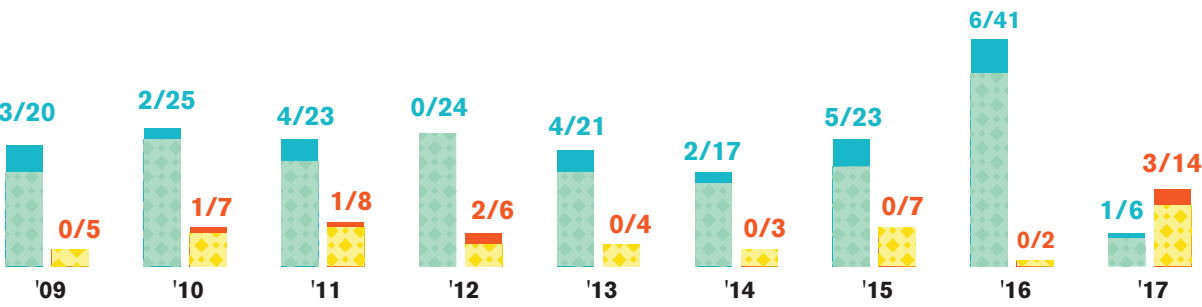
AT A GLANCE



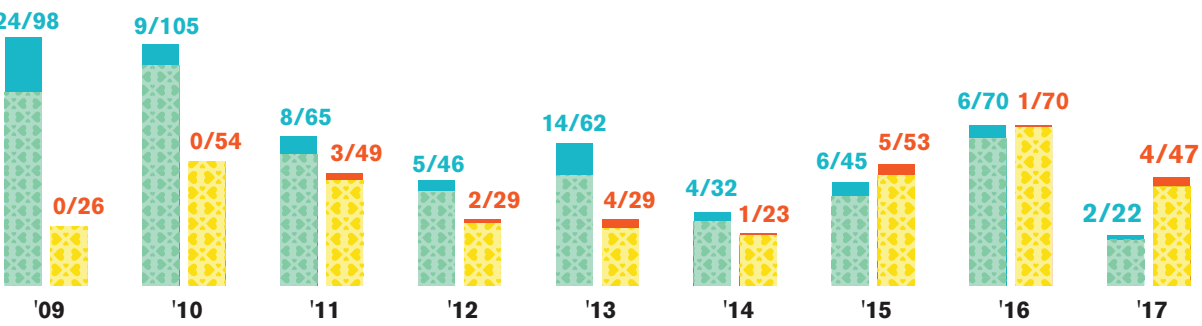
OVERALL



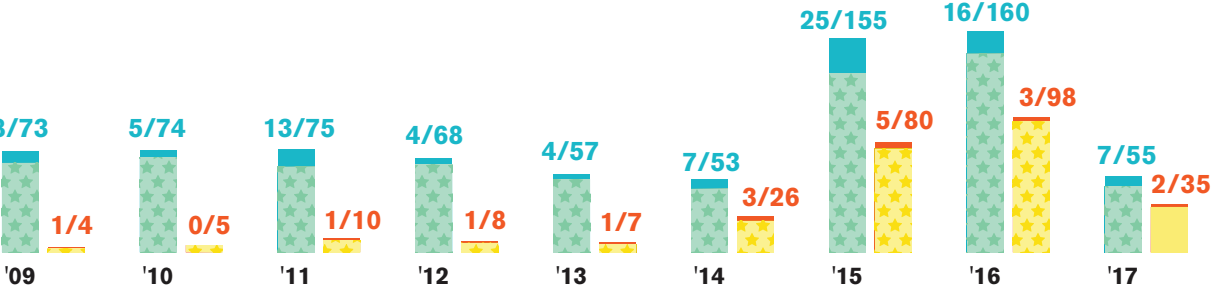
PARENTING LAWS



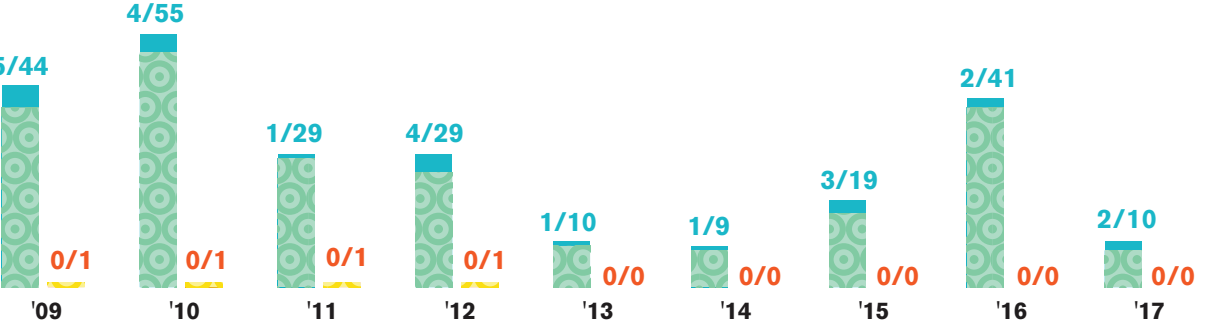
RELATIONSHIP RECOGNITION



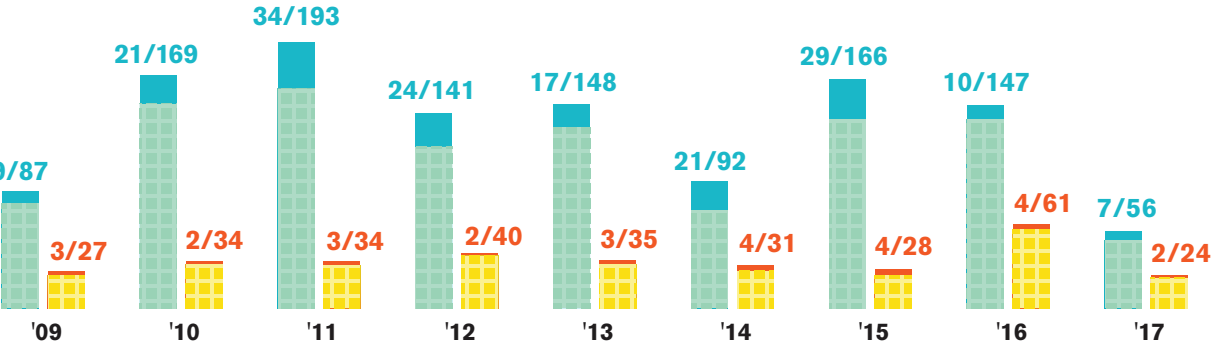
NON-DISCRIMINATION LAWS



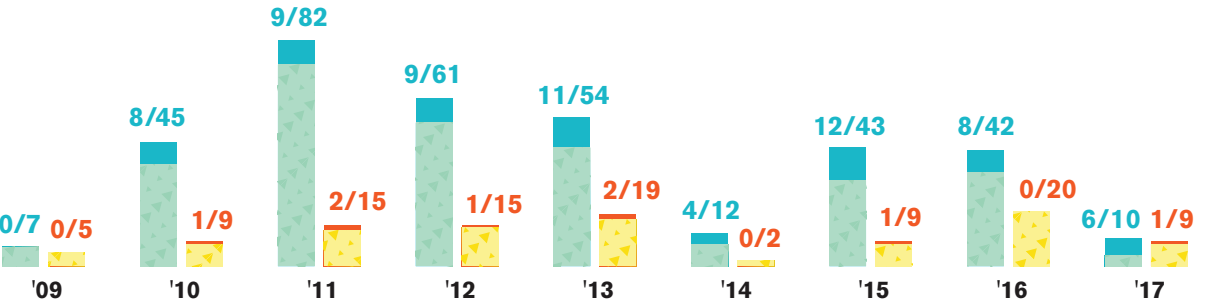
HATE CRIMES LAWS



YOUTH LAWS



HEALTH & SAFETY



OUTLOOK FOR 2018

We expect another busy state legislative session in 2018, including both pro- and anti-equality efforts. Some states will likely act to expand some or all of their existing non-discrimination laws to include LGBTQ people. We also expect intensified efforts to protect LGBTQ youth from conversion therapy. At the same time, a flurry of anti-LGBTQ bills are anticipated in many states. And since many states allow bills that were neither defeated nor enacted in 2017 to carry over into 2018, many of the same discriminatory bills from this year are likely to be considered next year.

PRO-EQUALITY EFFORTS

Efforts to secure fundamental protections for LGBTQ Americans in employment, housing, and public accommodations will continue full force in state legislatures across the nation. Some states may extend parts of their existing non-discrimination laws to include LGBTQ people, including Nebraska and Idaho. Efforts on more inclusive protections - extending a complete range of protections to LGBTQ people - will likely exist in more than a dozen states, including Florida, Michigan, Ohio, and Pennsylvania.

In states that have pro-equality legislative majorities and non-discrimination protections for LGBTQ citizens, we expect to see an increased focus on bills that strengthen bullying protections in schools, protect youth from the harmful and discredited practice of conversion therapy, simplify the process of name and gender marker changes on identity documents, and require LGBTQ cultural competency training for medical and social service providers.

ANTI-EQUALITY EFFORTS

While advocates are working tirelessly to bring LGBTQ Americans closer to full equality, anti-LGBTQ lawmakers are poised to introduce harmful and discriminatory bills in many states. Many of these bills will seek to erode progress achieved over the past several years.

As in 2017, anti-LGBTQ lawmakers in many states will likely consider bills that allow individuals and businesses to discriminate against LGBTQ people based on their religious or moral objections. We anticipate that such bills will be more sector-specific than the sweeping RFRAs and FADAs that we have seen in the past, but will be more similar to the bills passed this year in Texas, Alabama, South Dakota, Florida and Kentucky; that is, they will create licenses to discriminate in a specific sector (child welfare services like adoption and foster care in the case of first three states, and in education in the latter two). We anticipate seeing those, and a revisiting of wedding-service refusals, in 2018. Those may be combined with or supplemented by municipal

preemption bills, such as North Carolina's HB2 and HB142, prohibiting local governments from banning discrimination at the local level. Iowa, Tennessee, West Virginia, Georgia, and Oklahoma are states that are particularly likely to entertain anti-equality legislation.

Lastly, considering last year's trend and the increasing visibility of the transgender community, opponents of equality will continue to target this particularly vulnerable segment of the LGBTQ community. Anti-LGBTQ legislators are likely to propose bills that prevent transgender people from using public facilities that accord with their gender identity as well as bills that make gender and name marker changes on identification documents more onerous. We may also see additional legislation that would harm transgender youth by prohibiting the recognition of their gender identity in school sports and activities.

CONCLUSION

Though many challenges await the LGBTQ community in the upcoming year, and the onslaught of anti-equality legislation is not likely to let up, the statistical success of advocates in defeating the overwhelming majority of anti-LGBTQ bills in 2017 indicates that surge of harmful legislation is continuing to be beaten back. Although the markedly changed political climate of the country presents unique challenges, the unwavering passion and determination of state and local advocates across the country will continue to ensure that the anti-equality legislation is unmasked for the poor public policy that it is.

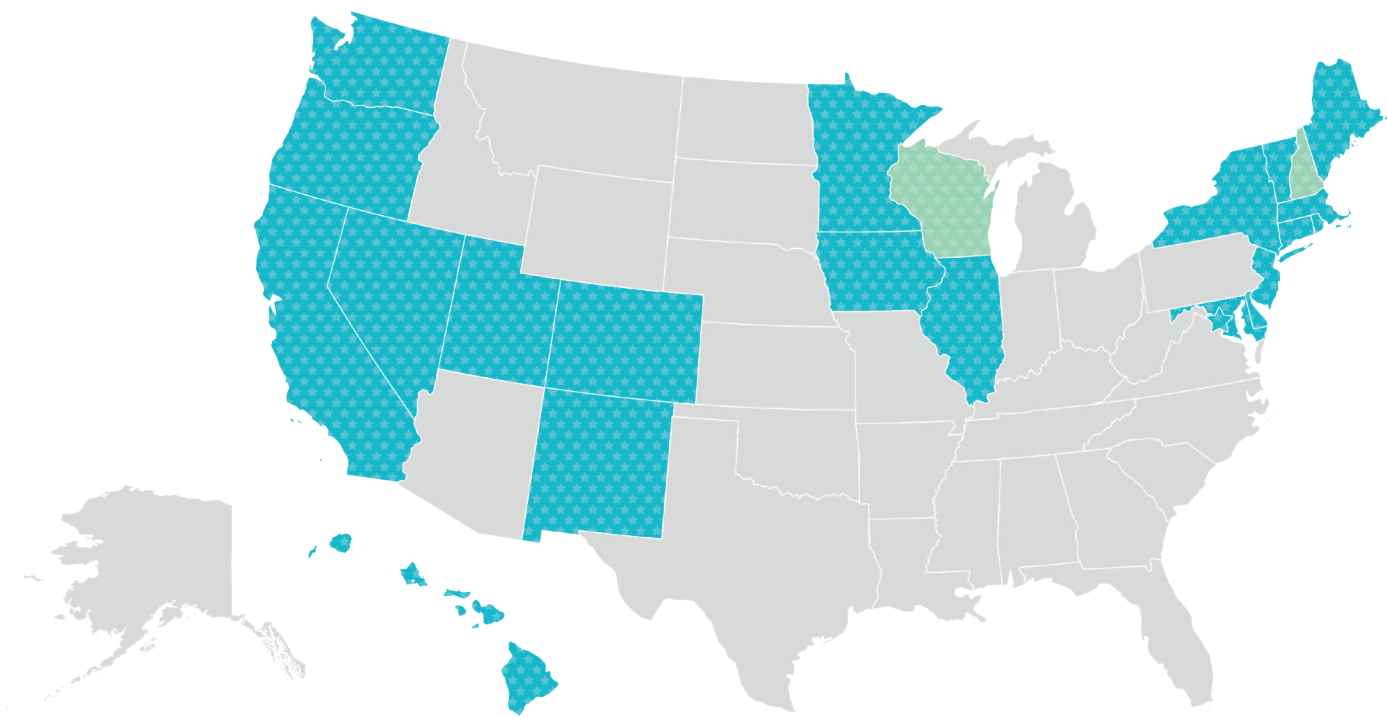
We look forward to continuing our partnership with state advocates as we continue the march toward full equality for LGBTQ Americans.



Though many challenges await the LGBTQ community in the upcoming year, and the onslaught of anti-equality legislation is not likely to let up, the statistical success of advocates in defeating the overwhelming majority of anti-LGBTQ bills in 2017 indicates that surge of harmful legislation is continuing to be beaten back.



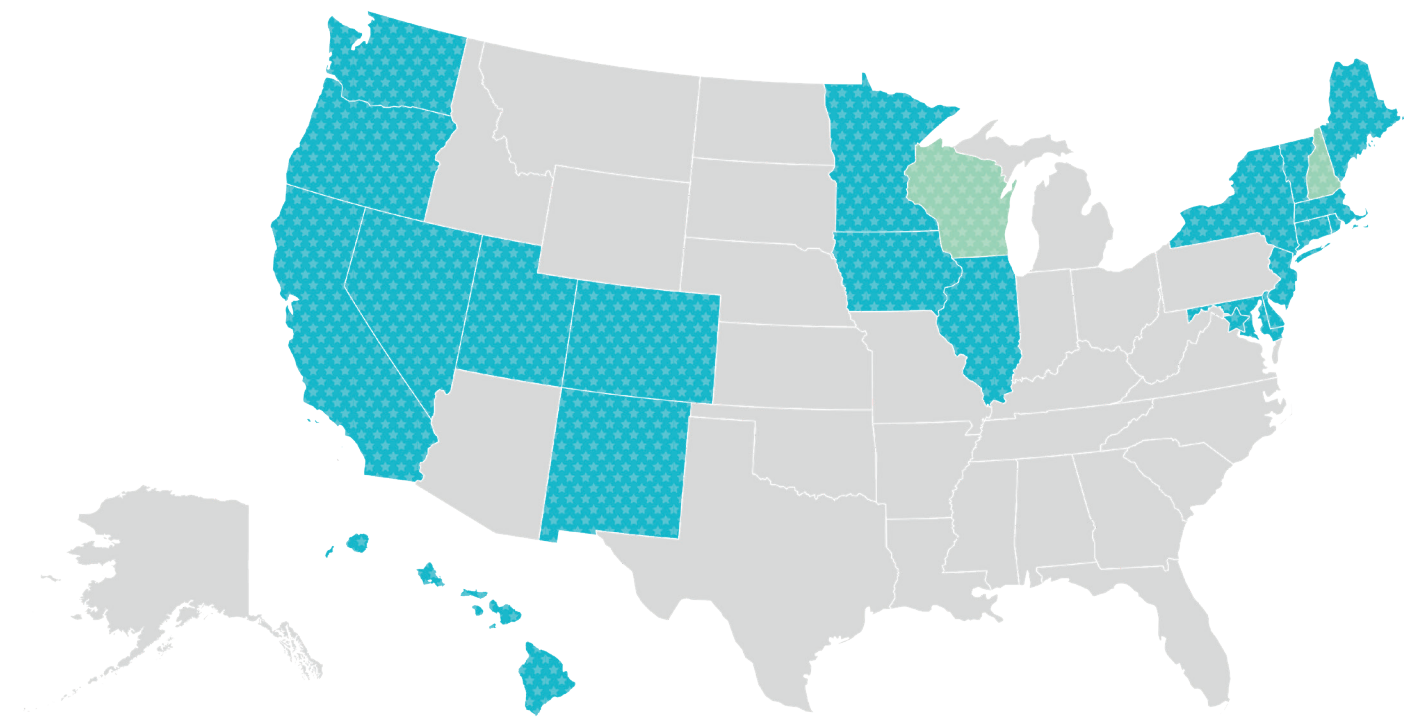
NON-DISCRIMINATION IN EMPLOYMENT



- STATES THAT PROHIBIT EMPLOYMENT DISCRIMINATION BASED ON SEXUAL ORIENTATION AND GENDER IDENTITY**
- California
 - Colorado
 - Connecticut
 - Delaware
 - District of Columbia
 - Hawaii
 - Illinois
 - Iowa
 - Maine
 - Maryland
 - Massachusetts
 - Minnesota
 - Nevada
 - New Jersey
 - New Mexico
 - New York
 - Oregon
 - Rhode Island
 - Utah
 - Vermont
 - Washington

- STATES THAT PROHIBIT EMPLOYMENT DISCRIMINATION BASED ON SEXUAL ORIENTATION ONLY**
- New Hampshire
 - Wisconsin

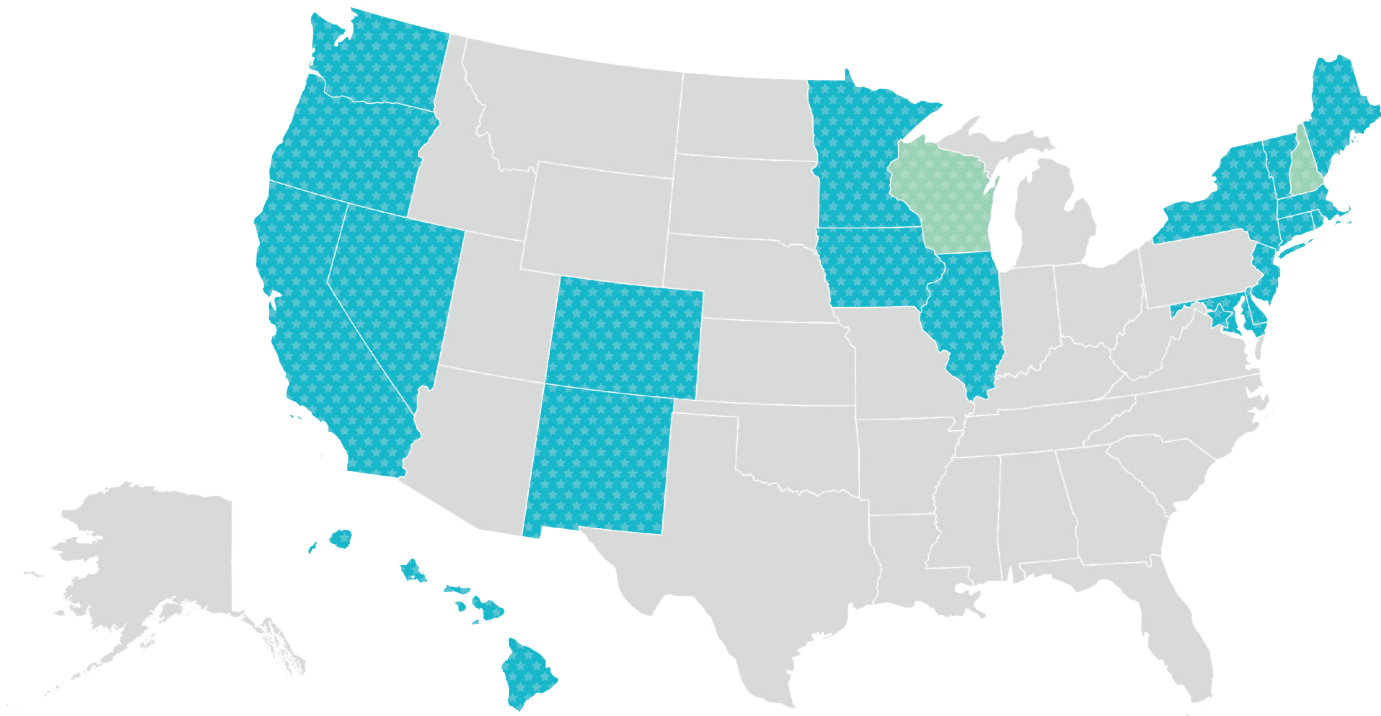
NON-DISCRIMINATION IN HOUSING



- STATES THAT PROHIBIT HOUSING DISCRIMINATION BASED ON SEXUAL ORIENTATION AND GENDER IDENTITY**
- California
 - Colorado
 - Connecticut
 - Delaware
 - District of Columbia
 - Hawaii
 - Illinois
 - Iowa
 - Maine
 - Maryland
 - Massachusetts
 - Minnesota
 - Nevada
 - New Jersey
 - New Mexico
 - New York
 - Oregon
 - Rhode Island
 - Utah
 - Vermont
 - Washington

- STATES THAT PROHIBIT HOUSING DISCRIMINATION BASED ON SEXUAL ORIENTATION ONLY**
- New Hampshire
 - Wisconsin

NON-DISCRIMINATION IN PUBLIC ACCOMMODATIONS



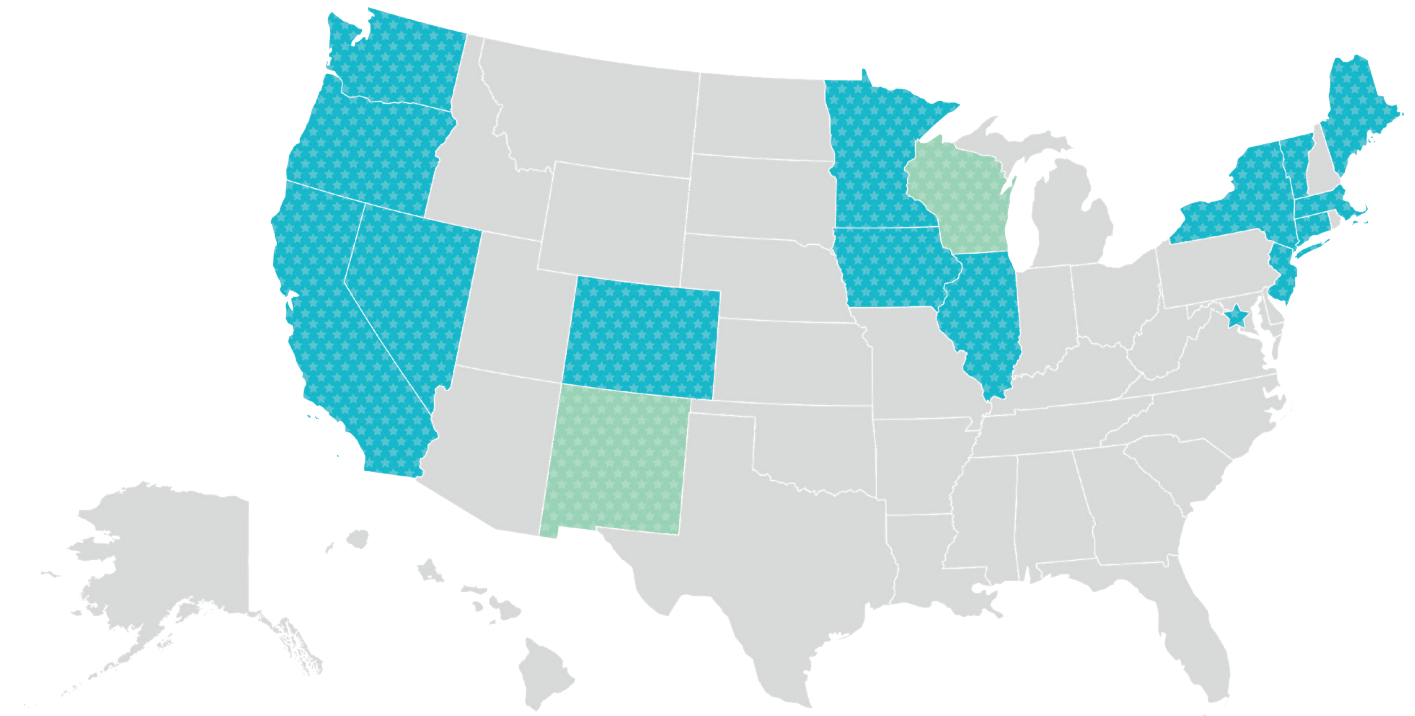
STATES THAT PROHIBIT PUBLIC ACCOMMODATIONS DISCRIMINATION BASED ON SEXUAL ORIENTATION AND GENDER IDENTITY

California	Iowa	New York
Colorado	Maine	Oregon
Connecticut	Maryland	Rhode Island
Delaware	Massachusetts	Vermont
District of Columbia	Minnesota	Washington
Hawaii	Nevada	
Illinois	New Jersey	
	New Mexico	

STATES THAT PROHIBIT PUBLIC ACCOMMODATIONS DISCRIMINATION BASED ON SEXUAL ORIENTATION ONLY

New Hampshire Wisconsin

NON-DISCRIMINATION IN EDUCATION



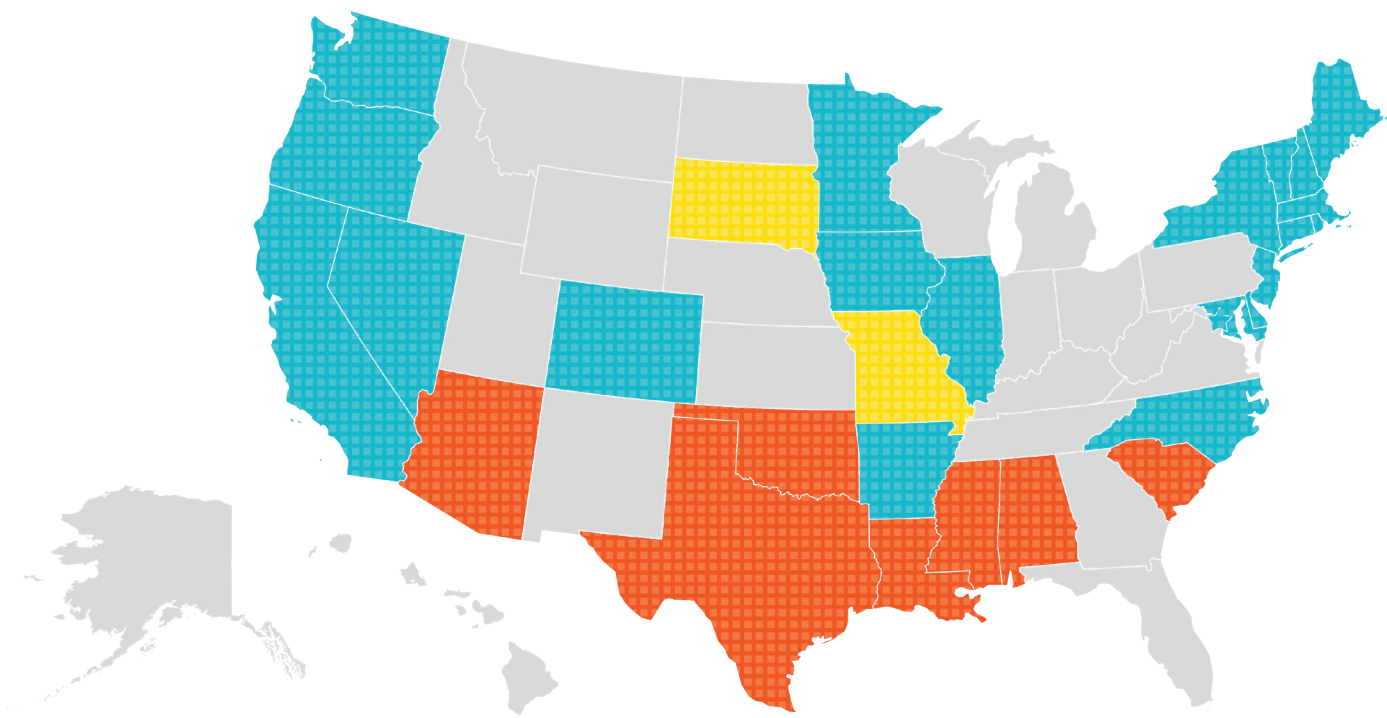
STATES THAT PROHIBIT NON-DISCRIMINATION IN EDUCATION ON THE BASIS OF SEXUAL ORIENTATION AND GENDER IDENTITY

California	Iowa	New York
Colorado	Maine	Oregon
Connecticut	Massachusetts	Vermont
District of Columbia	Minnesota	Washington
Illinois	Nevada	
	New Jersey	

STATES THAT PROHIBIT NON-DISCRIMINATION IN EDUCATION ON THE BASIS OF SEXUAL ORIENTATION ONLY

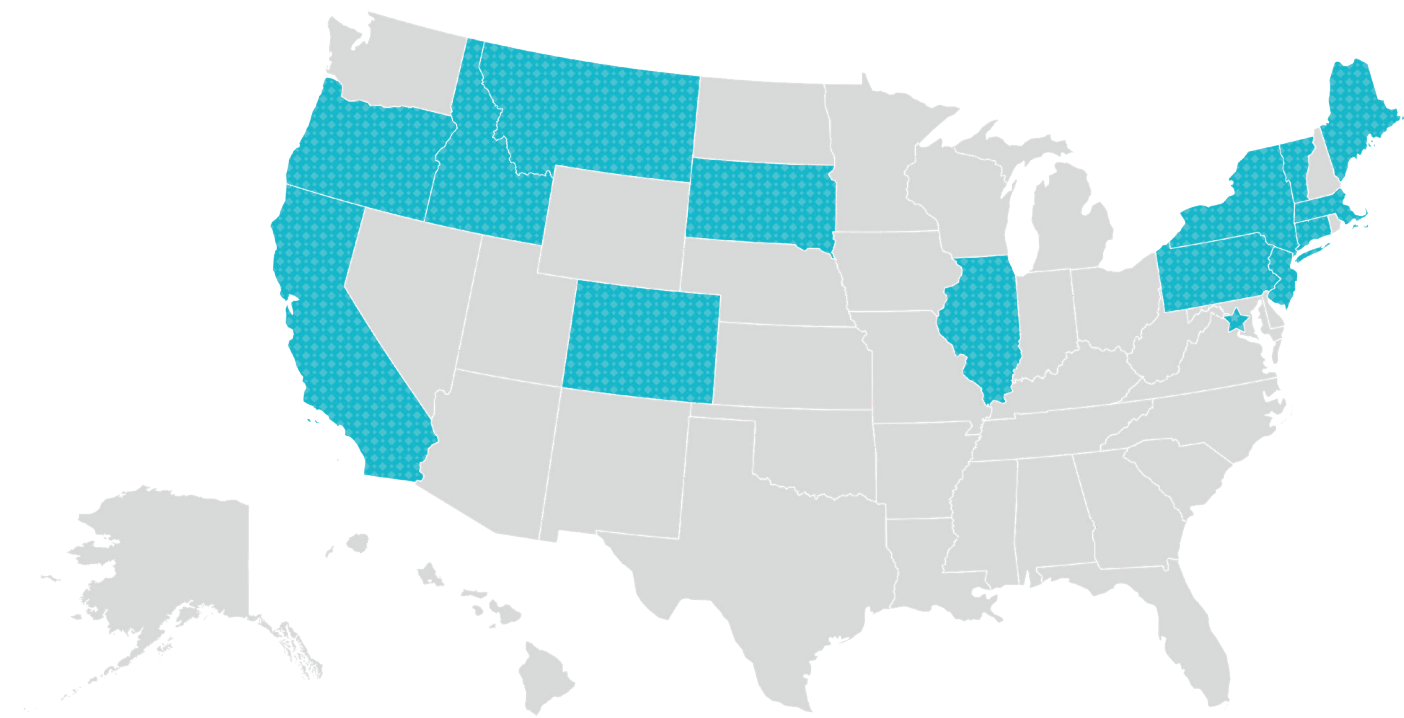
New Mexico Wisconsin

ANTI-BULLYING LAWS



- STATES WITH ANTI-BULLYING LAWS THAT PROVIDE SPECIFIC PROTECTION BASED ON SEXUAL ORIENTATION AND GENDER IDENTITY**
- Arkansas
 - California
 - Colorado
 - Connecticut
 - Delaware
 - District of Columbia
 - Illinois
 - Iowa
 - Maine
 - Maryland
 - Massachusetts
 - Minnesota
 - Nevada
 - New Hampshire
 - New Jersey
 - New York
 - North Carolina
 - Oregon
 - Rhode Island
 - Vermont
 - Washington
- STATES WITH ANTI-BULLYING LAWS THAT PREVENT SCHOOL DISTRICTS FROM SPECIFICALLY PROTECTING LGBTQ STUDENTS**
- Missouri
 - South Dakota

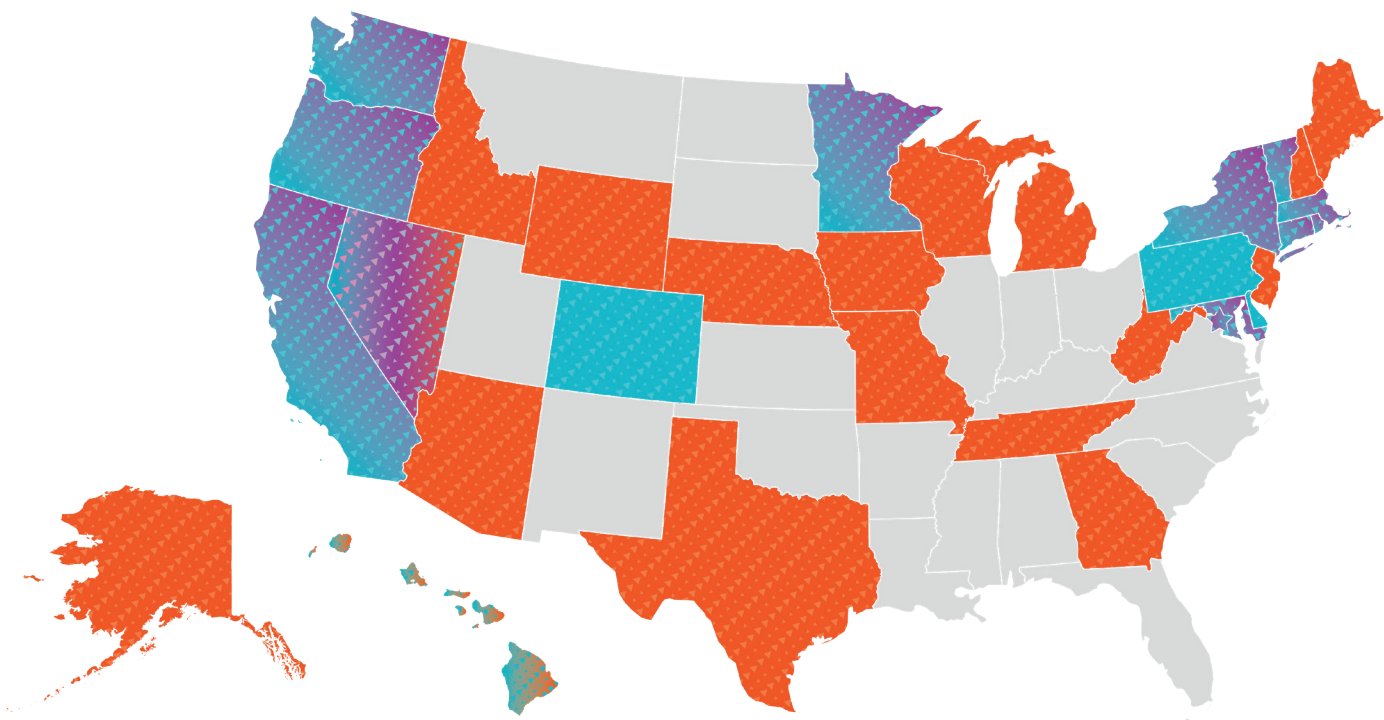
SECOND PARENT ADOPTION*



- STATES WHERE SECOND-PARENT ADOPTION IS AN OPTION FOR SAME-SEX COUPLES STATEWIDE**
- California
 - Colorado
 - Connecticut
 - District of Columbia
 - Idaho
 - Illinois
 - Maine
 - Massachusetts
 - Montana
 - New Jersey
 - New York
 - Oregon
 - Pennsylvania
 - South Dakota
 - Vermont

* Please see individual state scorecards for other criteria related to relationship recognition on adoption and non-discrimination provisions.

TRANSGENDER **HEALTHCARE**



STATES WITH BANS ON INSURANCE EXCLUSIONS FOR TRANSGENDER HEALTH CARE

- | | | |
|----------------------|---------------|--------------|
| California | Hawaii | Oregon |
| Colorado | Maryland | Pennsylvania |
| Connecticut | Massachusetts | Rhode Island |
| Delaware | Minnesota | Vermont |
| District of Columbia | Nevada | Washington |
| | New York | |

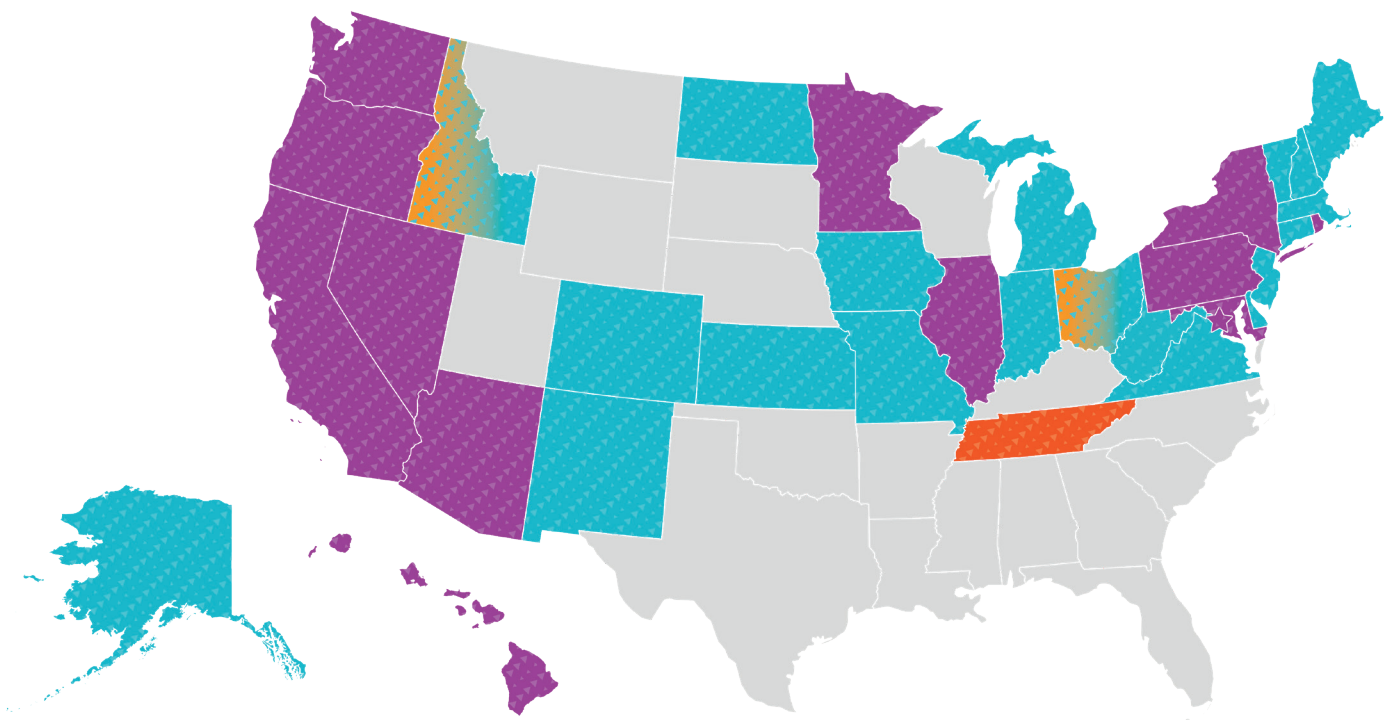
STATES WITH TRANSGENDER-INCLUSIVE HEALTH BENEFITS FOR STATE EMPLOYEES

- | | | |
|----------------------|---------------|--------------|
| California | Massachusetts | Rhode Island |
| Connecticut | Minnesota | Vermont |
| District of Columbia | Nevada | Washington |
| Maryland | New York | |
| | Oregon | |

STATES WITH TRANSGENDER COVERAGE EXCLUSIONS IN MEDICAID

- | | | |
|---------|---------------|---------------|
| Alaska | Michigan | Texas |
| Arizona | Missouri | West Virginia |
| Georgia | Nebraska | Wisconsin |
| Hawaii | Nevada | Wyoming |
| Idaho | New Hampshire | |
| Iowa | New Jersey | |
| Maine | Tennessee | |

GENDER MARKER CHANGE ON IDENTIFICATION DOCUMENTS



STATES WITH LAWS AND POLICIES THAT FACILITATE GENDER MARKER CHANGE ON DRIVER'S LICENSE ONLY

- | | | |
|-------------|---------------|---------------|
| Alaska | Kansas | North Dakota |
| Colorado | Maine | New Mexico |
| Connecticut | Massachusetts | Ohio |
| Delaware | Michigan | Vermont |
| Idaho | Missouri | Virginia |
| Indiana | New Hampshire | West Virginia |
| Iowa | New Jersey | |

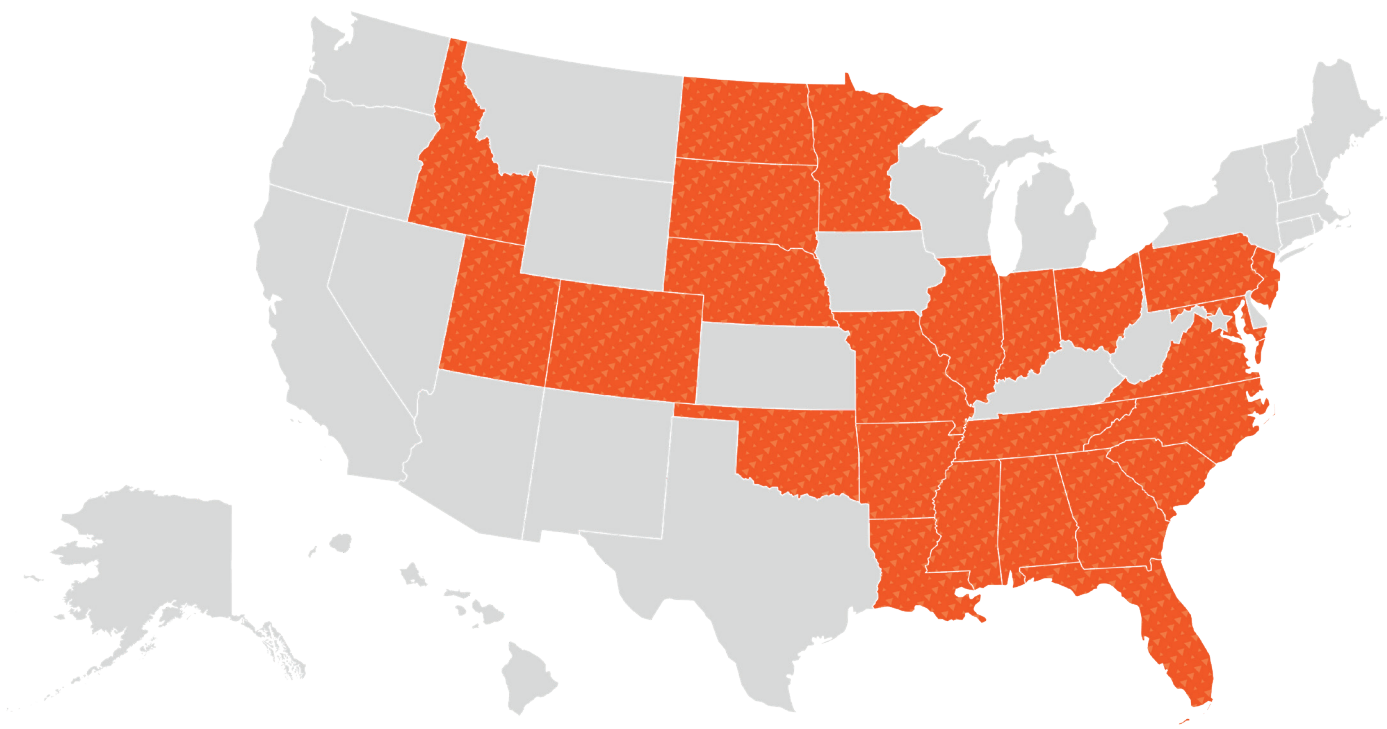
STATES WITH LAWS AND POLICIES THAT FACILITATE GENDER MARKER CHANGE ON DRIVER'S LICENSES AND BIRTH CERTIFICATES

- | | | |
|----------------------|-----------|--------------|
| Arizona | Illinois | Oregon |
| California | Maryland | Pennsylvania |
| District of Columbia | Minnesota | Rhode Island |
| Hawaii | Nevada | Washington |
| | New York | |

STATES WITH LAWS AND POLICIES THAT PREVENT TRANSGENDER PEOPLE FROM RECEIVING APPROPRIATE IDENTIFICATION

- | | | |
|-------|------|-----------|
| Idaho | Ohio | Tennessee |
|-------|------|-----------|

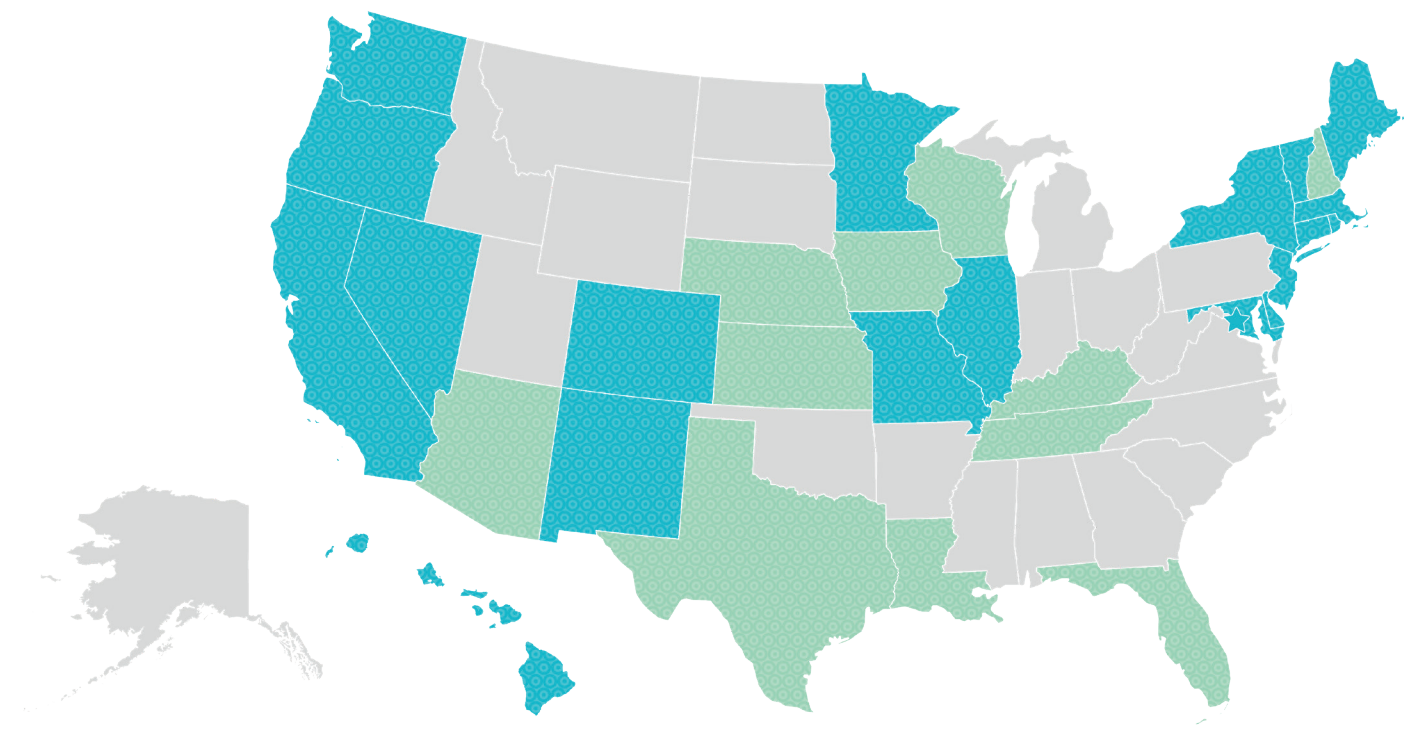
HIV/AIDS CRIMINALIZATION



STATES WITH LAWS THAT CRIMINALIZE BEHAVIORS THAT CARRY A LOW OR NEGLIGIBLE RISK OF HIV TRANSMISSION

- | | | |
|-----------|----------------|----------------|
| Alabama | Maryland | Oklahoma |
| Arkansas | Minnesota | Pennsylvania |
| Colorado | Mississippi | South Carolina |
| Florida | Missouri | South Dakota |
| Georgia | Nebraska | Tennessee |
| Idaho | New Jersey | Utah |
| Illinois | North Carolina | Virginia |
| Indiana | North Dakota | |
| Louisiana | Ohio | |

HATE CRIMES LAWS



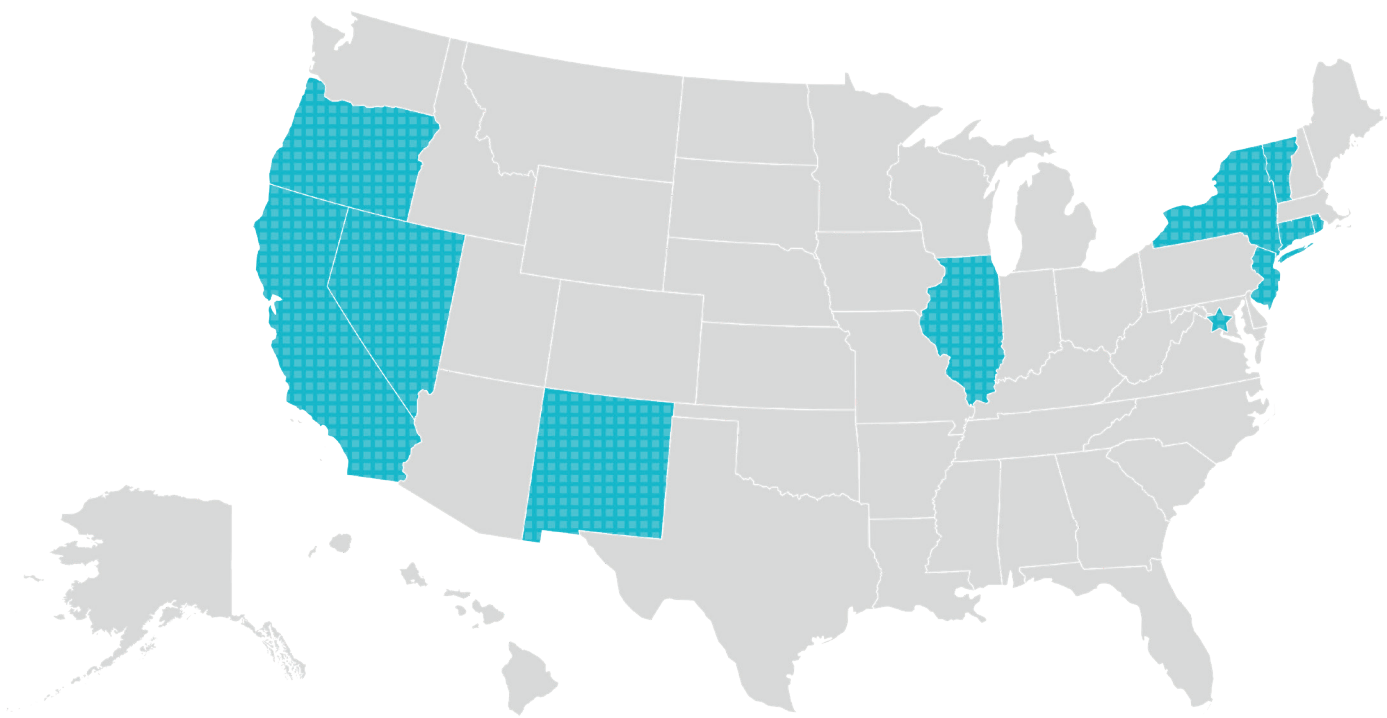
STATES THAT HAVE A LAW THAT ADDRESSES HATE OR BIAS CRIMES BASED ON SEXUAL ORIENTATION AND GENDER IDENTITY

- | | | |
|----------------------|---------------|--------------|
| California | Maine | New York |
| Colorado | Maryland | Oregon |
| Connecticut | Massachusetts | Rhode Island |
| Delaware | Minnesota | Vermont |
| District of Columbia | Missouri | Washington |
| Hawaii | Nevada | |
| Illinois | New Jersey | |
| | New Mexico | |

STATES THAT HAVE A LAW THAT ADDRESSES HATE OR BIAS CRIMES BASED ON SEXUAL ORIENTATION ONLY

- | | | |
|---------|---------------|-----------|
| Arizona | Kentucky | Tennessee |
| Florida | Louisiana | Texas |
| Iowa | Nebraska | Wisconsin |
| Kansas | New Hampshire | |

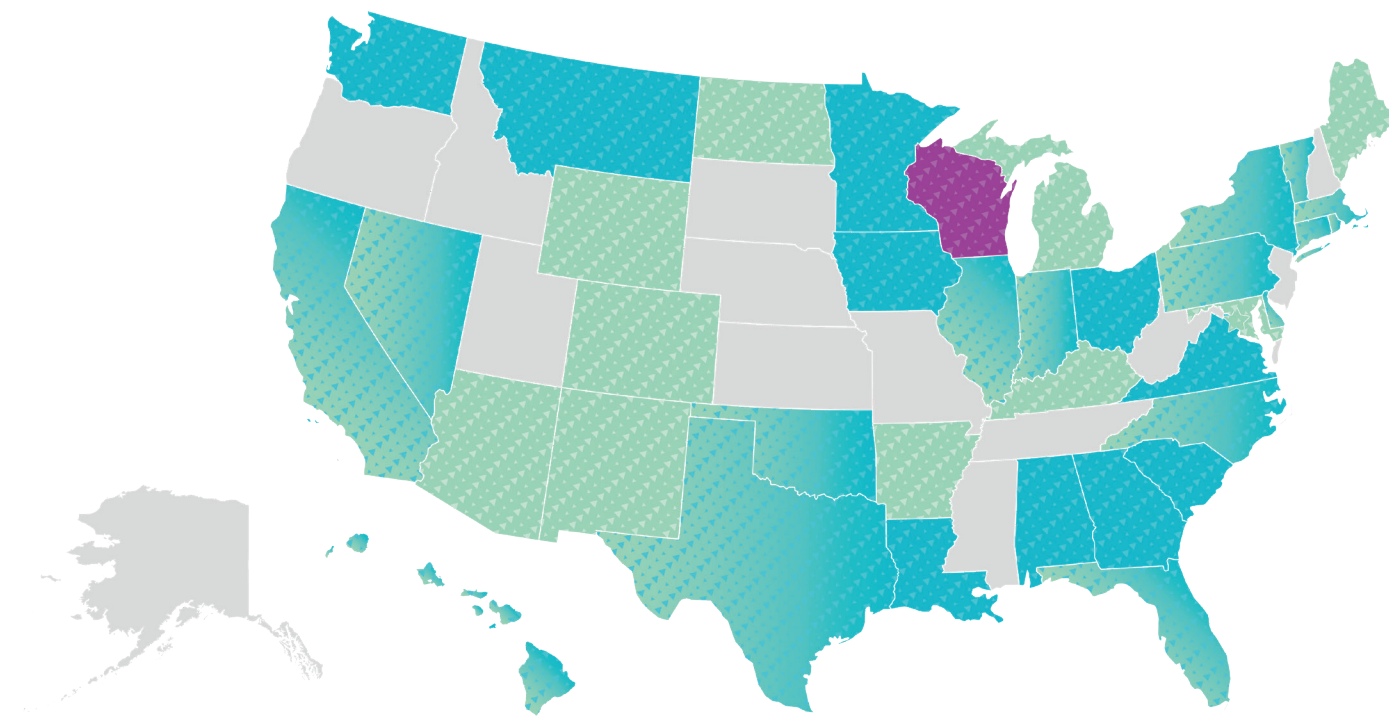
ANTI-CONVERSION THERAPY



STATES WITH LAWS THAT PROTECT YOUTH FROM CONVERSION THERAPY

- | | | |
|----------------------|------------|--------------|
| California | Illinois | New York |
| Connecticut | Nevada | Oregon |
| District of Columbia | New Jersey | Rhode Island |
| | New Mexico | Vermont |

DATA COLLECTION



STATES THAT COLLECT DATA ON THE BEHAVIORAL RISK FACTOR SURVEILLANCE SYSTEM (BRFSS) ON THE BASIS OF SEXUAL ORIENTATION AND GENDER IDENTITY

- | | | |
|-------------|----------------|----------------|
| California | Louisiana | Oklahoma |
| Connecticut | Massachusetts | Pennsylvania |
| Delaware | Minnesota | Rhode Island |
| Florida | Mississippi | South Carolina |
| Georgia | Montana | Texas |
| Hawaii | Nevada | Vermont |
| Illinois | New York | Virginia |
| Indiana | North Carolina | Washington |
| Iowa | Ohio | |

STATES THAT COLLECT DATA ON BOTH THE BRFSS AND YRBSS FOR SEXUAL ORIENTATION AND GENDER IDENTITY

- Wisconsin

STATES THAT COLLECT DATA ON THE YOUTH RISK BEHAVIOR SURVEILLANCE SYSTEM (YRBSS) ON THE BASIS OF SEXUAL ORIENTATION

- | | | |
|----------------------|----------------|--------------|
| Arizona | Indiana | Pennsylvania |
| Arkansas | Kentucky | Rhode Island |
| California | Maine | Texas |
| Colorado | Maryland | Vermont |
| Connecticut | Massachusetts | Wyoming |
| Delaware | Michigan | |
| District of Columbia | Nevada | |
| Florida | New Mexico | |
| Hawaii | New York | |
| Illinois | North Carolina | |
| | North Dakota | |
| | Oklahoma | |

STATE CATEGORIES FOR SEI SCORECARDS

In the SEI scorecards, we have grouped states into several broad categories to provide a general idea about the types of advocacy which occur in different states as well as the types of statewide laws and policies affecting LGBTQ equality in such states. The categories are:



WORKING TOWARD INNOVATIVE EQUALITY

These states have a broad range of protections to ensure equality for LGBTQ people, including comprehensive non-discrimination laws, safe schools laws, and work to create healthcare access for LGBTQ people. Advocates focus on implementation of laws and work towards innovative legislation that addresses the needs of the vulnerable.



SOLIDIFYING EQUALITY

These states generally have several basic measures of equality, including non-discrimination protections or anti-bullying laws. Advocates work to ensure the broad implementation of these laws while advancing laws concerning parenting, youth, health, and safety to achieve full equality for the LGBTQ community.



BUILDING EQUALITY

In these states, advocates work to build upon initial advances toward LGBTQ equality, such as the passage of a safe schools law, basic non-discrimination protections, or some protections in healthcare. Work in these states varies widely but may focus on opposing negative legislation, passing comprehensive non-discrimination, or making it easier for LGBTQ people to create families.



HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

In these states, advocates focus on raising support for basic equality for LGBTQ people, such as nondiscrimination laws. These states are most likely to have religious refusal or other anti-LGBTQ laws. Work towards equality may focus on passing municipal protections for LGBTQ people or opposing negative legislation which would undermine LGBTQ equality.

TEXAS

In 2017, Equality Texas, defeated the bathroom bill, not once, but twice, during the Regular Session of the Texas Legislature and then again during a Special Session. We also defeated dozens of other discriminatory bills as we faced one of the most hostile legislative sessions targeting LGBTQ Texans.

Equality Texas led a coalition with allied partners and mobilized the business community, law enforcement officers, religious leaders, women, sexual assault experts, parents of transgender children and transgender adults to rally at the Capitol to oppose the discriminatory legislation. We also obliterated the other side's argument by holding rallies and news conferences with thousands of Texans opposed to the legislation, and we recruited major players from across the state to sign on to letters of opposition, send emails, and make Capitol visits and calls to lawmakers throughout the Legislative Sessions.

Ultimately, 700 businesses spoke out against discrimination in Texas, including 50 Fortune 500 companies and 400 Texas small businesses alongside chambers of commerce and convention and visitors' bureaus, representing a broad cross section of the Texas economy.

An increasingly conservative Texas Legislature means that divisive social issues will continue to take on increasing prominence and precedence over common-sense policymaking. We fully expect to face another onslaught of discriminatory bills in the next session of the legislature and we are gearing up for the fight.

CHUCK SMITH
Chief Executive Officer
Equality Texas



◆ **PARENTING
LAWS & POLICIES**

Every child deserves a loving home and every family should be able to recognize familial relationships free from discrimination on the basis of sexual orientation or gender identity.

This category evaluates state laws, policies, or court cases that allow for the creation and recognition of family units and which affect the ability of LGBTQ families to adopt and provide legal recognition for their families.

Some states prevent LGBTQ individuals or same-sex couples from serving as adoptive or foster parents, and many public child welfare agencies still discriminate against qualified, licensed LGBTQ foster and adoptive families. When LGBTQ families are denied the ability to foster and adopt children, children are denied the right to safe, happy, and healthy permanent homes.

Note that not all states allow for each of the family creation legal mechanisms detailed in this category. It is also important to note that family law can differ widely between jurisdictions, and items in the category may not reflect variances in family law issues between different counties in a state. Unless there is a specific prohibition on joint or second parent adoptions in a state, it is likely that at least some same-sex couples are able to adopt via these mechanisms through individual judges.



When LGBTQ families are denied the ability to foster and adopt children, children are denied the right to safe, happy, and healthy permanent homes.



POSITIVE LAWS & POLICIES

SECOND PARENT ADOPTION

This item indicates state laws or court decisions which allow a second parent of the same sex to petition to adopt their partner's children, regardless of whether they are in a legally recognized relationship.

SURROGACY LAWS

This item indicates state laws which explicitly allow for gestational surrogacy, but which do not exclude LGBTQ people or privilege married partners. Gestational surrogacy is a surrogacy arrangement where the surrogate has no genetic relation to the child.

FOSTER CARE NON-DISCRIMINATION

This item indicates state laws or administrative policies that prohibit discrimination against LGBTQ people in the placement of foster youth.

FOSTER PARENT TRAINING REQUIRED

This item indicates state laws or agency regulations that require prospective foster parents to receive training regarding LGBTQ youth in areas like cultural competency and legal requirements.

PARENTAL PRESUMPTION FOR SAME-SEX COUPLES

This item indicates that the state, through statewide court rulings, statute, or agency guidance, presumes that a parental relationship exists for both parents in a same-sex marriage with regard to any children born of that marriage.

CONSENT TO INSEMINATE

This item indicates state laws that specifically allow unmarried same-sex couples to create parentage for both parents for an intended child by formally consenting to insemination of one of the parents.

DE FACTO PARENT RECOGNITION

This item indicates a limited recognition of de facto parents as a basis for visitation or custody, generally through court cases. De facto parents are individuals who serve in the role of a parent but who have no legally recognized tie to the child.

NEGATIVE LAWS & POLICIES

PROHIBITION OF SURROGACY

This item indicates state laws that explicitly prohibit gestational surrogacy contracts. Gestational surrogacy is a surrogacy arrangement where the surrogate has no genetic relation to the child.

LAWS PERMITTING DISCRIMINATION IN FOSTER/ADOPTION PLACEMENT

This item indicates state laws that allow for discrimination in the placement of foster youth with LGBTQ families or adoption by LGBTQ families. This is generally done either by specifically allowing for discrimination against LGBTQ families or by privileging married couples for adoption or foster placement. Other states will introduce a "conscious" exception for foster or adoption placement agencies, allowing them to discriminate on the basis of their religion against LGBTQ families.

NEW MEXICO

In April, New Mexico Republican Governor Susana Martinez signed into law Senate Bill 121 -- legislation protecting LGBTQ youth from the dangerous and discredited practice of so-called “conversion therapy”; the seventh state in the country to do so. SB 121, or the “The Protect NM Kids Act,” legislation sponsored by Senator Jacob Candelaria (D-Bernalillo) and Representative G. Andres Romero (D-Bernalillo), prohibits the practice of conversion therapy by licensed mental health providers with minors under age 18, increasing the well-being and safety of LGBTQ New Mexicans.

The historic action by Governor Martinez confirmed that our shared commitment to protecting all children from abuse transcends party labels and ideological differences. In New Mexico, we value and celebrate every child for who they are. We applaud Governor Martinez for having the courage to stand up for the simple truth that every LGBTQ kid in New Mexico is born perfect.

In the next legislative budget session, Equality New Mexico will be working to see the values of a “queer state budget” reflected for the next fiscal year. A queer state budget means smart investments in education, the economy, health and wellness, civic engagement, and justice.

Equality New Mexico is proud to have worked with a strong coalition of advocates, clergy, medical professionals, and organizations in seeing to the passage and signing of this legislation. Now, New

Mexico's children and families have the right to expect that a therapist practicing under a license from the state will not put them at risk of severe harm, including depression, substance abuse and suicide. This protection is now a reality for our families, banning the types of practices and harmful conduct that have been discredited by all of the country's leading medical and mental health organizations.

ADRIAN N. CARVER
Executive Director
Equality New Mexico



♥ RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL

All loving and committed couples deserve equal respect and legal recognition. Support for marriage equality for same-sex couples is at an all-time high, and after the *Obergefell v. Hodges* ruling by the U.S. Supreme Court, every state is obligated to recognize the marriages of same-sex partners.

Following this historic ruling, several states have continuously introduced bills that would limit recognition of same-sex marriages or allow state officials to refuse

to provide licenses or other services for same-sex couples.

NEGATIVE LAWS & POLICIES

STATE RELIGIOUS FREEDOM RESTORATION ACTS

This item indicates state laws which purport to preserve “religious freedom” but which may in fact undermine state non-discrimination protections. There laws generally fall in two categories, so-called “religious freedom restoration acts” and also laws which specifically allow marriage-service providers to discriminate on the basis of their religion. State laws that explicitly make clear that civil rights protections are not subject to religious refusal will not fall in this category.

RELIGIOUS EXEMPTIONS FOR PROFESSIONAL TRAINING/PRACTICE

This item indicates state laws that specifically prevent public institutions of higher education or state professional licensing boards from disciplining students or professionals for failing to meet professional standards of conduct (generally relating to non-discrimination) on the basis of their personal religious beliefs.

FIRST AMENDMENT DEFENSE ACT

This item indicates state laws which purport to protect religious expression but actually grant a right to discriminate. These laws protect people working at a public agency, or a private individual or agency who receives funds, licensing, or other recognition from the state from losing any of those benefits as a result of discriminatory action based on an individual's sexual orientation or gender identity.

★ NON-DISCRIMINATION LAWS & POLICIES

It should not be legal to deny someone the right to work, rent a home, receive an education, or be served in a place of public accommodation because of their sexual orientation or gender identity.

This category evaluates whether discrimination on the basis of sexual orientation and gender identity is explicitly prohibited through statewide laws or policies in a host of areas, including employment, housing, education, and public accommodations. Recognizing that LGBTQ people should be free of discrimination in all areas of life, this publication takes a comprehensive view of non-discrimination laws & policies, looking at areas where not every state provides protections.

POSITIVE LAWS & POLICIES

EMPLOYMENT

This item indicates state laws that prohibit discrimination in private employment on the basis of sexual orientation or gender identity, among other categories.

HOUSING

This item indicates state laws that prohibit discrimination in rental or purchase of housing on the basis of sexual orientation or gender identity.

PUBLIC ACCOMMODATIONS

This item indicates state laws that prohibit discrimination in public accommodations on the basis of sexual orientation or gender identity.

Public accommodations are generally defined as entities, both public and private, that are used by the public. Examples may include retail stores, rental establishments, and service establishments, as well as educational institutions or recreation facilities. The types of entities that fall into this category vary widely and are based on state law.

EDUCATION

This item indicates state laws that prohibit discrimination against students in public education on the basis of sexual orientation or gender identity.

Therefore, in some states, the protections outlined in a specific area do not exist for any characteristic including race, sex, or disability.

For each item in this category, it is noted whether the law or policy provides non-discrimination protection on the basis of sexual orientation, gender identity, or both.

ADOPTION

This item indicates state laws or administrative policies that protect youth involved in the adoption system from discrimination on the basis of sexual orientation or gender identity.

FOSTER CARE

This item indicates state laws or administrative policies that protect youth involved in the foster care system from discrimination on the basis of sexual orientation or gender identity.

INSURANCE

This item indicates state laws or administrative policies that prohibit discrimination in at least some forms of insurance on the basis of sexual orientation or gender identity.

CREDIT

This item indicates state laws or administrative policies that prohibit discrimination in the granting of credit, establishment of loans, or other elements of banking on the basis of sexual orientation or gender identity.

JURY SELECTION

This item indicates state laws, administrative policies, or court decisions which prohibit discrimination in jury selection on the basis of sexual orientation or gender identity.

OREGON

Oregon made great strides for transgender equality in 2017, passing legislation to simplify birth certificate changes, prohibiting discrimination on the basis of gender identity for government contractors, and becoming the first state to include a non-binary gender marker on driver's licenses and IDs.

In May, Governor Kate Brown—the nation's only out LGBTQ governor—signed HB 2673, a new law that simplifies Oregon's existing name change and gender amendment process for birth certificates. The new process provides an administrative option that is less expensive, more private and easier for transgender Oregonians. The new law will be effective Jan. 1, 2018, and it's marked as the first standalone transgender justice legislation considered and passed by the Oregon Legislature.

Then, in June, Governor Brown signed HB 3060, requiring contractors working with the state of Oregon to have policies and practices in place that prohibit discrimination against their employees. This law, carried by Rep. Ann Lininger, also prohibits health care discrimination based on an employee's gender identity.

On July 1, the Oregon Department of Motor Vehicles began offering a third gender marker on state identification cards, making Oregon the first state in the country to recognize non-binary identities. Now, Oregonians can select M for "male", F for "female", or X for "not specified" when they apply for a new ID.

Perhaps the most important shift of all is the fact that, for the first time, transgender Oregonians can change their gender markers without a written letter from a medical provider. Instead, they can simply submit a form and request the identification that feels appropriate—a huge win for our community.

Basic Rights Oregon is proud to work with partners on its groundbreaking legislative and administrative policy work to advance transgender justice in the Beaver State.

NANCY HAQUE AND AMY HERZFELD-COPPLE

Co-Executive Directors
Basic Rights Oregon



VIRGINIA

The Commonwealth of Virginia continues to make strides in promoting equal protections for the LGBTQ Community. Through executive and legislative actions, Virginia’s leaders took steps to ensure progress for gay and transgender Virginians.

In the brief 2017 legislative session, we witnessed both challenges and victories on our continued march for equality in the Commonwealth of Virginia. Both the state Senate and House passed discriminatory religious exemption bills that provided a license to discriminate against LGBTQ couples and families on the basis of another person’s religious, moral, or personal beliefs. The Governor’s office swiftly vetoed these bills.

Our 2017 successes began with a gubernatorial executive order (EO #61) which extended existing protections on the basis of sexual orientation and gender identity for state employees to contractors and in the delivery of state services. In the Senate, both workplace and housing protections passed on a bipartisan vote, the only legislative body in the south to do so. We also saw an HB2-style anti-trans bill die in committee in the House of Delegates.

Equality Means Business (EMB), our statewide program highlighting small businesses who pledge not to discriminate against LGBTQ employees or customers, saw significant growth in 2017. EMB membership nearly doubled, bringing the number of local companies that are proud to state that “All Are Welcome” to almost 800.

Momentum is our on side following the November 2017 elections which delivered Virginia an LGBT-affirming statewide leadership and the most LGBT-supportive House of Delegates in our history (including the first-in-the-nation out transgender delegate and Virginia’s first out lesbian delegate). We are more optimistic than ever that we have the opportunity to transform Virginia into a place where every citizen is valued and protected under the law.

JAMES PARRISH
Executive Director
Equality Virginia



★ NON-DISCRIMINATION LAWS & POLICIES

POSITIVE LAWS & POLICIES

COLLEGES AND UNIVERSITIES

This item indicates state laws or state university system policies that prohibit discrimination in admission and access to campus services and facilities on the basis of sexual orientation or gender identity.

NON-DISCRIMINATION POLICY FOR STATE EMPLOYEES

This item indicates state laws or administrative policies that prohibit discrimination against state employees on the basis of sexual orientation or gender identity.

NEGATIVE LAWS & POLICIES

RESTRICTIONS ON MUNICIPAL PROTECTIONS

This item indicates state laws which prevent municipalities in a state from passing non-discrimination ordinances that protect categories broader than those protected by state law, generally leaving out sexual orientation and gender identity.

This is different from “Dillon’s Rule” states, which also limit municipal power but do so without a discriminatory intent.

● HATE CRIMES LAWS

No one should face violence due to their sexual orientation or gender identity.

This category evaluates state hate crimes laws to assess whether they provide protection on the basis of sexual orientation or gender identity and also whether these laws require the state to report hate crime incidents to the federal government. Although the federal hate crimes law does provide protection on the

basis of sexual orientation and gender identity, this only pertains to violent offenses with a federal nexus, and it does not require states to report hate crime incidents on the basis of sexual orientation or gender identity. Therefore, it is important that states pass hate crimes legislation to supplement the federal protections.

POSITIVE LAWS & POLICIES

LGBTQ INCLUSION

This category evaluates state hate crimes laws to assess whether they provide protection on the basis of sexual orientation or gender identity.

REQUIRED HATE CRIMES REPORTING TO THE FEDERAL GOVERNMENT

Agencies across the country are not required to report hate crime statistics to the federal government although some state laws do. This criteria captures those states that with laws that require the state to report hate crime incidents to the federal government.

ELIMINATION OF BIAS RAGE OR PANIC DEFENSE FOR CRIMINAL ACTS

This item indicates laws or cases that prohibit the use of an affirmative defense used to excuse or classify a criminal charge as a lesser charge because the revelation of the victim’s sexual orientation or gender identity caused the defendant to lose control and turn violent.



YOUTH-RELATED LAWS & POLICIES

All youth should be able to participate in schools and communities that are safe and welcoming, regardless of their sexual orientation or gender identity.

This category evaluates a range of measures concerning the safety and well-being of LGBTQ youth, including safe schools laws, laws to protect youth from dangerous and discredited conversion therapy, and laws to address youth homelessness. Recognizing that schools play an especially important role in the growth and development of young people, we looked at a number of measures relating to bullying prevention and school safety.

Several items in this category, particularly with regard to protecting youth from conversion therapy and addressing youth homelessness, are rapidly evolving areas of the law. While currently only a few states provide these protections, additional states will likely address these policy issues in future years.

POSITIVE LAWS & POLICIES

ANTI-BULLYING LAWS

These items indicate state laws that protect youth from bullying and harassment, generally by requiring individual school districts to have anti-bullying policies in place. Credit was given for laws which are enumerated, meaning they specifically list characteristics which are frequently the target of bullying and harassment, while providing anti-bullying protection for all students. Enumeration is especially important to protect LGBTQ students, as research has demonstrated that non-enumerated policies are no more effective to protect vulnerable students than having no policy in place. State laws are only indicated by this item if they provide protection on based on both sexual orientation and gender identity.

The second item indicates states with model policies, guidance documents generally created by the state Department of Education, which include enumerated sexual orientation and gender identity.

The “Alternative Discipline” item indicates state laws which specifically include language that supports alternative forms of discipline that focus on education, remediation, prevention, and providing support for the target of bullying rather than exclusionary discipline, criminalization, or “zero tolerance” policies for bullying and harassment.

Finally, the “Cyberbullying” item indicates that the state’s anti-bullying law covers incidents of bullying and harassment that occur electronically, through the internet or another medium. States and individual school districts vary widely on the degree to which anti-cyberbullying enforcement extends beyond the walls of the school. This category does not assess these distinctions; simply whether the law addresses bullying and harassment through electronic means.

SCHOOL SUICIDE PREVENTION POLICIES

This item indicates state laws that require public school districts to have policies that focus on suicide prevention and intervention.

TRANSGENDER INCLUSION IN SPORTS

This item indicates either legislation, regulations from the state Department of Education, or authoritative guidance from the state organization that regulates intramural secondary school sports that allows transgender students reasonable access to participate in school sports.

PROTECTION FROM CONVERSION THERAPY

This item indicates laws designed to protect LGBTQ youth from conversion therapy through licensing restrictions which prevent licensed mental health service professionals from conducting conversion therapy on youth under age 18.

POSITIVE LAWS & POLICIES

LAWS TO ADDRESS LGBTQ YOUTH HOMELESSNESS

This item indicates state laws that specifically address homelessness among LGBTQ youth by, for example, requiring that service providers for homeless youth have non-discrimination policies in place and adequate cultural competency training, enhancing data collection to understand disparities among this vulnerable population, and ensuring that homeless transgender youth are able to receive appropriate services based on their gender identity and expression.

LGBTQ INCLUSIVE SEX EDUCATION LAWS

This item indicates state law or regulatory guidance which requires that any sexual health education provided to students is specifically inclusive of LGBTQ youth.

LGBTQ INCLUSIVE JUVENILE JUSTICE POLICIES

This item indicates state laws, regulations, or policies designed to protect LGBTQ youth in juvenile justice settings from discrimination on the basis of sexual orientation and gender identity.

NEGATIVE LAWS & POLICIES

INEQUALITY IN AGE OF CONSENT FOR SAME-SEX COUPLES

This item indicates state laws that create different standards in the age of consent for same-sex and opposite-sex couples. Many states have a so-called “Romeo and Juliet” exception to age of consent laws that prevents violation of these laws as long as the couple is within a particular age range, but for some states this exception only applies to opposite-sex couples.

SCHOOL LAWS THAT CRIMINALIZE YOUTH

This item refers to anti-bullying laws which either have mandatory, one-size-fits-all discipline or zero-tolerance policies, or laws which specifically criminalize either bullying or cyberbullying. The item does not apply to general laws which extend anti-harassment protections to an electronic medium unless they refer specifically to schools, bullying, or cyberbullying.

ANTI-BULLYING LAWS THAT PROHIBIT ENUMERATION

This item indicates state anti-bullying laws that specifically prohibit school districts from listing characteristics that are frequently the target of bullying and harassment. This undermines the protection of the law for vulnerable populations such as LGBTQ youth.

LAWS THAT RESTRICT INCLUSION OF LGBTQ TOPICS IN SCHOOLS

This item indicates state laws that prohibit educators from discussing LGBTQ topics in schools or that require that any discussion of LGBTQ topics in schools be presented in a negative way. While these laws generally pertain only to sexual health education, they are frequently interpreted in a broader way by school districts. In some states these laws are not operative, but because of the negative impact can have on LGBTQ youth even if they are not officially enforced, they are still noted as present.



HEALTH & SAFETY

LAWS & POLICIES

Everyone should be able to access appropriate health care that is culturally competent and affirming, regardless of their sexual orientation or gender identity. Moreover, everyone should be able to access identity documents that reflect the way in which they live their lives.

This category evaluates a range of measures relating to the health and safety of LGBTQ people, including access to health care, the ability to obtain appropriate identity documents, and the collection of health survey data of LGBTQ people. Data collection pertaining to LGBTQ populations is especially important because, over time, it will allow us to assess and address health disparities among LGBTQ communities.

With the implementation of the Affordable Care Act (ACA) and the rapidly evolving nature of health care, it is likely that measures relating to non-discrimination in health care and prohibitions on transgender health care exclusion will continue to grow.

POSITIVE LAWS & POLICIES

LGBTQ NON-DISCRIMINATION PROTECTIONS IN ACA EXCHANGES

This item indicates state laws or administrative policies that specifically prohibit discrimination on the basis of sexual orientation or gender identity by insurance providers and health care providers through state implementation of the ACA. While the ACA and federal regulations make clear that health care and insurance providers must not discriminate, enforcement is administered by the states, and so it is important that state laws and policies establishing exchanges reflect federal non-discrimination mandates. States that do not operate their own Exchanges (and therefore have no relevant laws or policies) cannot receive credit for this item.

BAN ON INSURANCE EXCLUSIONS FOR TRANS HEALTH CARE

This item indicates state laws or administrative policies that prohibit private health insurance providers from issuing policies with explicit bans on transgender or transition-related health care.

TRANSGENDER HEALTHCARE INCLUSION IN STATE MEDICAID

This item indicates state laws or agency rules that specifically allow for transition-related coverage for transgender people through state Medicaid.

TRANSGENDER INCLUSIVE HEALTH BENEFITS FOR STATE EMPLOYEES

This item indicates state laws, administrative policies, or court decisions which provide transgender state employees access to transgender and transition-related health care through their employment health benefits.

NAME AND GENDER CHANGE ON IDENTIFICATION DOCUMENTS

These items indicate state laws or administrative policies that allow transgender people to change their gender markers on their driver's licenses or birth certificates with a minimum of difficulty. Generally, this means that these laws or policies will create a clear process and not have specific surgery requirements in order to change one's gender marker. While there are sometimes court decisions that allow transgender people to amend their identity documents even in states without explicit rules, these items will consider only statewide laws or policies.

POSITIVE LAWS & POLICIES

HEALTH DATA COLLECTION

This item indicates the presence of sexual orientation or gender identity-related survey questions on national health data collections that are administered by the state. The Centers for Disease Control and Prevention (CDC) conducts two federal health data surveys in the majority of states, the Behavioral Risk Factor Surveillance System (BRFSS) among adults and the Youth Risk Behavior Surveillance System (YRBSS) among secondary-school aged youth. Only LGBTQ-related optional questions adopted by the CDC are counted for this measure.

While there are many other forms of both state and federal data collection, this measure looks at only these two specific surveys, as they are prominent health surveys and they include optional questions pertaining to LGBTQ populations. Note that not every state administers the YRBSS, and states that do not are indicated with an "N/A."

FAMILY MEDICAL LEAVE PERTAINING TO CHILDREN

This item indicates state laws that provide for family medical leave pertaining to the children of same-sex couples, even when one of the parents does not have a legally recognized relationship to the child.

GENDER NEUTRAL SINGLE OCCUPANCY RESTROOMS

This item indicates state laws or agency guidance requiring single occupancy restrooms (that is restrooms meant to accommodate only one person at a time) to be gender neutral.

NEGATIVE LAWS & POLICIES

SODOMY LAWS

This item indicates state laws that purport to criminalize sodomy, regardless of whether they are enforced. Note that these laws are not enforceable due to the Supreme Court's Lawrence v. Texas decision, but they still need to be officially repealed by the state legislature.

HIV CRIMINALIZATION LAWS

This item indicates state laws that criminalize behaviors of people living with HIV that carry a low or negligible risk of HIV transmission. States that criminalize behaviors that carry a higher risk of transmission will not be noted by this measure.

LAWS PROHIBITING TRANSGENDER PEOPLE FROM RECEIVING APPROPRIATE IDENTIFICATION

This item indicates state laws, administrative policies, or court decisions preventing transgender people from amending the gender markers on their driver's licenses or birth certificates under any circumstances.

TRANSGENDER EXCEPTIONS IN STATE MEDICAID COVERAGE

This item indicates state laws or administrative policies that explicitly prohibit Medicaid coverage for transition-related care for transgender people.

ACKNOWLEDGING CONTEXT

RESEARCH PROCESS

The SEI scorecards are meant to assess the presence of statewide laws, policies, and court decisions that affect LGBTQ equality, either positively or negatively. Research for this project was conducted by the SEI team — a group of lawyers and law fellows — based on the criteria for each law and policy item, and compiled into a sample scorecard for each state. The data was drawn from publically available sources. The draft scorecards were provided to members of the Equality Federation, and these organizations were offered an opportunity to review the scorecards, ask any questions, give input, and provide additional sources for the SEI team to consider.

The SEI team engaged a number of law firms and individuals with legal expertise in these various areas to do a second review of each of the relevant scorecard items. These assessments were considered by the SEI team, and a final scorecard for each state was developed.

For each of the category descriptions, the SEI team made determinations on whether laws, administrative policies, or court decisions would qualify for each state law and policy item based on the nature of the item, typical statewide laws and policies concerning that item, and our determination about best practices for that item.

Laws refer to statewide statutes, either passed through the state's legislative process or through referendum. Administrative regulations and policies refer to agency guidance or documented policies from a state executive agency that has a legal effect (i.e., the policy is not merely aspirational — it is enforceable). The nature of these agency regulations and policies can vary widely based on the nature of the category, the state agency, and the administrative process in that state. Court decisions refer to final rulings by a relevant state or federal court with a statewide jurisdiction and for which the decision is in effect.

IMPORTANCE OF MUNICIPAL ADVOCACY

While the SEI examines statewide laws and policies that affect LGBTQ equality, it is important to recognize the substantial and growing role that municipal law has on LGBTQ equality across the country. In many states with a more difficult political climate for LGBTQ equality, advocates may focus on municipal protections rather than statewide law and policy for strategic reasons. Passage of municipal protections can serve to protect a large population of LGBTQ people immediately, whereas passage of statewide protections may not be feasible for years, if at all. Also, passage of municipal protections

can facilitate passage of statewide laws and policies in several ways. For example, it can show that the potential negative outcomes opponents use to block protections for LGBTQ people are demonstrably false, empower local advocates to become more involved, and help convince lawmakers that protections in their districts should be passed at the state level.

For a nationwide evaluation of municipal law and policies affecting LGBTQ equality, please see the Municipal Equality Index, available at hrc.org/mei.

IMPLEMENTATION AND LIVED EXPERIENCE

The SEI is as assessment of the statewide laws and policies which affect LGBTQ equality in each state and the District of Columbia. It is a roadmap for the types of state laws and policies that advocates can work toward to make positive change and a marker by which we can measure the steady passage of statewide laws and policies affecting LGBTQ equality. However, the SEI does not rank states in terms of LGBTQ equality, nor is it an assessment of the friendliest states for LGBTQ people to live in.

Moreover, the SEI is not able to measure the implementation of laws, policies, or court cases that affect LGBTQ equality, which can have a very real impact on the day-to-day lived experiences of LGBTQ people. While the SEI looks at the presence or absence of statewide laws and policies, it is impossible to determine the extent to which those laws are actively enforced or whether relevant training occurs. In fact, enforcement may vary considerably between states and municipalities within in a state. Many municipalities will have laws and policies that go beyond the basic requirements of statewide law, creating additional protections in areas such as non-discrimination or safe schools.

Finally, the SEI is not an evaluation of statewide advocacy efforts. We recognize that advocacy for statewide laws and policies concerning LGBTQ equality will vary drastically in different regions, based on state politics, historical context, state legislative issues, and countless other factors. For example, in some regions, it may be a major victory for advocates to kill negative legislation, while in other states, such legislation has no real chance of passing. The SEI strives to present a balanced view of the types of advocacy that occurs in different states around the country, as well as a factual record of the presence of statewide laws and policies that positively or negatively affect LGBTQ equality.



While the SEI looks at the presence or absence of statewide laws and policies, it is impossible to determine the extent to which those laws are actively enforced or whether relevant training occurs.



STATE PAID FAMILY LEAVE

WHAT IS STATE PAID FAMILY LEAVE?

Paid family leave is a workplace benefit policy that allows workers to take paid leave from work in order to care for themselves and family members. Paid sick leave and paid family leave removes the dilemma faced by workers: choosing the health of themselves or family members over facing financial stability. Unlike most industrialized countries, there is no federal requirement for providing any paid sick or family leave for American workers. The federal Family and Medical Leave Act (FMLA) only guarantees unpaid leave of up to 12 weeks to a subset of employees -- workers who have put in at least 1,250 hours in the last 12 months for companies

that employ 50 or more people. Currently, about twelve percent of the workforce has employer-provided paid family leave.¹ Additionally, about forty percent of the workforce does not have personal medical leave through their employers.² When people do not have access to paid leave, the effects can be life-changing. Without adequate paid leave policies, Americans are faced with increased financial hardship, additional debt, and increased inequality and poorer health outcomes in the long-term. All of these consequences have an overall negative effect on society.

WHY IT IS AN LGBTQ ISSUE?

Paid family leave is an LGBTQ issue because LGBTQ people and their families have even fewer protections under the limited paid leave protections provided today. Compared to non-LGBTQ people, LGBTQ people say they need more time off to care for a family member. Forty-two percent of LGBTQ people take time off from work to care for family members, whereas only thirty-one percent of non-LGBTQ people take time off for the same reason.³ Moreover, there is a lack of support for chosen families.

Chosen families are two or more people who share a deep bond like that of marriage, blood or adoption. Chosen families can take multiple forms for the LGBTQ community due to the unique challenges that impact how we form our families. For example, it is typical for the non-biological parent to wait six months before they can adopt their child. During the wait period, it may be necessary for the non-biological parent to take time off from work to assist their partner in child care.

In addition, LGBTQ youth are more likely to face rejection from their family solely because of who they are. Due to this unfortunate reality, LGBTQ youth are at a higher risk for living with an adult who may not be their legal guardian, yet operates as a de facto parent. However, there is no legal recognition for this role, preventing the de facto parent from taking time off to care for the youth.

Seven out of ten LGBTQ Americans live in states with no family leave law, or with laws that only allow workers access to paid leave for a biological or legal relationship with a child.⁴ Without clear, consistent federal protections prohibiting discrimination on the basis of sexual orientation and gender identity, many LGBTQ people are at risk of being fired or facing adverse employment action if they request leave. Additionally, paid medical leave is essential for LGBTQ people. In particular, LGBTQ people often need leave to for transition-related healthcare or treatment related to HIV.

WHAT STATES CAN DO?

Currently, Arizona, California, the District of Columbia, New Jersey, New York, Rhode Island, Vermont, and Washington have statutes requiring some form of paid family leave. However, all of these states limit the term “family” to a narrow legal definition, excluding LGBTQ workers’ chosen families. Today’s families come in a variety of shapes and sizes. This is particularly true for the LGBTQ community. It is critical that state laws reflect this reality by providing inclusive paid leave benefits for our families.

Additionally, Arizona, California, Connecticut, Massachusetts, Oregon, the District of Columbia, Vermont, and Washington have some form of paid leave statutes. States should be implementing legislation for family and sick paid leave that allow employees to use accrue paid medical and family leave based off the number of hours an employee works, similar to many vacation policies in place.

CONCLUSION

Today, millions of American workers are not entitled to paid medical or family leave. Additionally, the policies that do exist often define benefits in terms of legal relationships. This leaves LGBTQ workers vulnerable when they or their chosen family members become ill.

No American should have to choose between caring for themselves or a family member and financial stability. State officials can and should take leadership on protecting LGBTQ workers by exercising their legislative authority to pass inclusive paid leave policies.



No American should have to choose between caring for themselves or a family member and financial stability. State officials can and should take leadership on protecting LGBTQ workers by exercising their legislative authority to pass inclusive paid leave policies.



¹ See U.S. Bureau of Labor Statistics, *National Compensation Survey: Employee Benefits in the United States*, Tables 16 and 32 (Sept. 2016), available at <http://www.bls.gov/ncs/ebs/benefits/2016/ebbl0059.pdf>.

³ See Katherine Gallagher Robbins, et al., *People Need Paid Leave Policies that Cover Chosen Family*, Ctr. for American Progress, at 6 (Oct. 30, 2017).

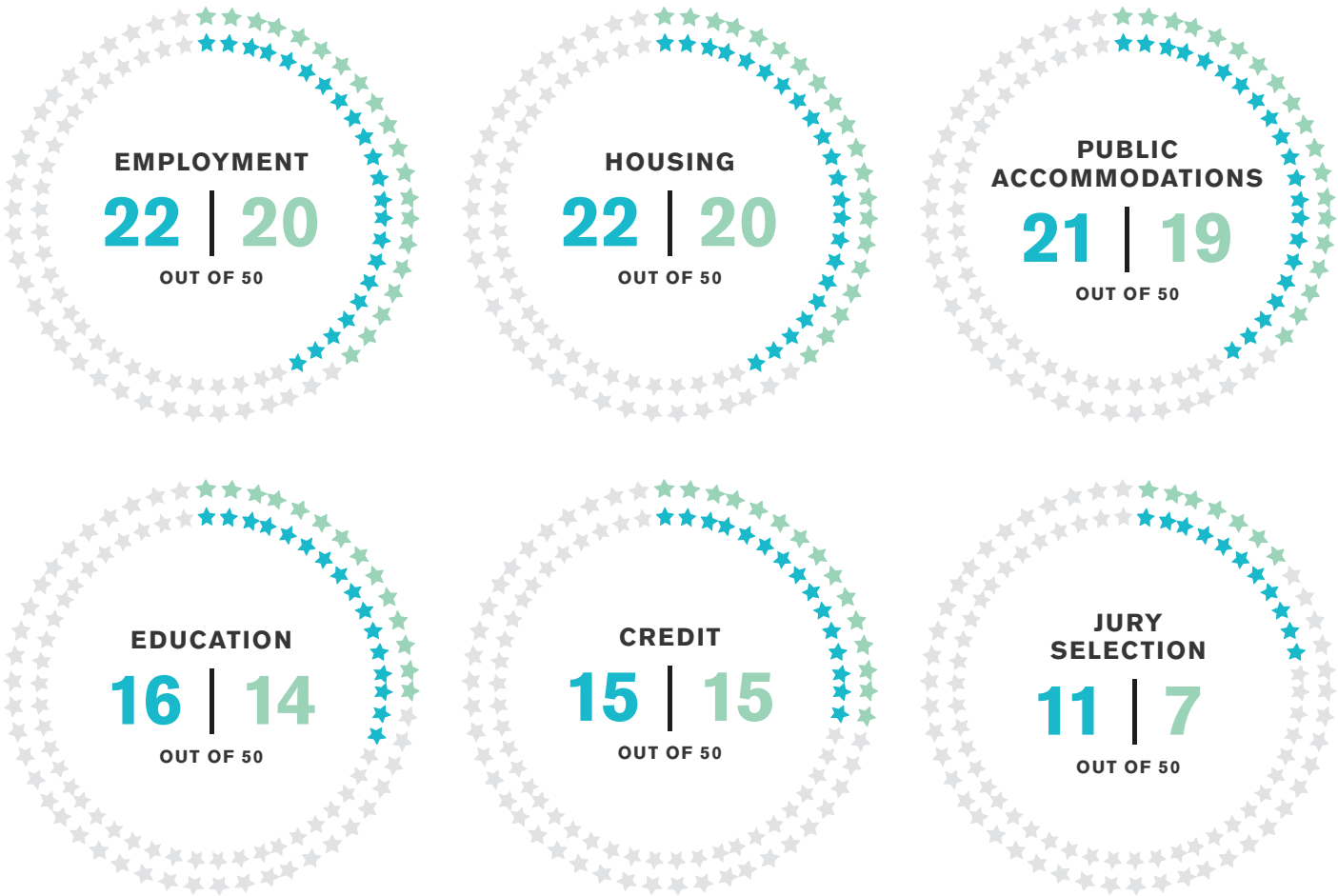
² *Id.*

⁴ *Id.*

NATIONAL STATS

TOTAL STATES WITH NON-DISCRIMINATION PROTECTIONS*

★ FOR SEXUAL ORIENTATION | ★ FOR GENDER IDENTITY



OUT OF
50
STATES:

CONVERSION
THERAPY
IS BANNED IN
10

STATES

30
ALLOW TRANSGENDER PEOPLE TO
CHANGE THEIR
NAME & GENDER
ON THEIR DRIVER'S LICENSE

25 STATES HAVE LAWS
CRIMINALIZING
HIV TRANSMISSION

13
ALLOW THE SAME FOR
BIRTH CERTIFICATES

30 INCLUDE SEXUAL ORIENTATION
PROTECTIONS IN THEIR
HATE CRIMES LAW

19 INCLUDE GENDER IDENTITY
PROTECTIONS IN THEIR
HATE CRIMES LAW

3 PROHIBIT
TRANSGENDER PEOPLE
FROM RECEIVING AN
APPROPRIATE ID

++++++
+++++

15 BAN INSURANCE
EXCLUSIONS
FOR TRANS HEALTH CARE

++++++
+++++

17 HAVE TRANSGENDER
EXCLUSIONS
IN STATE MEDICAID

ALABAMA

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

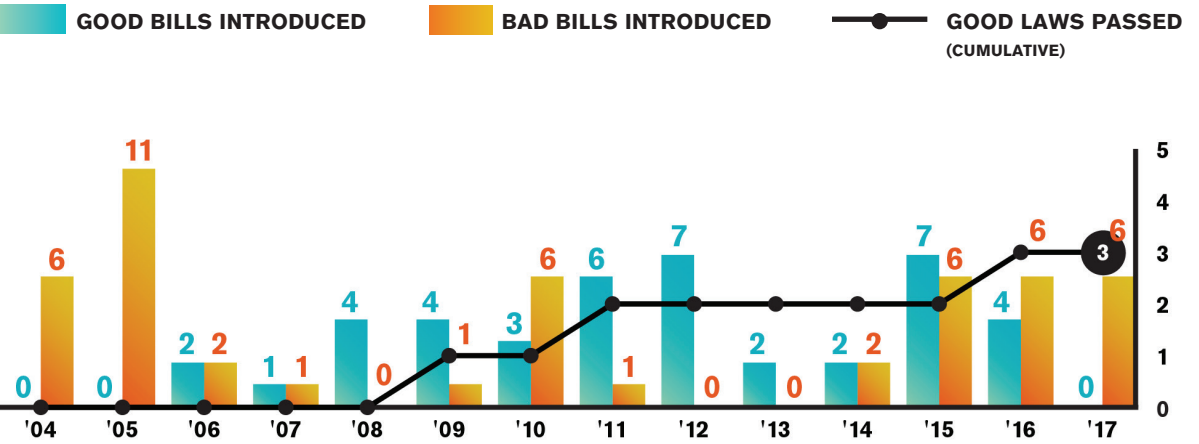
PARENTING LAWS

Second Parent Adoption	☐
Surrogacy Laws	☐
Foster Care Non-Discrimination	☐
Foster Parent Training Required	☐
Parental Presumption for Same-Sex Couples	☐
Consent to Inseminate	☐
De Facto Parent Recognition	☐
Prohibition of Surrogacy	☐
Laws Permitting Discrimination in Adoption/Foster Placement	☒

RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	☒
Religious Exemptions for Professional Training/Practice	☒
First Amendment Defense Act	☐

ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☐
Housing	☐
Public Accommodations	☐
Education	☐
Adoption	☐
Foster Care	☐
Insurance	☐
Credit	☐
Jury Selection	☐
Colleges & Universities	☐
Non-Discrimination Policy for State Employees	☐
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

LGBTQ Protections	☐
Required Reporting	☐
Elimination of Bias Rage or Panic Defense for Criminal Acts	☐

YOUTH LAWS

Anti-Bullying Laws - Enumerated Categories in Law - Enumerated Model Policy - Alternative Discipline - Cyberbullying	☐ ☐ ☐ ☒
School Suicide Prevention Policies Required	☐
Transgender Inclusion in Sports	☐
Protection from Conversion Therapy	☐
Laws to Address LGBTQ Youth Homelessness	☐
LGBTQ Inclusive Sex Education Laws	☐
LGBTQ Inclusive Juvenile Justice Policies	☐
Inequality in Age of Consent for Same-Sex Couples	☒
School Laws that Criminalize Youth	☐
Anti-Bullying Laws that Prohibit Enumeration	☐
Laws that Restrict Inclusion of LGBTQ Topics in Schools	☒

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Name and Gender Change on Identification Documents - Driver's Licenses - Birth Certificates	☐ ☐
Health Data Collection - BRFSS - YRBS	☐ ☐
Gender Neutral Single Occupancy Restrooms	☐
Sodomy Laws	☒
HIV/AIDS Criminalization Laws	☒
Laws Prohibiting Transgender People from Receiving Appropriate ID	☐
Transgender Exclusions in State Medicaid Coverage	☐

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ALASKA

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

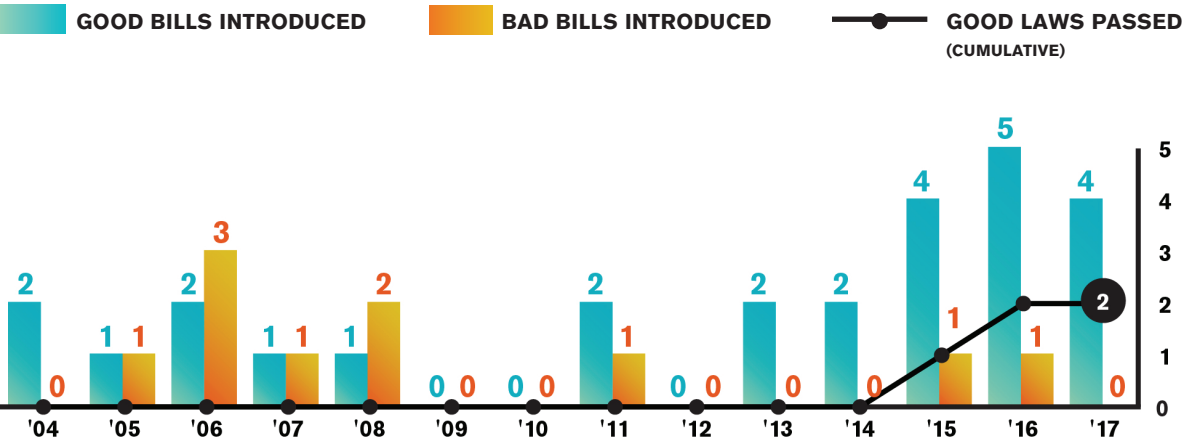
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Surrogacy Laws	☐
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Foster Parent Training Required	☐
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Consent to Inseminate	☐
De Facto Parent Recognition	☐
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Laws Permitting Discrimination in Adoption/Foster Placement	☐

RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	☐
Religious Exemptions for Professional Training/Practice	☐
First Amendment Defense Act	☐

ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☐
Housing	☐
Public Accommodations	☐
Education	☐
Adoption	☐
Foster Care	☐
Insurance	☐
Credit	☐
Jury Selection	☐
Colleges & Universities	☒
Non-Discrimination Policy for State Employees	☒
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

LGBTQ Protections	☐
Required Reporting	☐
Elimination of Bias Rage or Panic Defense for Criminal Acts	☐

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LGBTQ Inclusive Juvenile Justice Policies	☐
Inequality in Age of Consent for Same-Sex Couples	☐
School Laws that Criminalize Youth	☐
Anti-Bullying Laws that Prohibit Enumeration	☐
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Health Data Collection - BRFSS - YRBS	☐ ☐
Gender Neutral Single Occupancy Restrooms	☐
Sodomy Laws	☐
HIV/AIDS Criminalization Laws	☐
Laws Prohibiting Transgender People from Receiving Appropriate ID	☐
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ARIZONA

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

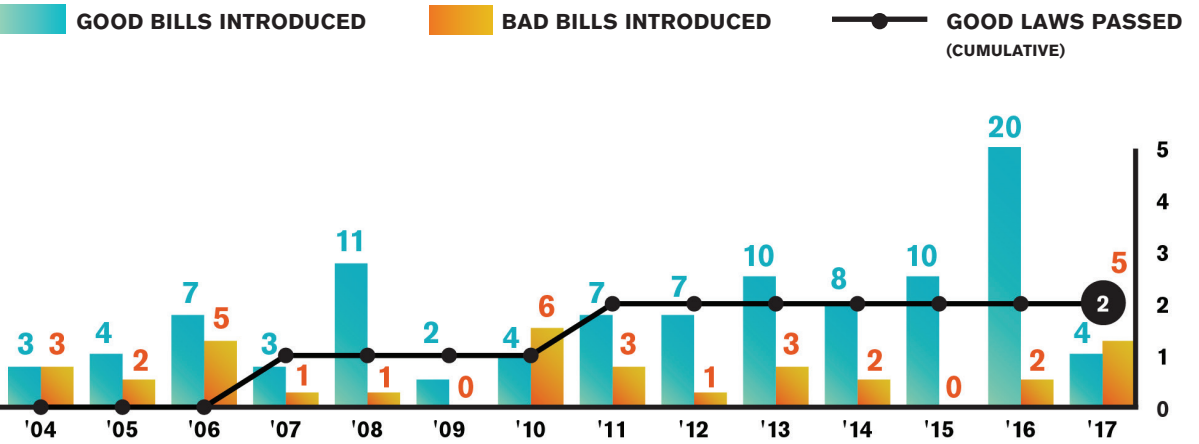
PARENTING LAWS

Second Parent Adoption	☐
Surrogacy Laws	☐
Foster Care Non-Discrimination	☐
Foster Parent Training Required	☐
Parental Presumption for Same-Sex Couples	☐
Consent to Inseminate	☐
De Facto Parent Recognition	☒
Prohibition of Surrogacy	☐
Laws Permitting Discrimination in Adoption/Foster Placement	☐

RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	☐
Religious Exemptions for Professional Training/Practice	☐
First Amendment Defense Act	☐

ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☐
Housing	☐
Public Accommodations	☐
Education	☐
Adoption	☐
Foster Care	☐
Insurance	☐
Credit	☐
Jury Selection	☐
Colleges & Universities	☐
Non-Discrimination Policy for State Employees	☐
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

LGBTQ Protections	☒
Required Reporting	☒
Elimination of Bias Rage or Panic Defense for Criminal Acts	☐

YOUTH LAWS

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LGBTQ Inclusive Juvenile Justice Policies	☒
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ARKANSAS

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

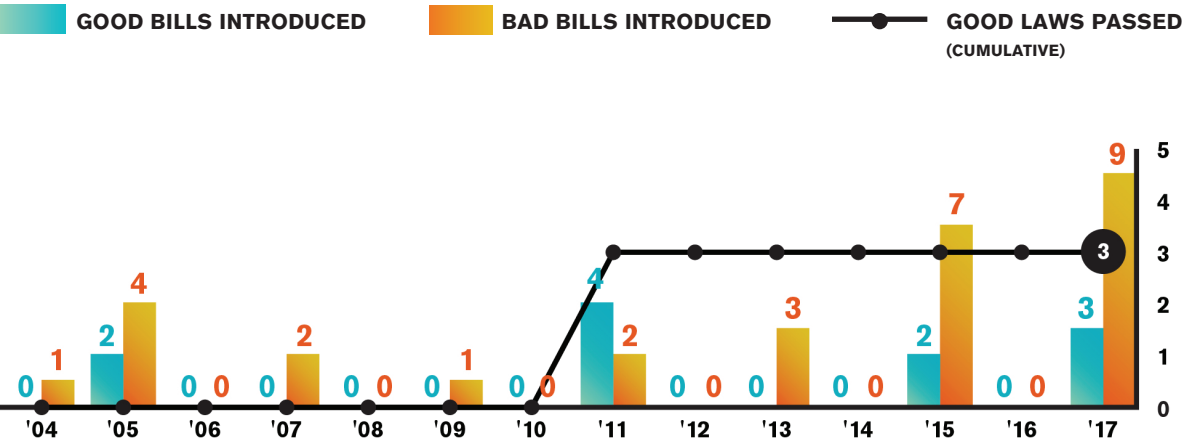
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Religious Exemptions for Professional Training/Practice	☐
First Amendment Defense Act	☐

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NON-DISCRIMINATION LAWS

Employment	☐
Housing	☐
Public Accommodations	☐
Education	☐
Adoption	☐
Foster Care	☐
Insurance	☐
Credit	☐
Jury Selection	☐
Colleges & Universities	☐
Non-Discrimination Policy for State Employees	☐
Restrictions on Municipal Protections	☒

HATE CRIME LAWS

LGBTQ Protections	☐
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CALIFORNIA

WORKING TOWARD INNOVATIVE EQUALITY

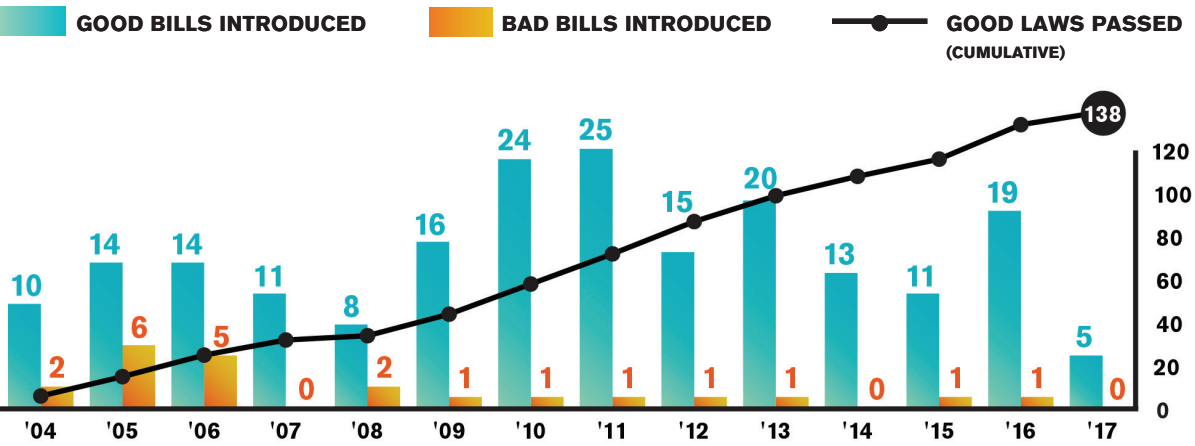
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Not Applicable
- ☐

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Statewide law or policy for both sexual orientation and gender identity

COLORADO

WORKING TOWARD INNOVATIVE EQUALITY

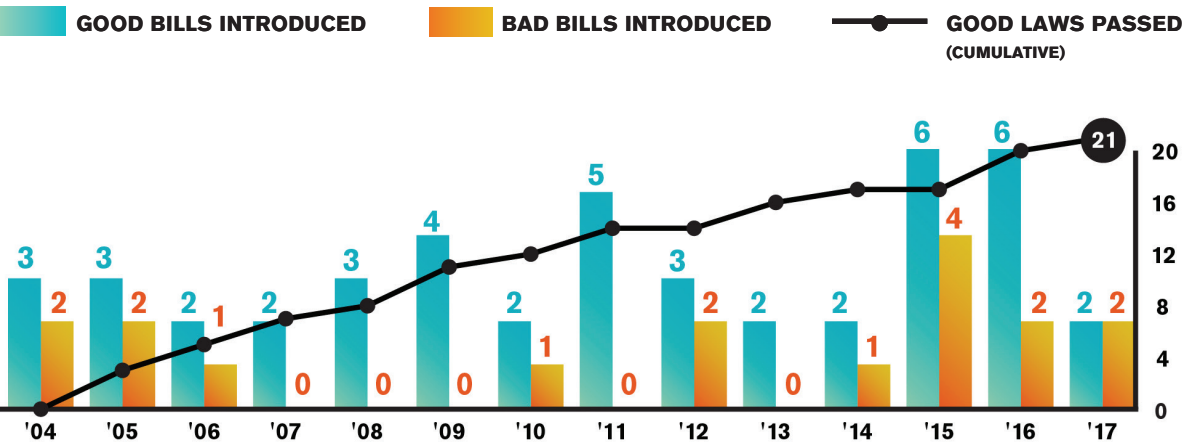
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Not Applicable
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CONNECTICUT

WORKING TOWARD INNOVATIVE EQUALITY

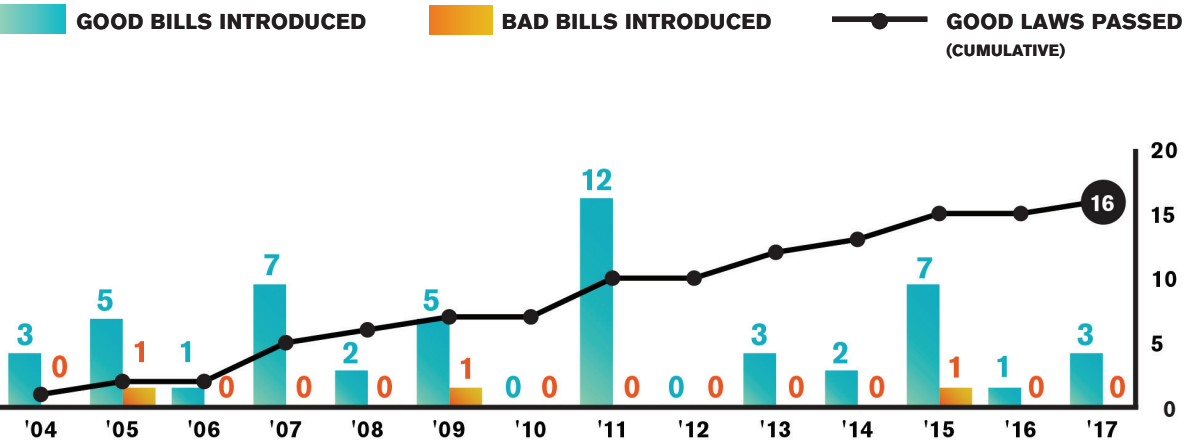
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DELAWARE

SOLIDIFYING EQUALITY

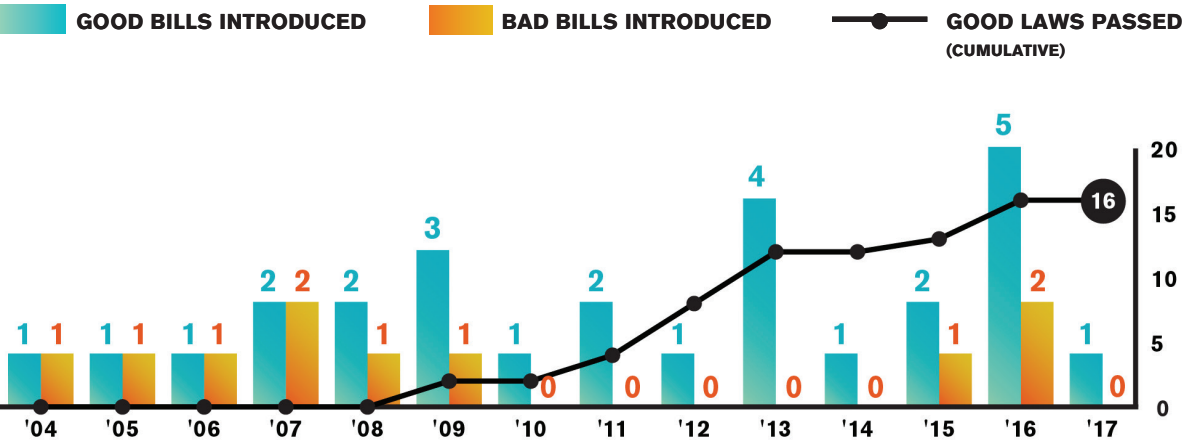
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Prohibition of Surrogacy	
Laws Permitting Discrimination in Adoption/Foster Placement	

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LGBTQ Inclusive Sex Education Laws	
LGBTQ Inclusive Juvenile Justice Policies	
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Anti-Bullying Laws that Prohibit Enumeration	
Laws that Restrict Inclusion of LGBTQ Topics in Schools	

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HIV/AIDS Criminalization Laws	
Laws Prohibiting Transgender People from Receiving Appropriate ID	
Transgender Exclusions in State Medicaid Coverage	

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- No statewide law or policy

Statewide law or policy present

Not Applicable
- Statewide law or policy for sexual orientation only

Statewide law or policy for gender identity only
- No statewide law or policy for sexual orientation or gender identity

Statewide law or policy for both sexual orientation and gender identity

DISTRICT OF COLUMBIA

WORKING TOWARD INNOVATIVE EQUALITY

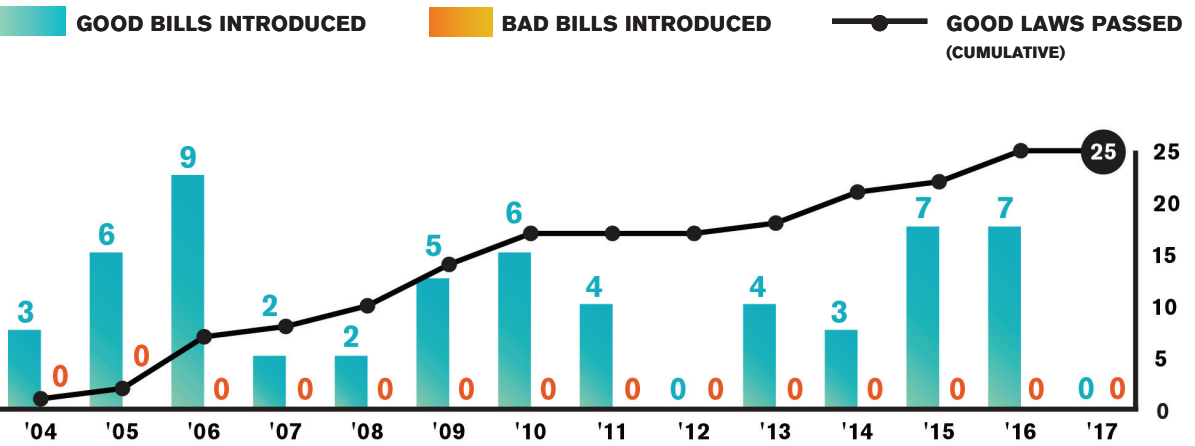
PARENTING LAWS

Second Parent Adoption	
Surrogacy Laws	
Foster Care Non-Discrimination	
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NON-DISCRIMINATION LAWS

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FLORIDA

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

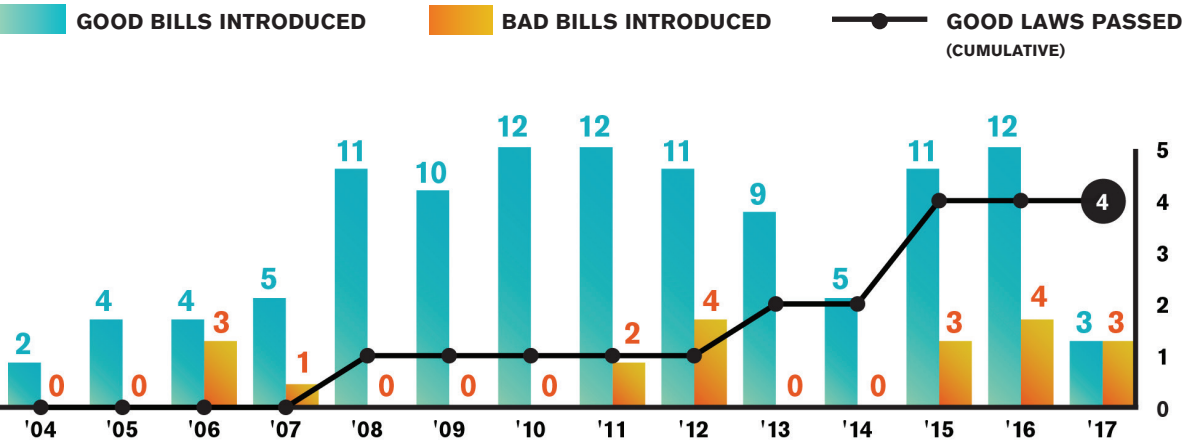
PARENTING LAWS

Second Parent Adoption	☐
Surrogacy Laws	☒
Foster Care Non-Discrimination	☐
Foster Parent Training Required	☐
Parental Presumption for Same-Sex Couples	☒
Consent to Inseminate	☐
De Facto Parent Recognition	☐
Prohibition of Surrogacy	☐
Laws Permitting Discrimination in Adoption/Foster Placement	☐

RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	☒
Religious Exemptions for Professional Training/Practice	☐
First Amendment Defense Act	☐

ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☐
Housing	☐
Public Accommodations	☐
Education	☐
Adoption	☐
Foster Care	☐
Insurance	☐
Credit	☐
Jury Selection	☐
Colleges & Universities	☐
Non-Discrimination Policy for State Employees	☐
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

LGBTQ Protections	☒
Required Reporting	☒
Elimination of Bias Rage or Panic Defense for Criminal Acts	☐

YOUTH LAWS

Anti-Bullying Laws - Enumerated Categories in Law - Enumerated Model Policy - Alternative Discipline - Cyberbullying	☐ ☒ ☐ ☒
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Protection from Conversion Therapy	☐
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LGBTQ Inclusive Sex Education Laws	☐
LGBTQ Inclusive Juvenile Justice Policies	☒
Inequality in Age of Consent for Same-Sex Couples	☐
School Laws that Criminalize Youth	☒
Anti-Bullying Laws that Prohibit Enumeration	☐
Laws that Restrict Inclusion of LGBTQ Topics in Schools	☐

HEALTH & SAFETY LAWS

LGBTQ Non-Discrimination Protections in ACA Exchanges	☐
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Name and Gender Change on Identification Documents - Driver's Licenses - Birth Certificates	☐ ☐
Health Data Collection - BRFSS - YRBS	☒ ☒
Gender Neutral Single Occupancy Restrooms	☐
Sodomy Laws	☒
HIV/AIDS Criminalization Laws	☒
Laws Prohibiting Transgender People from Receiving Appropriate ID	☐
Transgender Exclusions in State Medicaid Coverage	☐

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GEORGIA

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

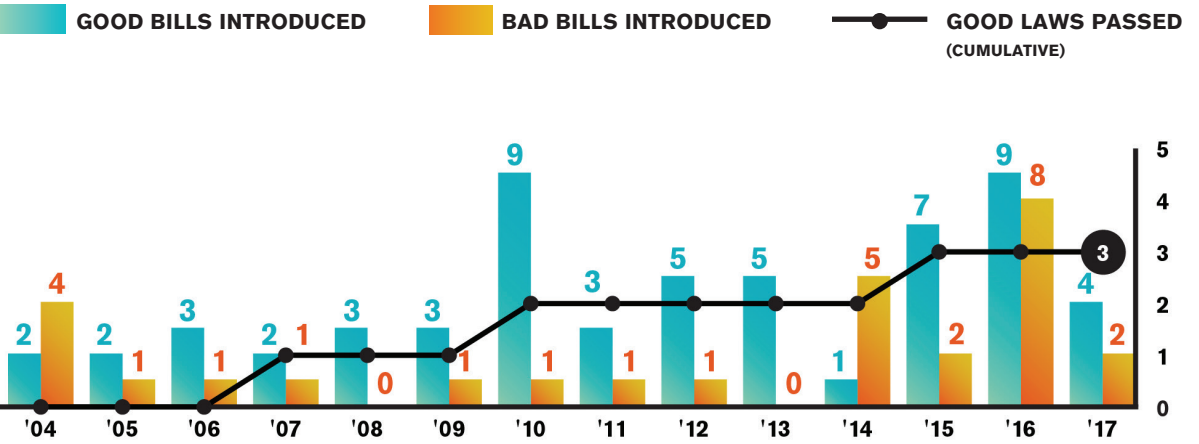
PARENTING LAWS

Second Parent Adoption	☐
Surrogacy Laws	☐
Foster Care Non-Discrimination	☐
Foster Parent Training Required	☐
Parental Presumption for Same-Sex Couples	☐
Consent to Inseminate	☐
De Facto Parent Recognition	☐
Prohibition of Surrogacy	☐
Laws Permitting Discrimination in Adoption/Foster Placement	☐

RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	☐
Religious Exemptions for Professional Training/Practice	☐
First Amendment Defense Act	☐

ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☐
Housing	☐
Public Accommodations	☐
Education	☐
Adoption	☐
Foster Care	☐
Insurance	☐
Credit	☐
Jury Selection	☐
Colleges & Universities	☐
Non-Discrimination Policy for State Employees	☐
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

LGBTQ Protections	☐
Required Reporting	☐
Elimination of Bias Rage or Panic Defense for Criminal Acts	☐

YOUTH LAWS

Anti-Bullying Laws - Enumerated Categories in Law - Enumerated Model Policy - Alternative Discipline - Cyberbullying	☐ ☐ ☐ ☒
School Suicide Prevention Policies Required	☒
Transgender Inclusion in Sports	☐
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LGBTQ Inclusive Sex Education Laws	☐
LGBTQ Inclusive Juvenile Justice Policies	☒
Inequality in Age of Consent for Same-Sex Couples	☐
School Laws that Criminalize Youth	☒
Anti-Bullying Laws that Prohibit Enumeration	☐
Laws that Restrict Inclusion of LGBTQ Topics in Schools	☐

HEALTH & SAFETY LAWS

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Name and Gender Change on Identification Documents - Driver's Licenses - Birth Certificates	☐ ☐
Health Data Collection - BRFSS - YRBS	☒ ☐
Gender Neutral Single Occupancy Restrooms	☐
Sodomy Laws	☐
HIV/AIDS Criminalization Laws	☒
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Transgender Exclusions in State Medicaid Coverage	☒

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HAWAII

BUILDING EQUALITY

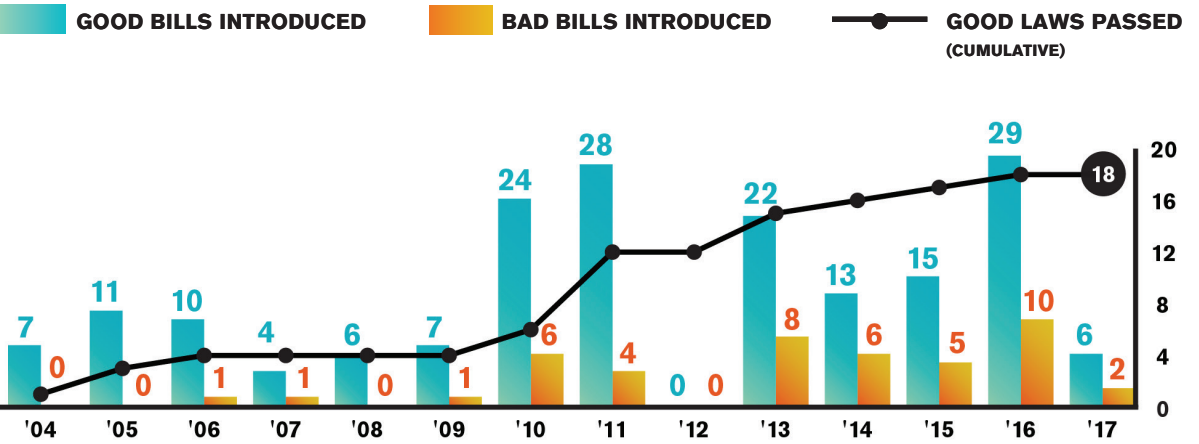
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Laws Permitting Discrimination in Adoption/Foster Placement	☐

RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	☐
Religious Exemptions for Professional Training/Practice	☐
First Amendment Defense Act	☐

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NON-DISCRIMINATION LAWS

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Housing	☒
Public Accommodations	☒
Education	☐
Adoption	☐
Foster Care	☐
Insurance	☐
Credit	☐
Jury Selection	☐
Colleges & Universities	☒
Non-Discrimination Policy for State Employees	☒
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

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Elimination of Bias Rage or Panic Defense for Criminal Acts	☐

YOUTH LAWS

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LGBTQ Inclusive Juvenile Justice Policies	☒
Inequality in Age of Consent for Same-Sex Couples	☐
School Laws that Criminalize Youth	☒
Anti-Bullying Laws that Prohibit Enumeration	☐
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Name and Gender Change on Identification Documents - Driver's Licenses - Birth Certificates	☒ ☒
Health Data Collection - BRFSS - YRBS	☒ ☐
Gender Neutral Single Occupancy Restrooms	☐
Sodomy Laws	☐
HIV/AIDS Criminalization Laws	☐
Laws Prohibiting Transgender People from Receiving Appropriate ID	☐
Transgender Exclusions in State Medicaid Coverage	☒

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IDAHO

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

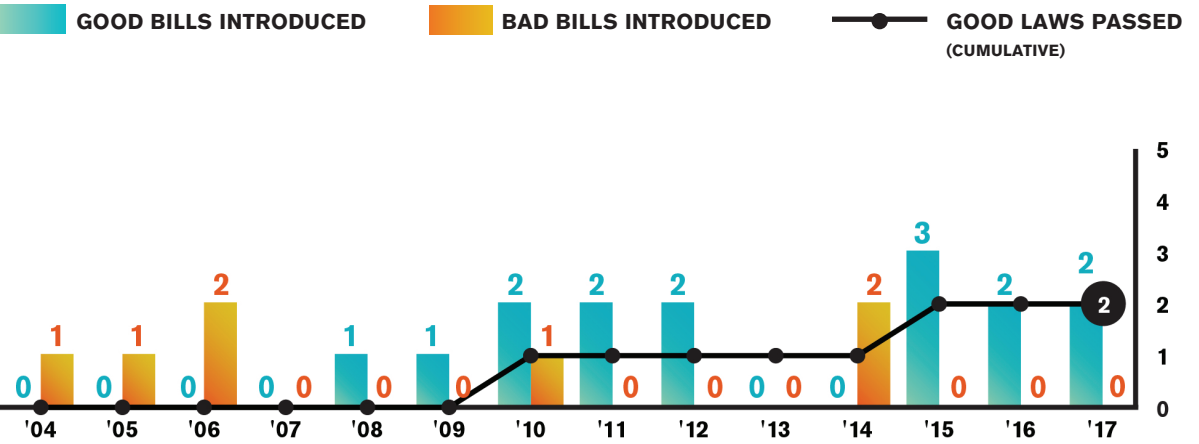
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Not Applicable
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ILLINOIS
WORKING TOWARD INNOVATIVE EQUALITY

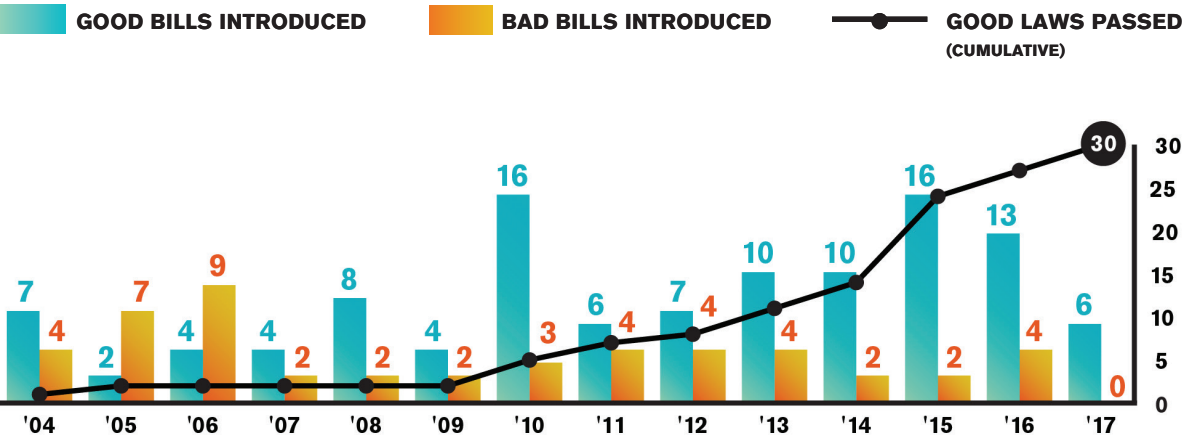
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INDIANA

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

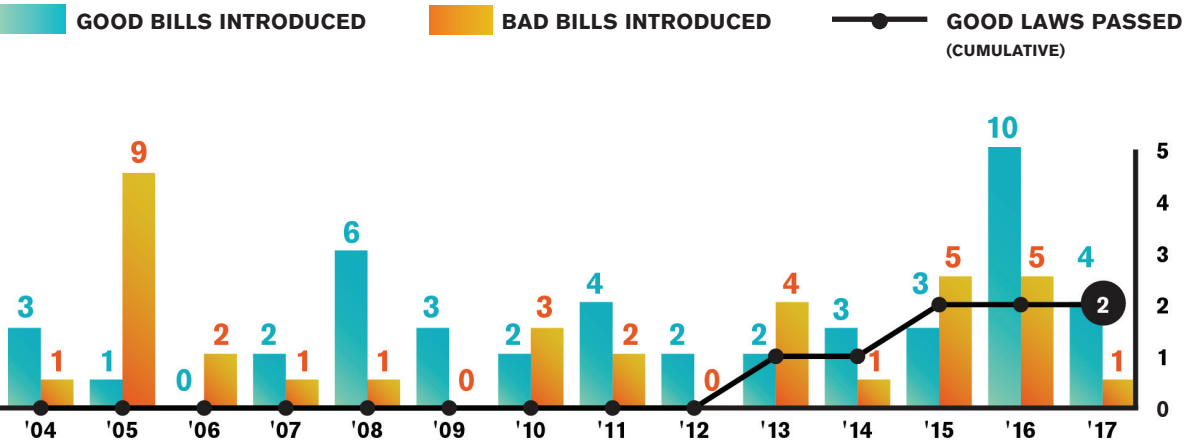
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RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

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First Amendment Defense Act	☐

ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☐
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Public Accommodations	☐
Education	☐
Adoption	☐
Foster Care	☒
Insurance	☐
Credit	☐
Jury Selection	☐
Colleges & Universities	☒
Non-Discrimination Policy for State Employees	☒
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

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IOWA
SOLIDIFYING EQUALITY

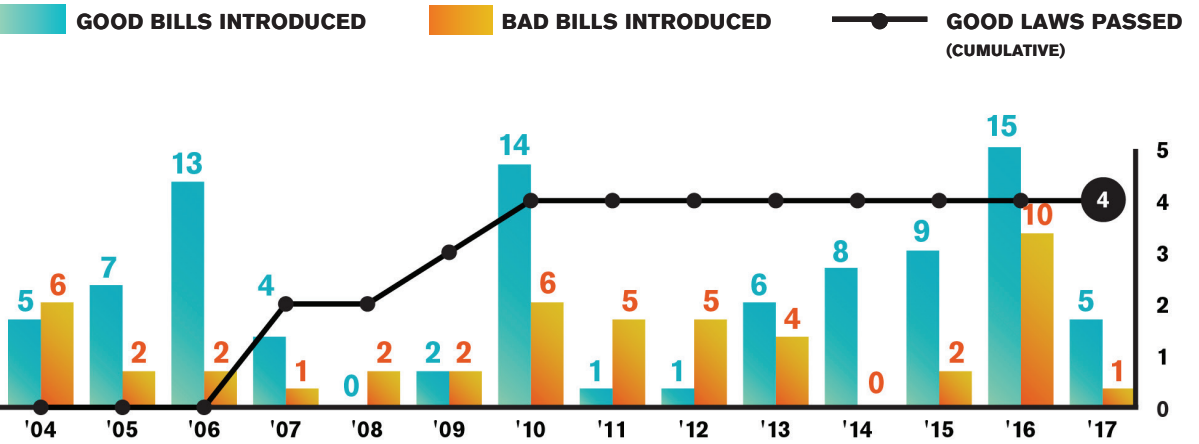
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NON-DISCRIMINATION LAWS

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KANSAS

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

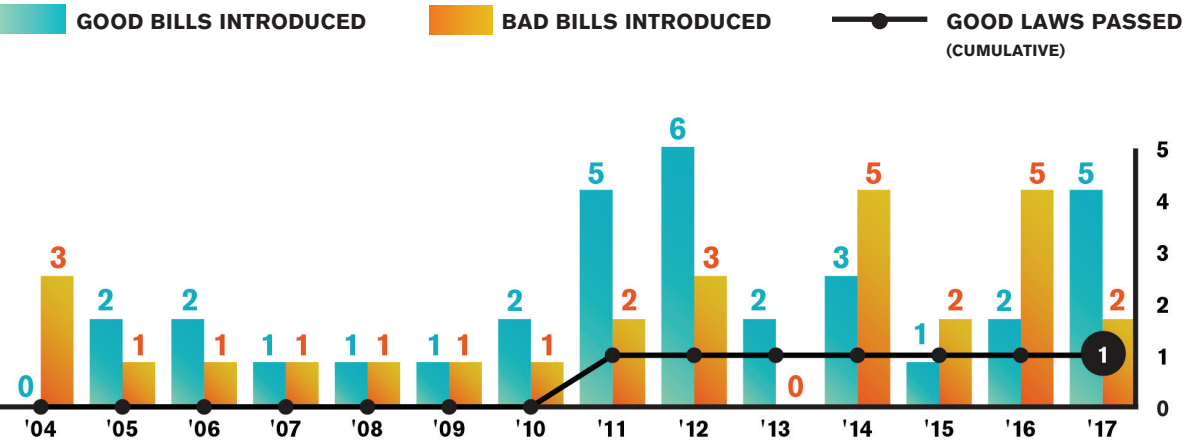
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Foster Care Non-Discrimination	☐
Foster Parent Training Required	☐
Parental Presumption for Same-Sex Couples	☐
Consent to Inseminate	☐
De Facto Parent Recognition	☒
Prohibition of Surrogacy	☐
Laws Permitting Discrimination in Adoption/Foster Placement	☐

RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	☒
Religious Exemptions for Professional Training/Practice	☐
First Amendment Defense Act	☐

ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☐
Housing	☐
Public Accommodations	☐
Education	☐
Adoption	☐
Foster Care	☐
Insurance	☐
Credit	☐
Jury Selection	☐
Colleges & Universities	☒
Non-Discrimination Policy for State Employees	☐
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

LGBTQ Protections	☒
Required Reporting	☐
Elimination of Bias Rage or Panic Defense for Criminal Acts	☐

YOUTH LAWS

Anti-Bullying Laws - Enumerated Categories in Law - Enumerated Model Policy - Alternative Discipline - Cyberbullying	☐ ☐ ☐ ☒
School Suicide Prevention Policies Required	☐
Transgender Inclusion in Sports	☐
Protection from Conversion Therapy	☐
Laws to Address LGBTQ Youth Homelessness	☐
LGBTQ Inclusive Sex Education Laws	☐
LGBTQ Inclusive Juvenile Justice Policies	☐
Inequality in Age of Consent for Same-Sex Couples	☒
School Laws that Criminalize Youth	☐
Anti-Bullying Laws that Prohibit Enumeration	☐
Laws that Restrict Inclusion of LGBTQ Topics in Schools	☐

HEALTH & SAFETY LAWS

LGBTQ Non-Discrimination Protections in ACA Exchanges	☐
Transgender Healthcare Coverage - Ban on Insurance Exclusions for Trans Health Care - Transgender Healthcare Inclusion in State Medicaid - Trans Inclusive Health Benefits for State Employees	☐ ☐ ☐
Name and Gender Change on Identification Documents - Driver's Licenses - Birth Certificates	☒ ☐
Health Data Collection - BRFSS - YRBS	☐ ☐
Gender Neutral Single Occupancy Restrooms	☐
Sodomy Laws	☒
HIV/AIDS Criminalization Laws	☐
Laws Prohibiting Transgender People from Receiving Appropriate ID	☐
Transgender Exclusions in State Medicaid Coverage	☐

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KENTUCKY

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

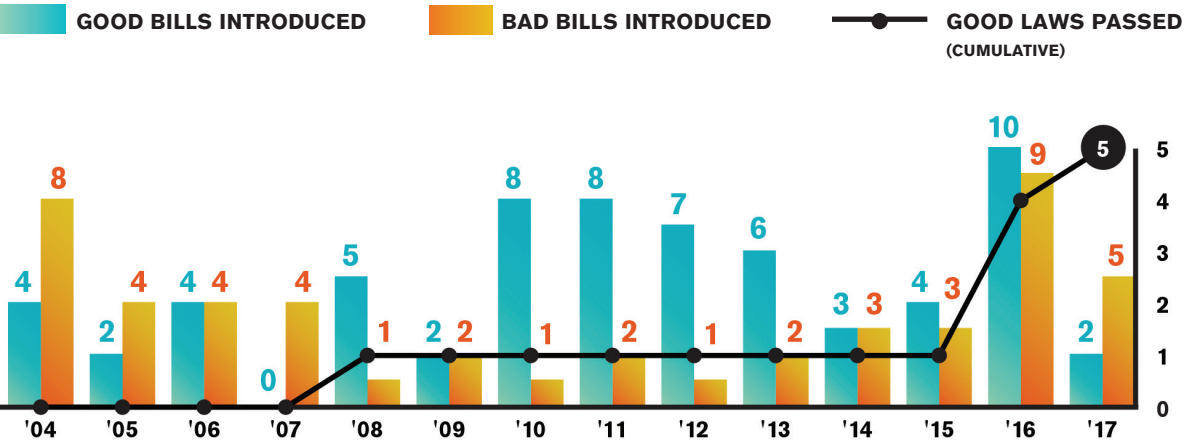
PARENTING LAWS

Second Parent Adoption	☐
Surrogacy Laws	☐
Foster Care Non-Discrimination	☐
Foster Parent Training Required	☐
Parental Presumption for Same-Sex Couples	☐
Consent to Inseminate	☐
De Facto Parent Recognition	☒
Prohibition of Surrogacy	☐
Laws Permitting Discrimination in Adoption/Foster Placement	☐

RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	☒
Religious Exemptions for Professional Training/Practice	☐
First Amendment Defense Act	☐

ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☐
Housing	☐
Public Accommodations	☐
Education	☐
Adoption	☐
Foster Care	☐
Insurance	☐
Credit	☐
Jury Selection	☐
Colleges & Universities	☐
Non-Discrimination Policy for State Employees	☒
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

LGBTQ Protections	☒
Required Reporting	☐
Elimination of Bias Rage or Panic Defense for Criminal Acts	☐

YOUTH LAWS

Anti-Bullying Laws - Enumerated Categories in Law - Enumerated Model Policy - Alternative Discipline - Cyberbullying	☐ ☐ ☐ ☒
School Suicide Prevention Policies Required	☐
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LGBTQ Inclusive Juvenile Justice Policies	☒
Inequality in Age of Consent for Same-Sex Couples	☐
School Laws that Criminalize Youth	☒
Anti-Bullying Laws that Prohibit Enumeration	☐
Laws that Restrict Inclusion of LGBTQ Topics in Schools	☐

HEALTH & SAFETY LAWS

LGBTQ Non-Discrimination Protections in ACA Exchanges	☐
Transgender Healthcare Coverage - Ban on Insurance Exclusions for Trans Health Care - Transgender Healthcare Inclusion in State Medicaid - Trans Inclusive Health Benefits for State Employees	☐ ☐ ☐
Name and Gender Change on Identification Documents - Driver's Licenses - Birth Certificates	☐ ☐
Health Data Collection - BRFSS - YRBS	☐ ☒
Gender Neutral Single Occupancy Restrooms	☐
Sodomy Laws	☐
HIV/AIDS Criminalization Laws	☐
Laws Prohibiting Transgender People from Receiving Appropriate ID	☐
Transgender Exclusions in State Medicaid Coverage	☐

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LOUISIANA

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

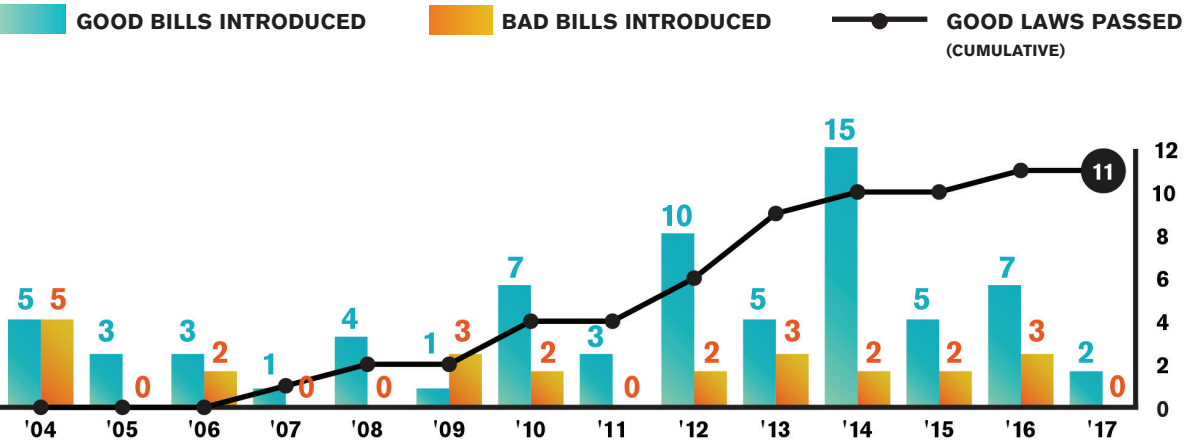
PARENTING LAWS

Second Parent Adoption	☐
Surrogacy Laws	☐
Foster Care Non-Discrimination	☐
Foster Parent Training Required	☐
Parental Presumption for Same-Sex Couples	☐
Consent to Inseminate	☐
De Facto Parent Recognition	☐
Prohibition of Surrogacy	☒
Laws Permitting Discrimination in Adoption/Foster Placement	☐

RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	☒
Religious Exemptions for Professional Training/Practice	☐
First Amendment Defense Act	☐

ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☐
Housing	☐
Public Accommodations	☐
Education	☐
Adoption	☐
Foster Care	☐
Insurance	☐
Credit	☐
Jury Selection	☐
Colleges & Universities	☐
Non-Discrimination Policy for State Employees	☐
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

LGBTQ Protections	☒
Required Reporting	☒
Elimination of Bias Rage or Panic Defense for Criminal Acts	☐

YOUTH LAWS

Anti-Bullying Laws - Enumerated Categories in Law - Enumerated Model Policy - Alternative Discipline - Cyberbullying	☐ ☐ ☐ ☒
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Inequality in Age of Consent for Same-Sex Couples	☐
School Laws that Criminalize Youth	☒
Anti-Bullying Laws that Prohibit Enumeration	☐
Laws that Restrict Inclusion of LGBTQ Topics in Schools	☒

HEALTH & SAFETY LAWS

LGBTQ Non-Discrimination Protections in ACA Exchanges	☐
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Name and Gender Change on Identification Documents - Driver's Licenses - Birth Certificates	☐ ☐
Health Data Collection - BRFSS - YRBS	☒ ☐
Gender Neutral Single Occupancy Restrooms	☐
Sodomy Laws	☒
HIV/AIDS Criminalization Laws	☒
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- ☒ Not Applicable

MAINE

WORKING TOWARD INNOVATIVE EQUALITY

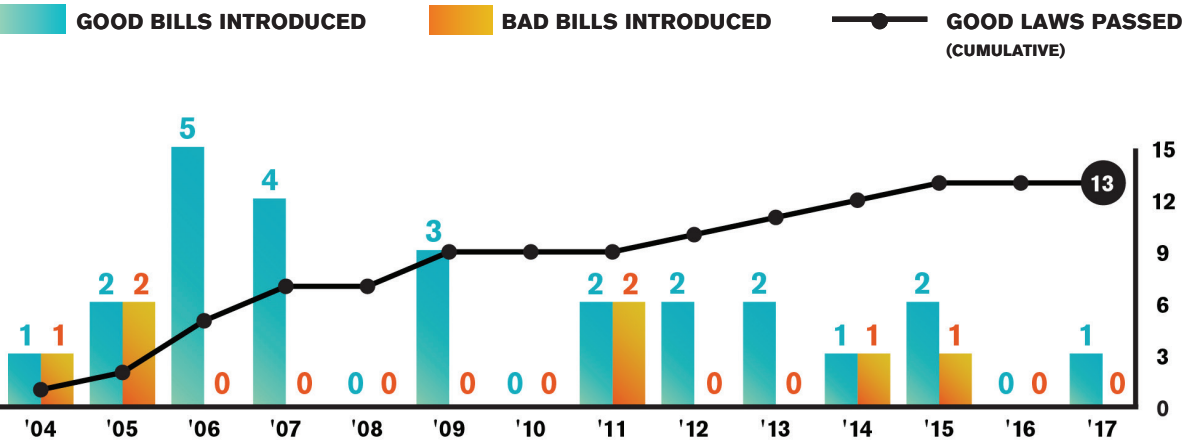
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- ☐

No statewide law or policy
- ☐

Statewide law or policy present
- ☒

Not Applicable
- ☐

Statewide law or policy for sexual orientation only
- ☐

Statewide law or policy for gender identity only
- ☐

No statewide law or policy for sexual orientation or gender identity
- ☐

Statewide law or policy for both sexual orientation and gender identity

MARYLAND
SOLIDIFYING EQUALITY

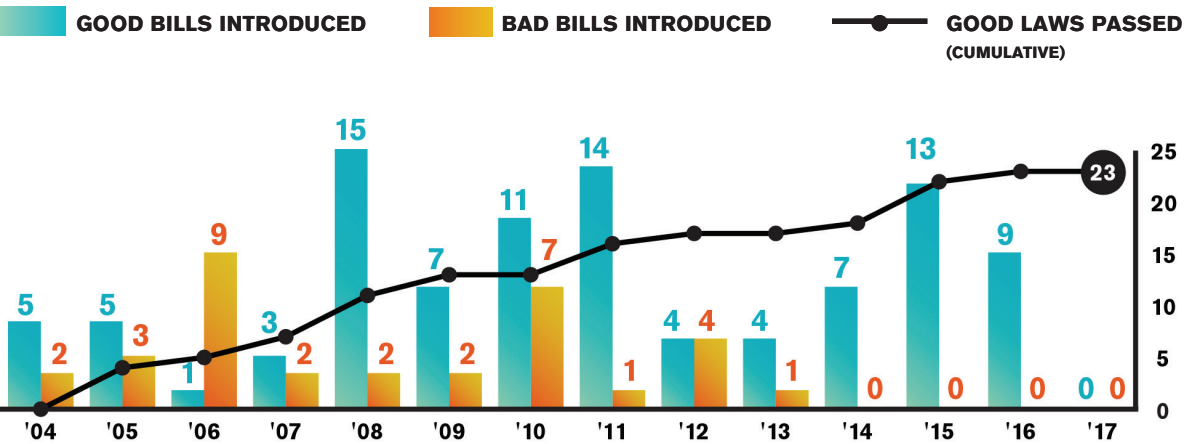
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Jury Selection	
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▪ Cyberbullying	
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LGBTQ Non-Discrimination Protections in ACA Exchanges	
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▪ Ban on Insurance Exclusions for Trans Health Care	
▪ Transgender Healthcare Inclusion in State Medicaid	
▪ Trans Inclusive Health Benefits for State Employees	
Name and Gender Change on Identification Documents	
▪ Driver's Licenses	
▪ Birth Certificates	
Health Data Collection	
▪ BRFSS	
▪ YRBS	
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Sodomy Laws	
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Statewide law or policy present

Not Applicable
- Statewide law or policy for sexual orientation only

Statewide law or policy for gender identity only
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MASSACHUSETTS

WORKING TOWARD INNOVATIVE EQUALITY

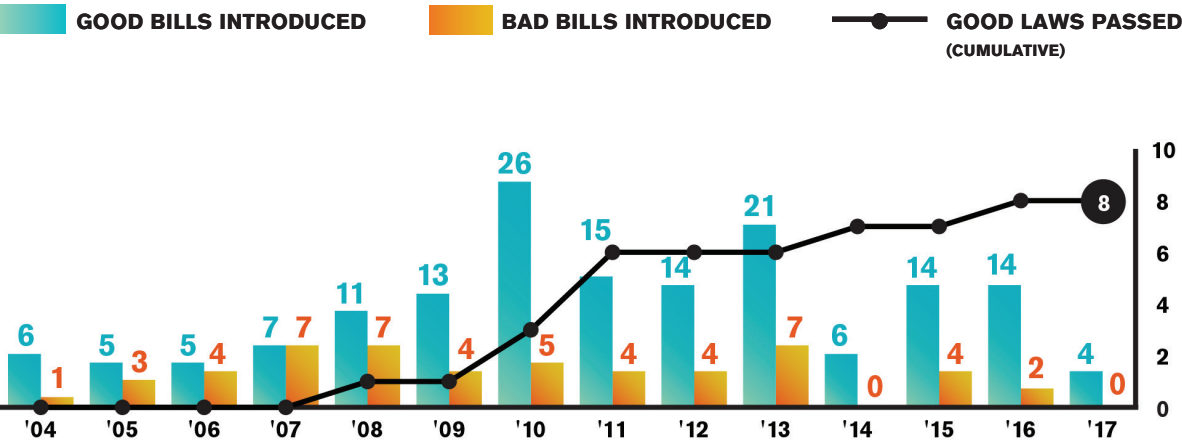
PARENTING LAWS

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RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	
Religious Exemptions for Professional Training/Practice	
First Amendment Defense Act	

ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

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Housing	
Public Accommodations	
Education	
Adoption	
Foster Care	
Insurance	
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Jury Selection	
Colleges & Universities	
Non-Discrimination Policy for State Employees	
Restrictions on Municipal Protections	

HATE CRIME LAWS

LGBTQ Protections	
Required Reporting	
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YOUTH LAWS

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HEALTH & SAFETY LAWS

LGBTQ Non-Discrimination Protections in ACA Exchanges	
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Not Applicable
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MICHIGAN

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

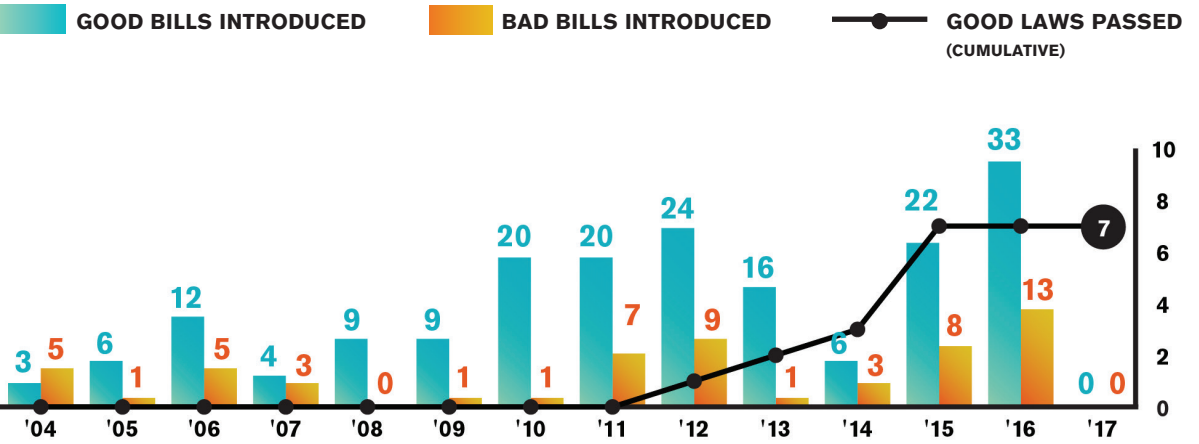
PARENTING LAWS

Second Parent Adoption	☐
Surrogacy Laws	☐
Foster Care Non-Discrimination	☐
Foster Parent Training Required	☐
Parental Presumption for Same-Sex Couples	☐
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Laws Permitting Discrimination in Adoption/Foster Placement	☒

RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	☐
Religious Exemptions for Professional Training/Practice	☐
First Amendment Defense Act	☐

ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☐
Housing	☐
Public Accommodations	☐
Education	☐
Adoption	☐
Foster Care	☐
Insurance	☐
Credit	☐
Jury Selection	☐
Colleges & Universities	☐
Non-Discrimination Policy for State Employees	☒
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

LGBTQ Protections	☐
Required Reporting	☒
Elimination of Bias Rage or Panic Defense for Criminal Acts	☐

YOUTH LAWS

Anti-Bullying Laws - Enumerated Categories in Law - Enumerated Model Policy - Alternative Discipline - Cyberbullying	☐ ☒ ☐ ☒
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School Laws that Criminalize Youth	☐
Anti-Bullying Laws that Prohibit Enumeration	☐
Laws that Restrict Inclusion of LGBTQ Topics in Schools	☐

HEALTH & SAFETY LAWS

LGBTQ Non-Discrimination Protections in ACA Exchanges	☐
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Health Data Collection - BRFSS - YRBS	☐ ☒
Gender Neutral Single Occupancy Restrooms	☐
Sodomy Laws	☒
HIV/AIDS Criminalization Laws	☒
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MINNESOTA

WORKING TOWARD INNOVATIVE EQUALITY

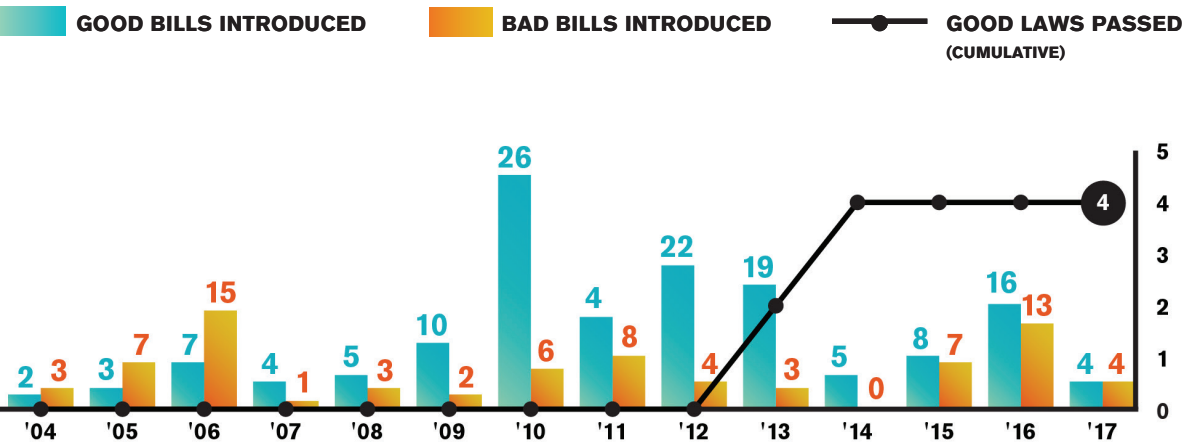
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Second Parent Adoption	☐
Surrogacy Laws	☐
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Parental Presumption for Same-Sex Couples	☒
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Laws Permitting Discrimination in Adoption/Foster Placement	☐

RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	☐
Religious Exemptions for Professional Training/Practice	☐
First Amendment Defense Act	☐

ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☒
Housing	☒
Public Accommodations	☒
Education	☒
Adoption	☒
Foster Care	☒
Insurance	☒
Credit	☒
Jury Selection	☒
Colleges & Universities	☒
Non-Discrimination Policy for State Employees	☒
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

LGBTQ Protections	☒
Required Reporting	☒
Elimination of Bias Rage or Panic Defense for Criminal Acts	☐

YOUTH LAWS

Anti-Bullying Laws - Enumerated Categories in Law - Enumerated Model Policy - Alternative Discipline - Cyberbullying	☒ ☒ ☒ ☒
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HEALTH & SAFETY LAWS

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Health Data Collection - BRFSS - YRBS	☒ ☐
Gender Neutral Single Occupancy Restrooms	☐
Sodomy Laws	☐
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MISSISSIPPI

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

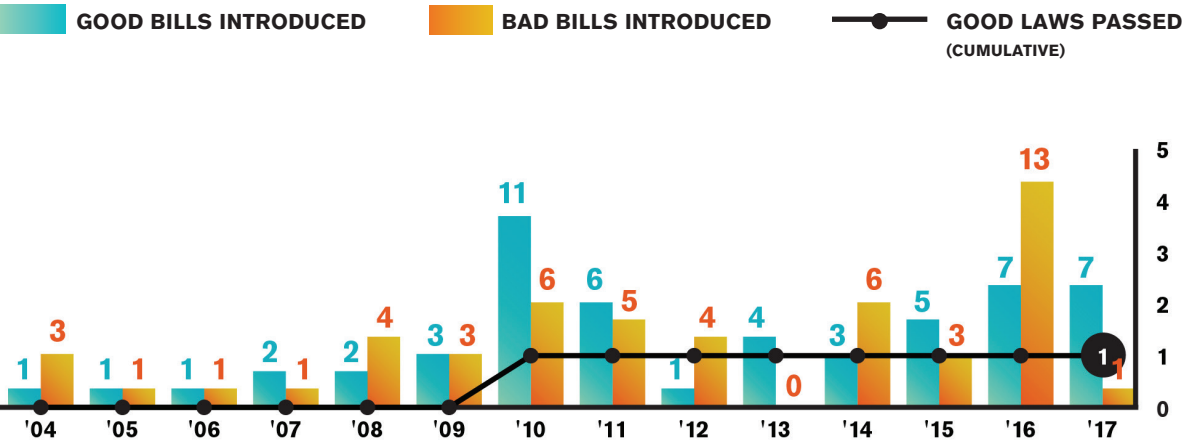
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RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

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Religious Exemptions for Professional Training/Practice	☒
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ANNUAL PROGRESS



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Employment	☐
Housing	☐
Public Accommodations	☐
Education	☐
Adoption	☐
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Jury Selection	☐
Colleges & Universities	☐
Non-Discrimination Policy for State Employees	☐
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

LGBTQ Protections	☐
Required Reporting	☐
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Gender Neutral Single Occupancy Restrooms	☐
Sodomy Laws	☒
HIV/AIDS Criminalization Laws	☒
Laws Prohibiting Transgender People from Receiving Appropriate ID	☐
Transgender Exclusions in State Medicaid Coverage	☐

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MISSOURI

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

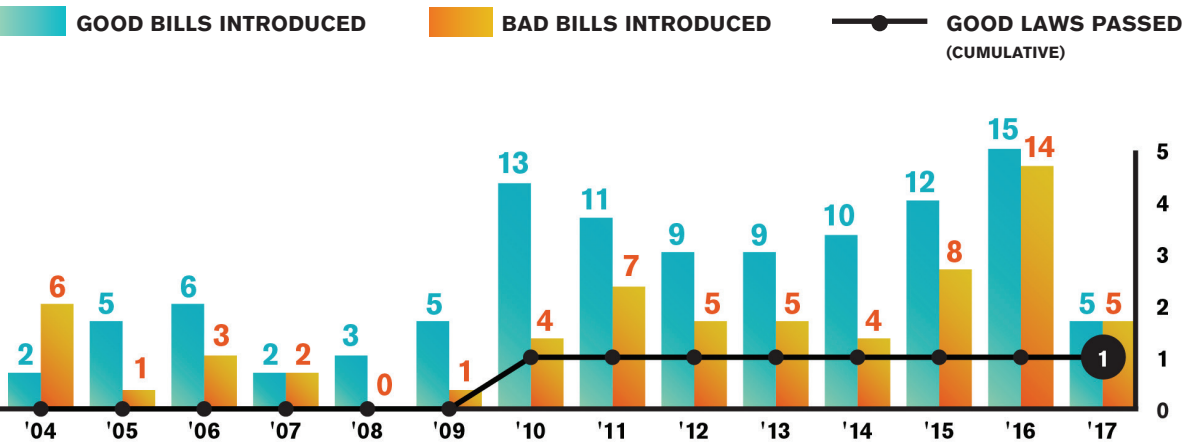
PARENTING LAWS

Second Parent Adoption	☐
Surrogacy Laws	☐
Foster Care Non-Discrimination	☐
Foster Parent Training Required	☐
Parental Presumption for Same-Sex Couples	☐
Consent to Inseminate	☐
De Facto Parent Recognition	☐
Prohibition of Surrogacy	☐
Laws Permitting Discrimination in Adoption/Foster Placement	☐

RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	☒
Religious Exemptions for Professional Training/Practice	☐
First Amendment Defense Act	☐

ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☐
Housing	☐
Public Accommodations	☐
Education	☐
Adoption	☐
Foster Care	☐
Insurance	☐
Credit	☐
Jury Selection	☐
Colleges & Universities	☒
Non-Discrimination Policy for State Employees	☒
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

LGBTQ Protections	☒
Required Reporting	☐
Elimination of Bias Rage or Panic Defense for Criminal Acts	☐

YOUTH LAWS

Anti-Bullying Laws	☐
▪ Enumerated Categories in Law	☐
▪ Enumerated Model Policy	☐
▪ Alternative Discipline	☐
▪ Cyberbullying	☒
School Suicide Prevention Policies Required	☐
Transgender Inclusion in Sports	☐
Protection from Conversion Therapy	☐
Laws to Address LGBTQ Youth Homelessness	☐
LGBTQ Inclusive Sex Education Laws	☐
LGBTQ Inclusive Juvenile Justice Policies	☐
Inequality in Age of Consent for Same-Sex Couples	☐
School Laws that Criminalize Youth	☒
Anti-Bullying Laws that Prohibit Enumeration	☒
Laws that Restrict Inclusion of LGBTQ Topics in Schools	☐

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LGBTQ Non-Discrimination Protections in ACA Exchanges	☐
Transgender Healthcare Coverage	☐
▪ Ban on Insurance Exclusions for Trans Health Care	☐
▪ Transgender Healthcare Inclusion in State Medicaid	☐
▪ Trans Inclusive Health Benefits for State Employees	☐
Name and Gender Change on Identification Documents	☐
▪ Driver's Licenses	☒
▪ Birth Certificates	☐
Health Data Collection	☐
▪ BRFSS	☐
▪ YRBS	☐
Gender Neutral Single Occupancy Restrooms	☐
Sodomy Laws	☐
HIV/AIDS Criminalization Laws	☒
Laws Prohibiting Transgender People from Receiving Appropriate ID	☐
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MONTANA

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

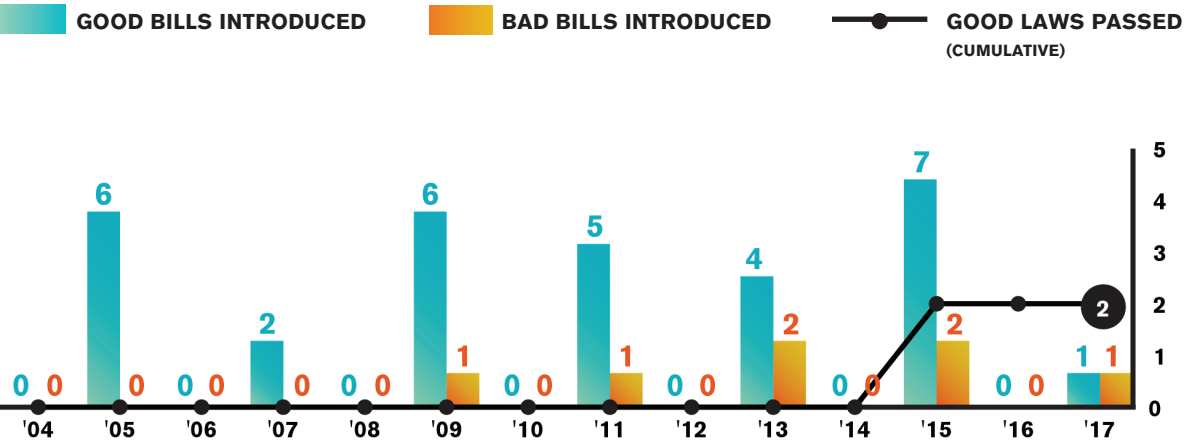
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Second Parent Adoption	
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Foster Parent Training Required	
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Consent to Inseminate	
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Religious Exemptions for Professional Training/Practice	
First Amendment Defense Act	

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NEBRASKA

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

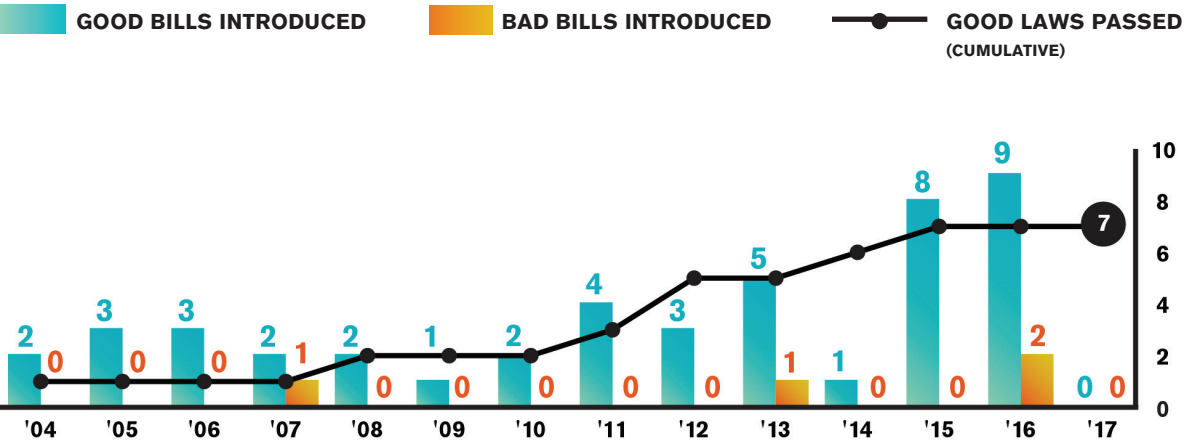
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Second Parent Adoption	☐
Surrogacy Laws	☐
Foster Care Non-Discrimination	☐
Foster Parent Training Required	☐
Parental Presumption for Same-Sex Couples	☐
Consent to Inseminate	☐
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Prohibition of Surrogacy	☐
Laws Permitting Discrimination in Adoption/Foster Placement	☐

RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	☐
Religious Exemptions for Professional Training/Practice	☐
First Amendment Defense Act	☐

ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☐
Housing	☐
Public Accommodations	☐
Education	☐
Adoption	☐
Foster Care	☐
Insurance	☐
Credit	☐
Jury Selection	☐
Colleges & Universities	☒
Non-Discrimination Policy for State Employees	☐
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

LGBTQ Protections	☒
Required Reporting	☒
Elimination of Bias Rage or Panic Defense for Criminal Acts	☐

YOUTH LAWS

Anti-Bullying Laws - Enumerated Categories in Law - Enumerated Model Policy - Alternative Discipline - Cyberbullying	☐ ☐ ☐ ☒
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Inequality in Age of Consent for Same-Sex Couples	☐
School Laws that Criminalize Youth	☒
Anti-Bullying Laws that Prohibit Enumeration	☐
Laws that Restrict Inclusion of LGBTQ Topics in Schools	☐

HEALTH & SAFETY LAWS

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Name and Gender Change on Identification Documents - Driver's Licenses - Birth Certificates	☐ ☐
Health Data Collection - BRFSS - YRBS	☐ ☐
Gender Neutral Single Occupancy Restrooms	☐
Sodomy Laws	☐
HIV/AIDS Criminalization Laws	☒
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Transgender Exclusions in State Medicaid Coverage	☒

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NEVADA

WORKING TOWARD INNOVATIVE EQUALITY

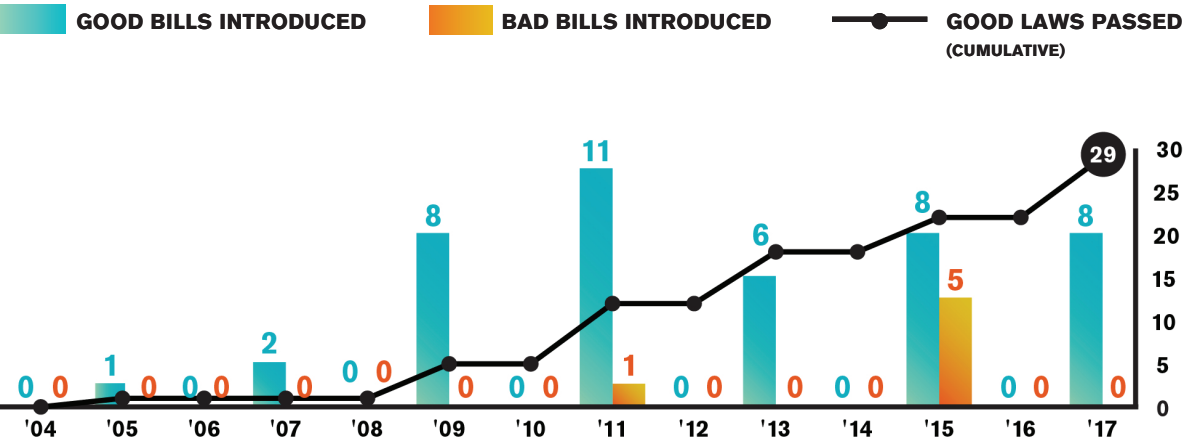
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RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

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Religious Exemptions for Professional Training/Practice	
First Amendment Defense Act	

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Education	
Adoption	
Foster Care	
Insurance	
Credit	
Jury Selection	
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Restrictions on Municipal Protections	

HATE CRIME LAWS

LGBTQ Protections	
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Statewide law or policy present

Not Applicable
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NEW HAMPSHIRE

BUILDING EQUALITY

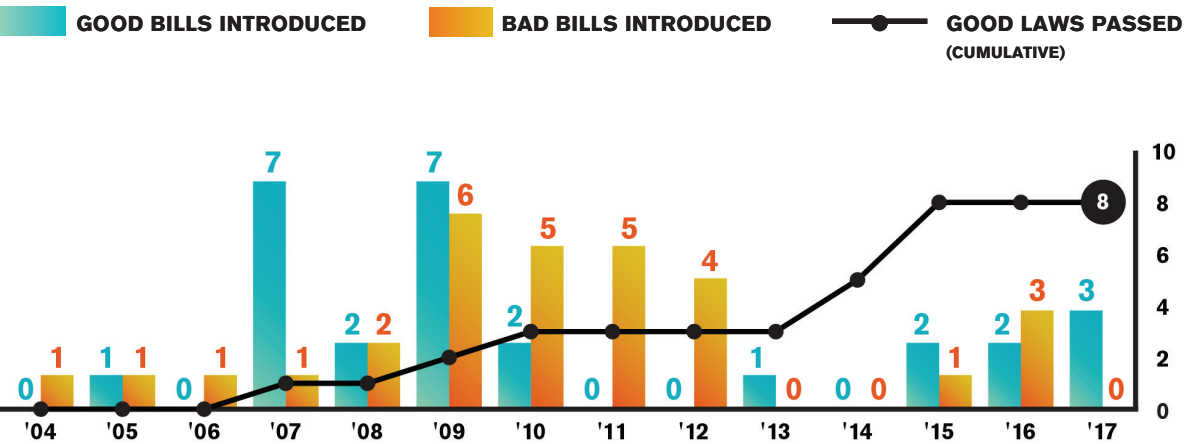
PARENTING LAWS

Second Parent Adoption	☐
Surrogacy Laws	☒
Foster Care Non-Discrimination	☒
Foster Parent Training Required	☐
Parental Presumption for Same-Sex Couples	☒
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Prohibition of Surrogacy	☐
Laws Permitting Discrimination in Adoption/Foster Placement	☐

RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	☐
Religious Exemptions for Professional Training/Practice	☐
First Amendment Defense Act	☐

ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☒
Housing	☒
Public Accommodations	☒
Education	☐
Adoption	☐
Foster Care	☐
Insurance	☐
Credit	☐
Jury Selection	☐
Colleges & Universities	☒
Non-Discrimination Policy for State Employees	☒
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

LGBTQ Protections	☒
Required Reporting	☐
Elimination of Bias Rage or Panic Defense for Criminal Acts	☐

YOUTH LAWS

Anti-Bullying Laws - Enumerated Categories in Law - Enumerated Model Policy - Alternative Discipline - Cyberbullying	☒ ☒ ☒ ☒
School Suicide Prevention Policies Required	☐
Transgender Inclusion in Sports	☐
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Laws to Address LGBTQ Youth Homelessness	☐
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LGBTQ Inclusive Juvenile Justice Policies	☐
Inequality in Age of Consent for Same-Sex Couples	☐
School Laws that Criminalize Youth	☐
Anti-Bullying Laws that Prohibit Enumeration	☐
Laws that Restrict Inclusion of LGBTQ Topics in Schools	☐

HEALTH & SAFETY LAWS

LGBTQ Non-Discrimination Protections in ACA Exchanges	☐
Transgender Healthcare Coverage - Ban on Insurance Exclusions for Trans Health Care - Transgender Healthcare Inclusion in State Medicaid - Trans Inclusive Health Benefits for State Employees	☐ ☐ ☐
Name and Gender Change on Identification Documents - Driver's Licenses - Birth Certificates	☒ ☐
Health Data Collection - BRFSS - YRBS	☐ ☐
Gender Neutral Single Occupancy Restrooms	☐
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NEW JERSEY

SOLIDIFYING EQUALITY

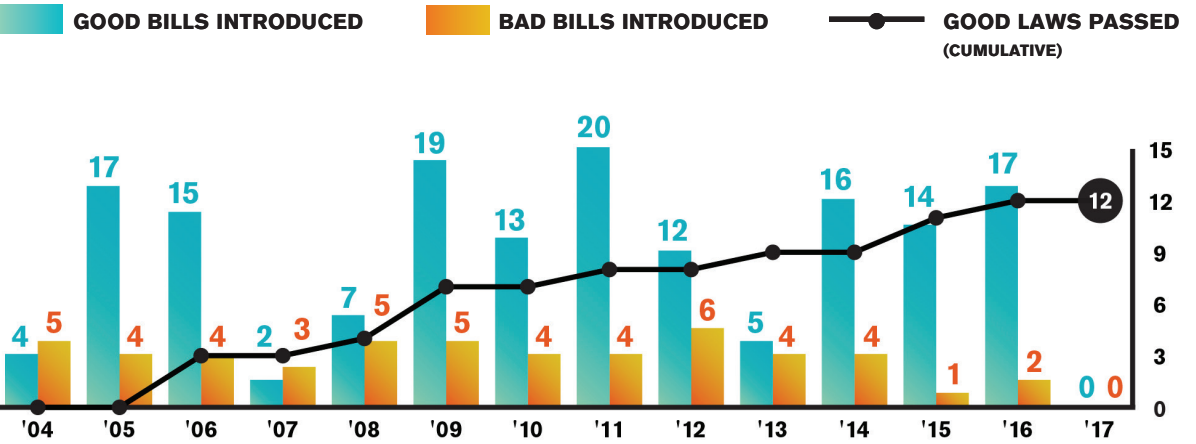
PARENTING LAWS

Second Parent Adoption	
Surrogacy Laws	
Foster Care Non-Discrimination	
Foster Parent Training Required	
Parental Presumption for Same-Sex Couples	
Consent to Inseminate	
De Facto Parent Recognition	
Prohibition of Surrogacy	
Laws Permitting Discrimination in Adoption/Foster Placement	

RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

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Anti-Bullying Laws - Enumerated Categories in Law - Enumerated Model Policy - Alternative Discipline - Cyberbullying	
School Suicide Prevention Policies Required	
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Laws that Restrict Inclusion of LGBTQ Topics in Schools	

HEALTH & SAFETY LAWS

LGBTQ Non-Discrimination Protections in ACA Exchanges	
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NEW MEXICO

SOLIDIFYING EQUALITY

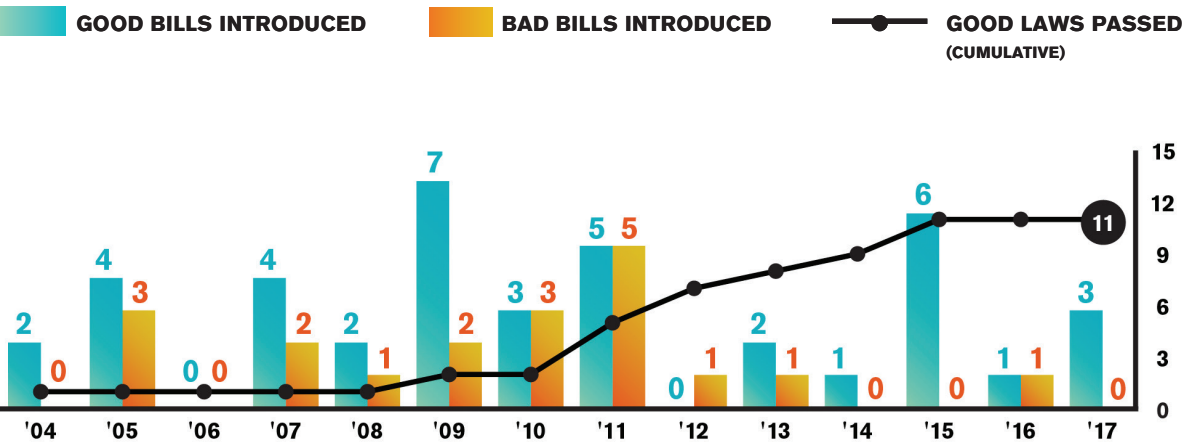
PARENTING LAWS

Second Parent Adoption	☐
Surrogacy Laws	☐
Foster Care Non-Discrimination	☒
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Consent to Inseminate	☒
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RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

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Employment	☒
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School Laws that Criminalize Youth	☐
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Laws that Restrict Inclusion of LGBTQ Topics in Schools	☐

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NEW YORK

WORKING TOWARD INNOVATIVE EQUALITY

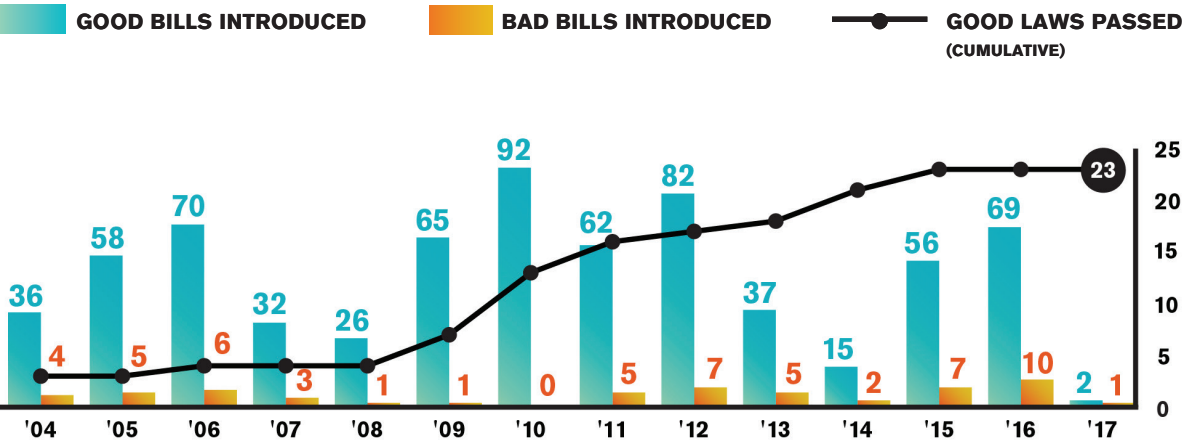
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NORTH CAROLINA

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

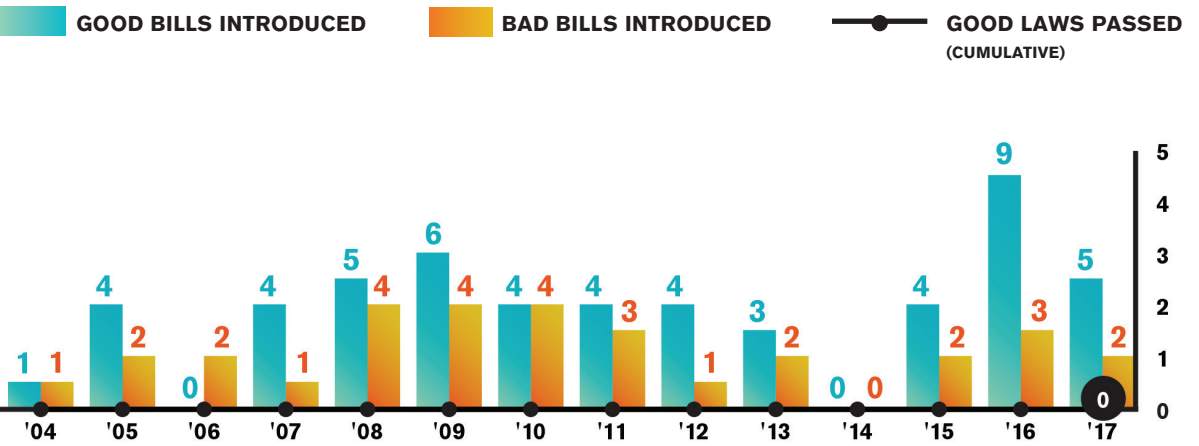
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First Amendment Defense Act	☐

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Restrictions on Municipal Protections	☒

HATE CRIME LAWS

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School Laws that Criminalize Youth	☒
Anti-Bullying Laws that Prohibit Enumeration	☐
Laws that Restrict Inclusion of LGBTQ Topics in Schools	☐

HEALTH & SAFETY LAWS

LGBTQ Non-Discrimination Protections in ACA Exchanges	☐
Transgender Healthcare Coverage - Ban on Insurance Exclusions for Trans Health Care - Transgender Healthcare Inclusion in State Medicaid - Trans Inclusive Health Benefits for State Employees	☐ ☐ ☒
Name and Gender Change on Identification Documents - Driver's Licenses - Birth Certificates	☐ ☐
Health Data Collection - BRFSS - YRBS	☒ ☒
Gender Neutral Single Occupancy Restrooms	☐
Sodomy Laws	☒
HIV/AIDS Criminalization Laws	☒
Laws Prohibiting Transgender People from Receiving Appropriate ID	☐
Transgender Exclusions in State Medicaid Coverage	☐

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NORTH DAKOTA

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

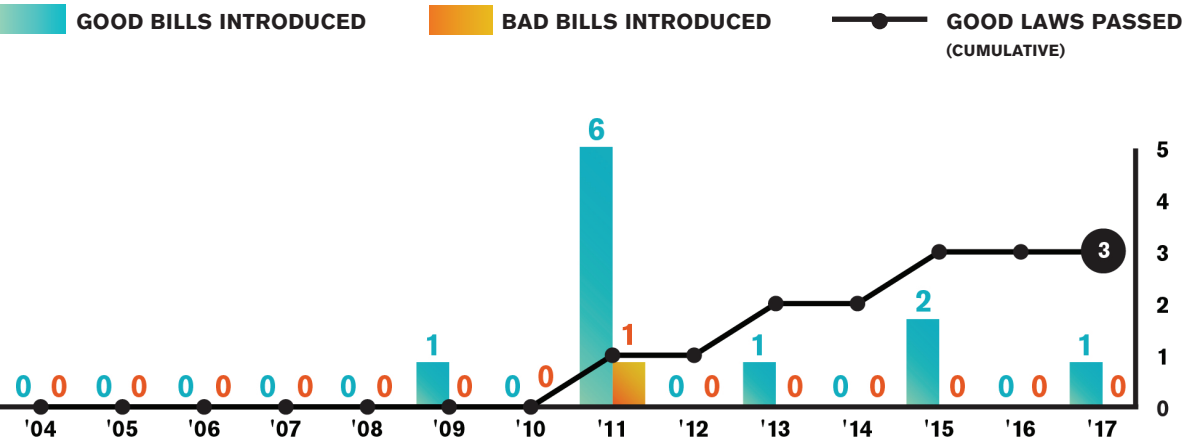
PARENTING LAWS

Second Parent Adoption	☐
Surrogacy Laws	☒
Foster Care Non-Discrimination	☐
Foster Parent Training Required	☐
Parental Presumption for Same-Sex Couples	☐
Consent to Inseminate	☐
De Facto Parent Recognition	☐
Prohibition of Surrogacy	☐
Laws Permitting Discrimination in Adoption/Foster Placement	☒

RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	☐
Religious Exemptions for Professional Training/Practice	☐
First Amendment Defense Act	☐

ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☐
Housing	☐
Public Accommodations	☐
Education	☐
Adoption	☐
Foster Care	☒
Insurance	☐
Credit	☐
Jury Selection	☐
Colleges & Universities	☒
Non-Discrimination Policy for State Employees	☐
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

LGBTQ Protections	☐
Required Reporting	☐
Elimination of Bias Rage or Panic Defense for Criminal Acts	☐

YOUTH LAWS

Anti-Bullying Laws - Enumerated Categories in Law - Enumerated Model Policy - Alternative Discipline - Cyberbullying	☐ ☐ ☐ ☒
School Suicide Prevention Policies Required	☐
Transgender Inclusion in Sports	☐
Protection from Conversion Therapy	☐
Laws to Address LGBTQ Youth Homelessness	☐
LGBTQ Inclusive Sex Education Laws	☐
LGBTQ Inclusive Juvenile Justice Policies	☐
Inequality in Age of Consent for Same-Sex Couples	☐
School Laws that Criminalize Youth	☒
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Laws that Restrict Inclusion of LGBTQ Topics in Schools	☐

HEALTH & SAFETY LAWS

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Health Data Collection - BRFSS - YRBS	☐ ☒
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Sodomy Laws	☐
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OHIO

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

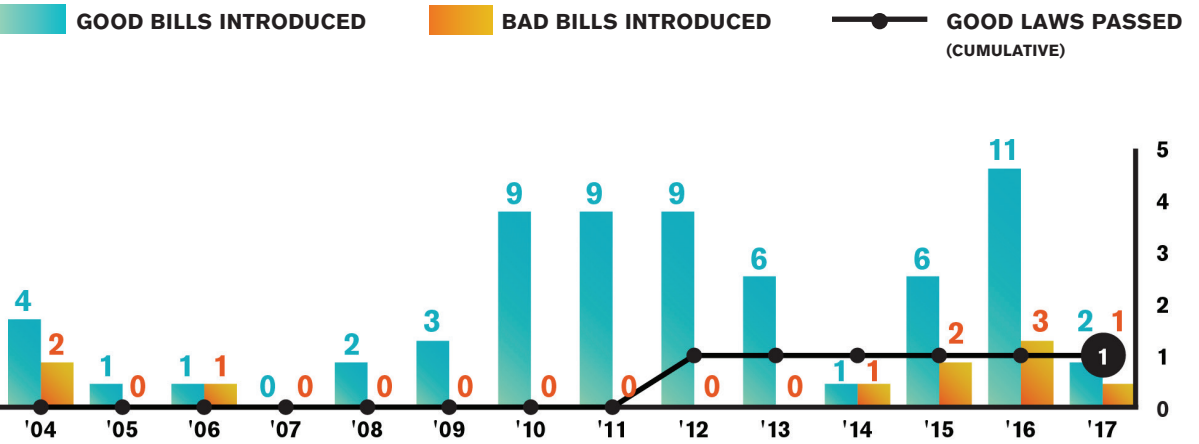
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Foster Care Non-Discrimination	☒
Foster Parent Training Required	☐
Parental Presumption for Same-Sex Couples	☐
Consent to Inseminate	☐
De Facto Parent Recognition	☐
Prohibition of Surrogacy	☐
Laws Permitting Discrimination in Adoption/Foster Placement	☐

RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	☐
Religious Exemptions for Professional Training/Practice	☐
First Amendment Defense Act	☐

ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☐
Housing	☐
Public Accommodations	☐
Education	☐
Adoption	☐
Foster Care	☐
Insurance	☐
Credit	☐
Jury Selection	☐
Colleges & Universities	☐
Non-Discrimination Policy for State Employees	☒
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

LGBTQ Protections	☐
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Health Data Collection - BRFSS - YRBS	☒ ☐
Gender Neutral Single Occupancy Restrooms	☐
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OKLAHOMA

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

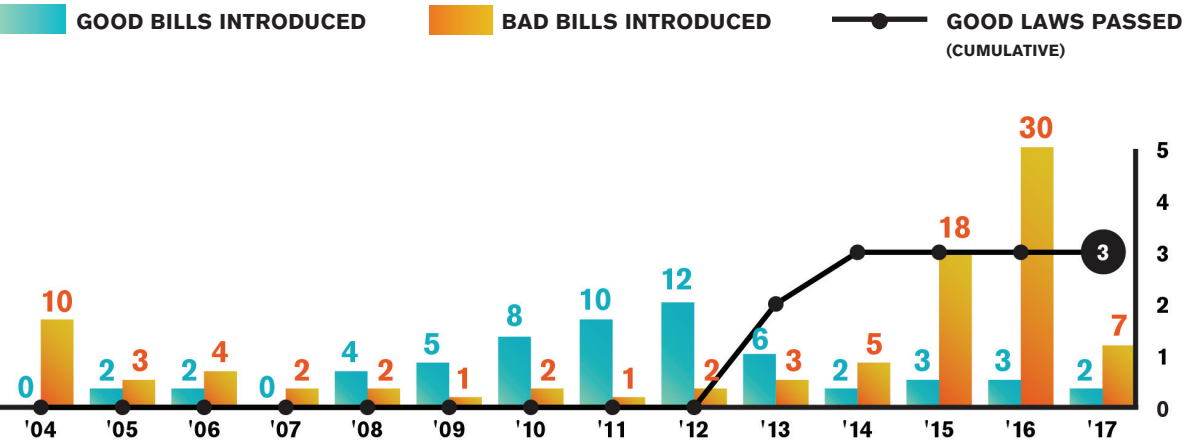
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Laws Permitting Discrimination in Adoption/Foster Placement	☐

RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	☒
Religious Exemptions for Professional Training/Practice	☐
First Amendment Defense Act	☐

ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☐
Housing	☐
Public Accommodations	☐
Education	☐
Adoption	☐
Foster Care	☐
Insurance	☐
Credit	☐
Jury Selection	☐
Colleges & Universities	☐
Non-Discrimination Policy for State Employees	☐
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

LGBTQ Protections	☐
Required Reporting	☐
Elimination of Bias Rage or Panic Defense for Criminal Acts	☐

YOUTH LAWS

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OREGON
WORKING TOWARD INNOVATIVE EQUALITY

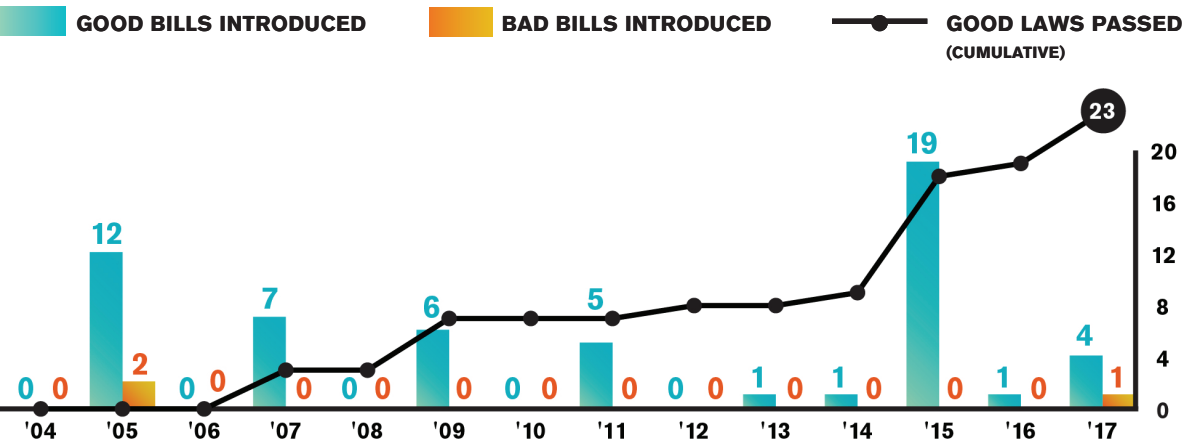
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AND RELIGIOUS REFUSAL LAWS

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Religious Exemptions for Professional Training/Practice	
First Amendment Defense Act	

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Insurance	
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PENNSYLVANIA

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

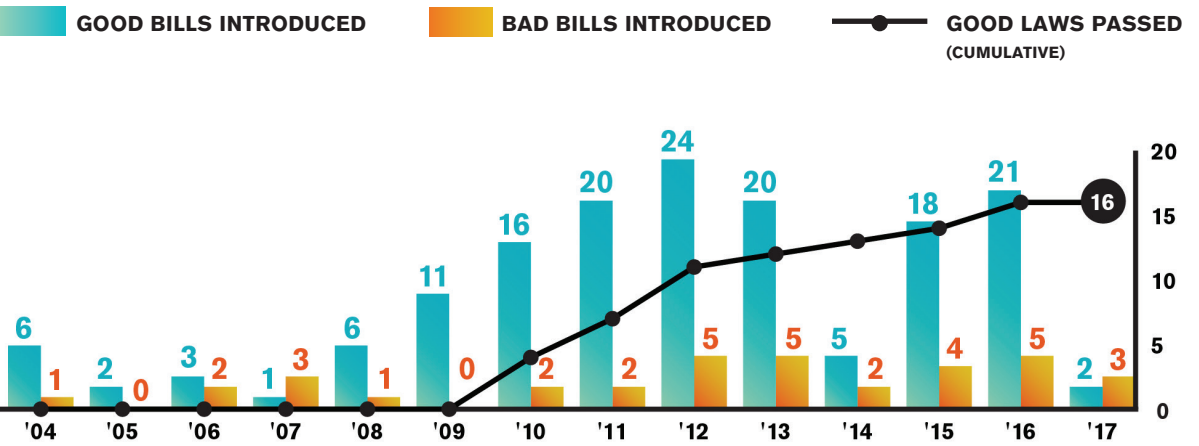
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ANNUAL PROGRESS



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RHODE ISLAND

WORKING TOWARD INNOVATIVE EQUALITY

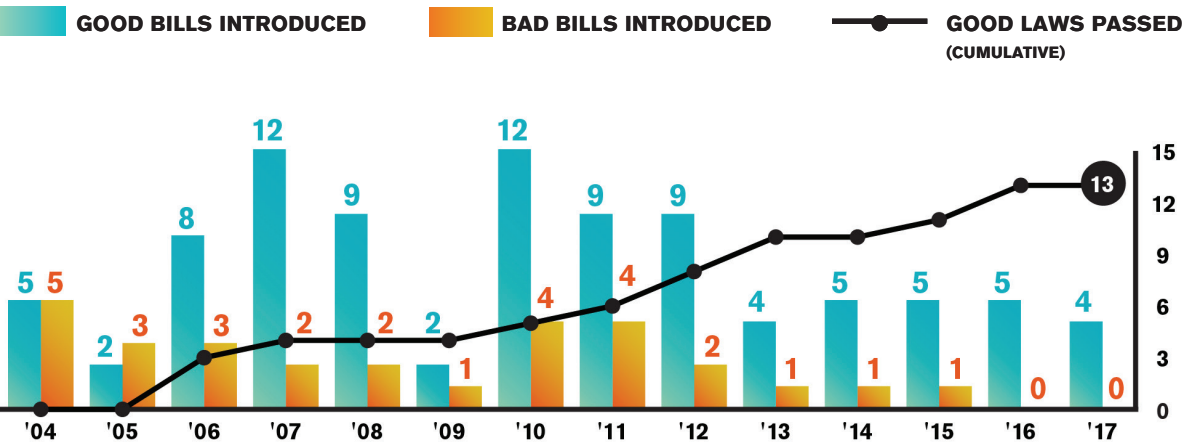
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RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	☒
Religious Exemptions for Professional Training/Practice	☐
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ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☒
Housing	☒
Public Accommodations	☒
Education	☐
Adoption	☒
Foster Care	☒
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Jury Selection	☐
Colleges & Universities	☒
Non-Discrimination Policy for State Employees	☒
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HATE CRIME LAWS

LGBTQ Protections	☒
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SOUTH CAROLINA

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

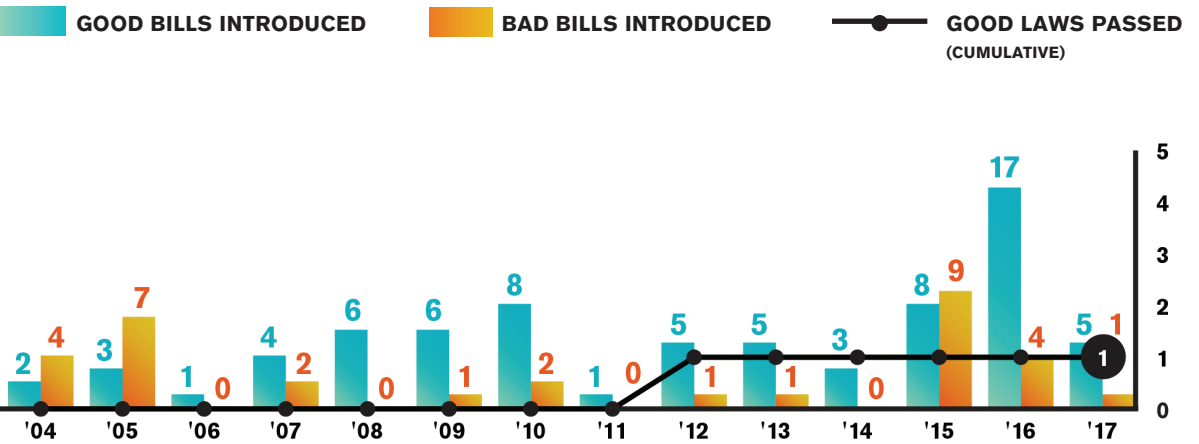
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RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	☒
Religious Exemptions for Professional Training/Practice	☐
First Amendment Defense Act	☐

ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☐
Housing	☐
Public Accommodations	☐
Education	☐
Adoption	☐
Foster Care	☐
Insurance	☐
Credit	☐
Jury Selection	☐
Colleges & Universities	☒
Non-Discrimination Policy for State Employees	☐
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

LGBTQ Protections	☐
Required Reporting	☐
Elimination of Bias Rage or Panic Defense for Criminal Acts	☐

YOUTH LAWS

Anti-Bullying Laws	
▪ Enumerated Categories in Law	☐
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▪ Alternative Discipline	☐
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School Suicide Prevention Policies Required	☒
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▪ BRFSS	☒
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SOUTH DAKOTA

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

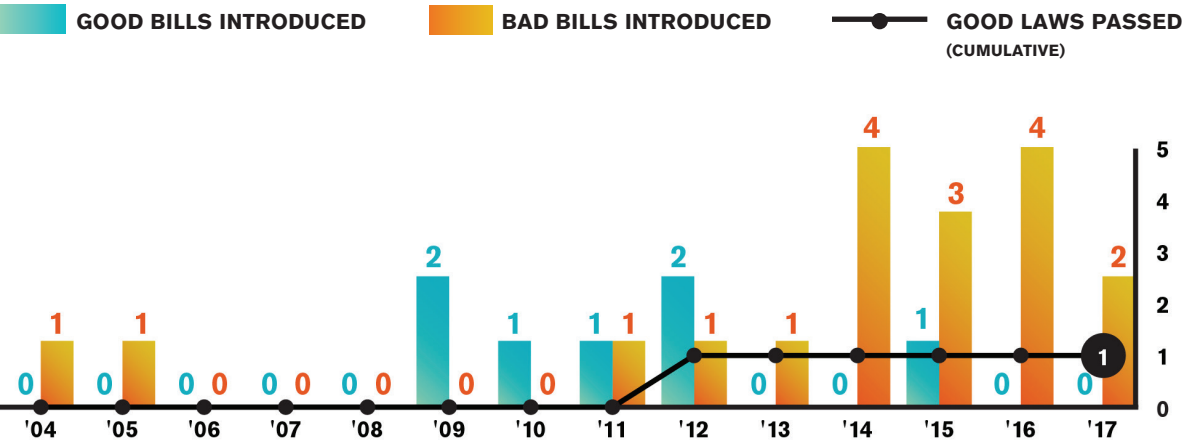
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Religious Exemptions for Professional Training/Practice	
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ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

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Foster Care	
Insurance	
Credit	
Jury Selection	
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HATE CRIME LAWS

LGBTQ Protections	
Required Reporting	
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YOUTH LAWS

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HEALTH & SAFETY LAWS

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TENNESSEE

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

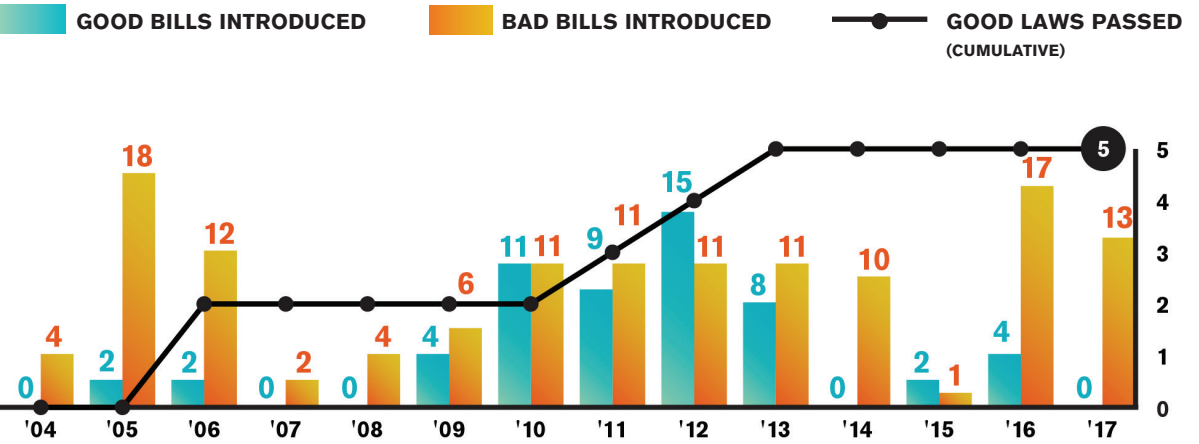
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Prohibition of Surrogacy	☐
Laws Permitting Discrimination in Adoption/Foster Placement	☐

RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	☐
Religious Exemptions for Professional Training/Practice	☐
First Amendment Defense Act	☐

ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☐
Housing	☐
Public Accommodations	☐
Education	☐
Adoption	☐
Foster Care	☐
Insurance	☐
Credit	☐
Jury Selection	☐
Colleges & Universities	☐
Non-Discrimination Policy for State Employees	☐
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

LGBTQ Protections	☒
Required Reporting	☐
Elimination of Bias Rage or Panic Defense for Criminal Acts	☐

YOUTH LAWS

Anti-Bullying Laws	
▪ Enumerated Categories in Law	☐
▪ Enumerated Model Policy	☐
▪ Alternative Discipline	☐
▪ Cyberbullying	☒
School Suicide Prevention Policies Required	☒
Transgender Inclusion in Sports	☐
Protection from Conversion Therapy	☐
Laws to Address LGBTQ Youth Homelessness	☐
LGBTQ Inclusive Sex Education Laws	☐
LGBTQ Inclusive Juvenile Justice Policies	☒
Inequality in Age of Consent for Same-Sex Couples	☐
School Laws that Criminalize Youth	☒
Anti-Bullying Laws that Prohibit Enumeration	☐
Laws that Restrict Inclusion of LGBTQ Topics in Schools	☐

HEALTH & SAFETY LAWS

LGBTQ Non-Discrimination Protections in ACA Exchanges	☐
Transgender Healthcare Coverage	
▪ Ban on Insurance Exclusions for Trans Health Care	☐
▪ Transgender Healthcare Inclusion in State Medicaid	☐
▪ Trans Inclusive Health Benefits for State Employees	☐
Name and Gender Change on Identification Documents	
▪ Driver's Licenses	☐
▪ Birth Certificates	☐
Health Data Collection	
▪ BRFSS	☐
▪ YRBS	☐
Gender Neutral Single Occupancy Restrooms	☐
Sodomy Laws	☐
HIV/AIDS Criminalization Laws	☒
Laws Prohibiting Transgender People from Receiving Appropriate ID	☒
Transgender Exclusions in State Medicaid Coverage	☒

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TEXAS

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

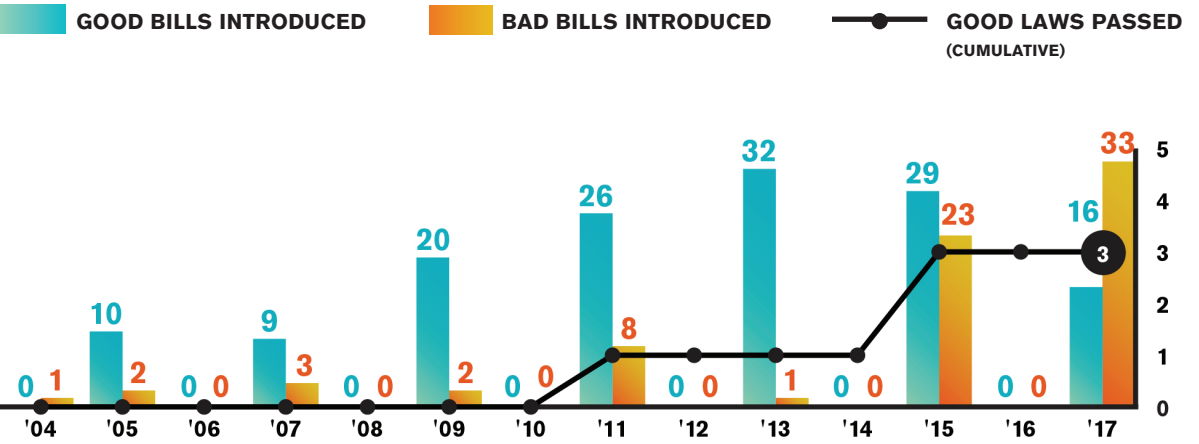
PARENTING LAWS

Second Parent Adoption	☐
Surrogacy Laws	☒
Foster Care Non-Discrimination	☐
Foster Parent Training Required	☐
Parental Presumption for Same-Sex Couples	☒
Consent to Inseminate	☐
De Facto Parent Recognition	☒
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Laws Permitting Discrimination in Adoption/Foster Placement	☐

RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

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ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

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Housing	☐
Public Accommodations	☐
Education	☐
Adoption	☐
Foster Care	☒
Insurance	☒
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Jury Selection	☐
Colleges & Universities	☒
Non-Discrimination Policy for State Employees	☐
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HATE CRIME LAWS

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YOUTH LAWS

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UTAH
BUILDING EQUALITY

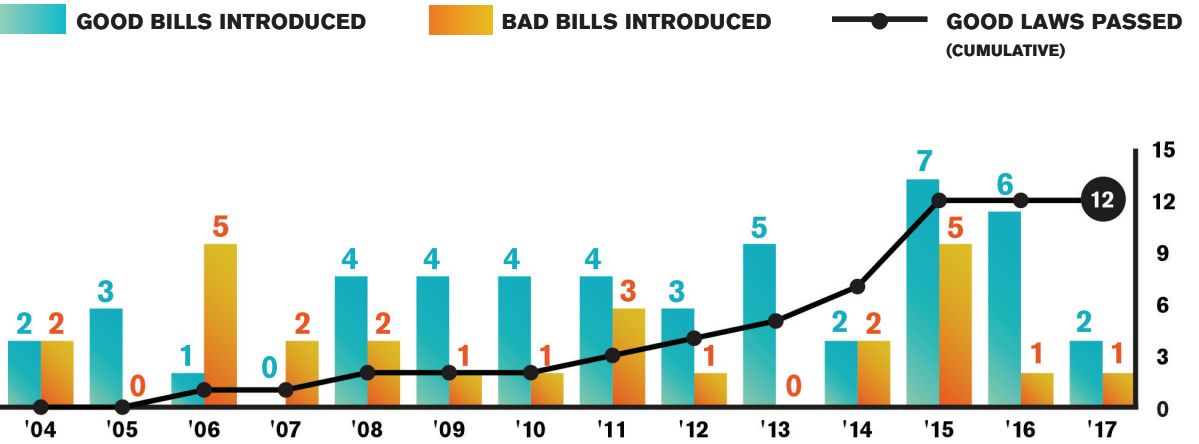
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RELATIONSHIP RECOGNITION
AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	☐
Religious Exemptions for Professional Training/Practice	☐
First Amendment Defense Act	☐

ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☒
Housing	☒
Public Accommodations	☐
Education	☐
Adoption	☒
Foster Care	☒
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Credit	☐
Jury Selection	☐
Colleges & Universities	☒
Non-Discrimination Policy for State Employees	☒
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

LGBTQ Protections	☐
Required Reporting	☐
Elimination of Bias Rage or Panic Defense for Criminal Acts	☐

YOUTH LAWS

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HEALTH & SAFETY LAWS

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VERMONT

WORKING TOWARD INNOVATIVE EQUALITY

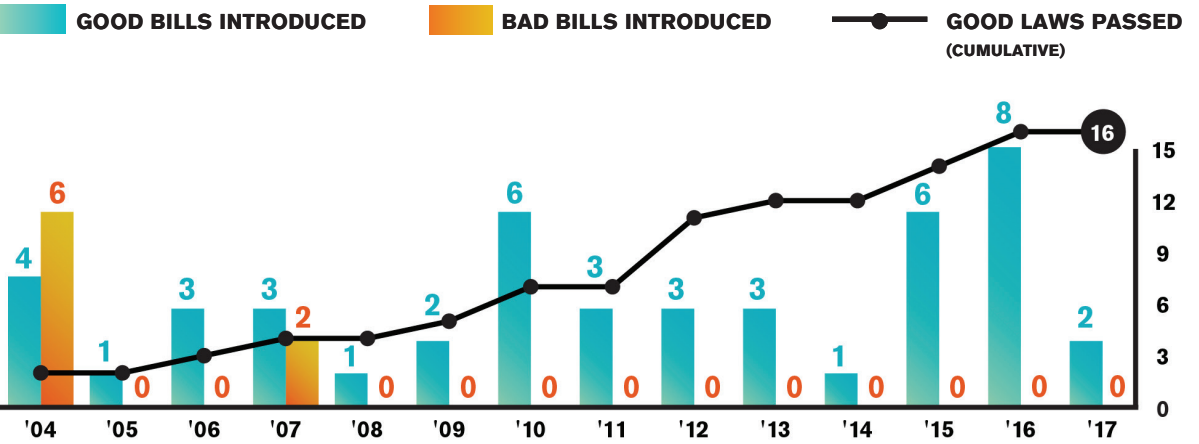
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RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	
Religious Exemptions for Professional Training/Practice	
First Amendment Defense Act	

ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	
Housing	
Public Accommodations	
Education	
Adoption	
Foster Care	
Insurance	
Credit	
Jury Selection	
Colleges & Universities	
Non-Discrimination Policy for State Employees	
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HATE CRIME LAWS

LGBTQ Protections	
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VIRGINIA

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

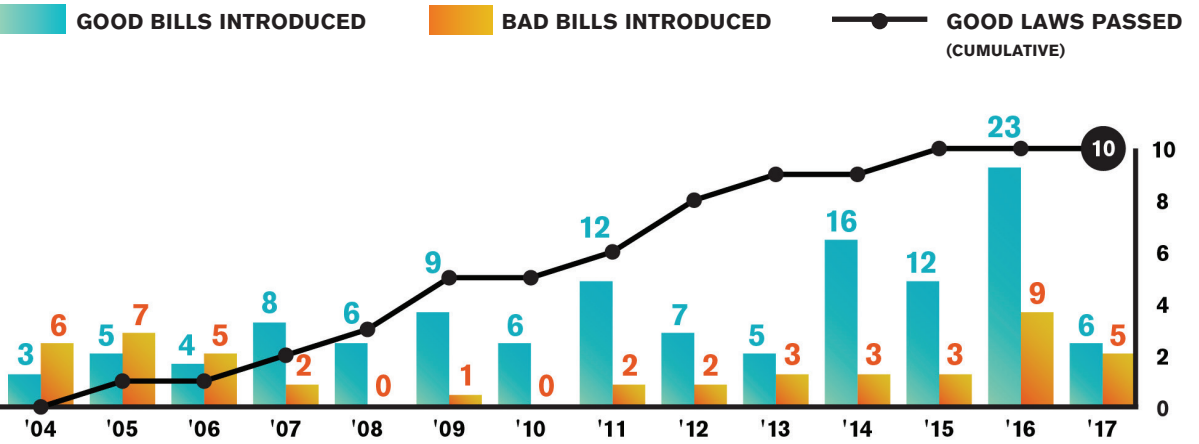
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RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	☒
Religious Exemptions for Professional Training/Practice	☐
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ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☐
Housing	☐
Public Accommodations	☐
Education	☐
Adoption	☒
Foster Care	☒
Insurance	☐
Credit	☐
Jury Selection	☐
Colleges & Universities	☐
Non-Discrimination Policy for State Employees	☒
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

LGBTQ Protections	☐
Required Reporting	☐
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YOUTH LAWS

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Laws that Restrict Inclusion of LGBTQ Topics in Schools	☐

HEALTH & SAFETY LAWS

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WASHINGTON

WORKING TOWARD INNOVATIVE EQUALITY

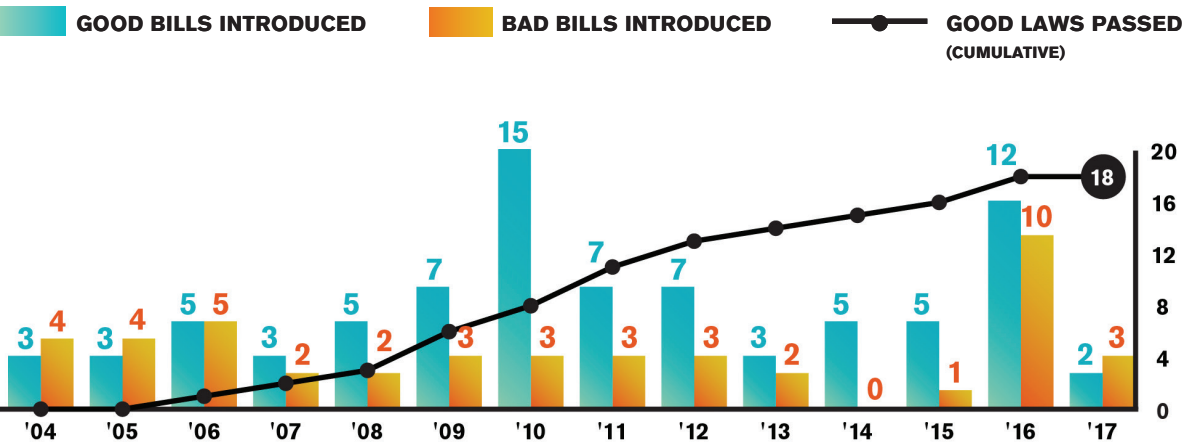
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RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

State Religious Freedom Restoration Act	☐
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ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☒
Housing	☒
Public Accommodations	☒
Education	☒
Adoption	☐
Foster Care	☒
Insurance	☒
Credit	☒
Jury Selection	☐
Colleges & Universities	☒
Non-Discrimination Policy for State Employees	☒
Restrictions on Municipal Protections	☐

HATE CRIME LAWS

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Required Reporting	☒
Elimination of Bias Rage or Panic Defense for Criminal Acts	☐

YOUTH LAWS

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WEST VIRGINIA

HIGH PRIORITY TO ACHIEVE BASIC EQUALITY

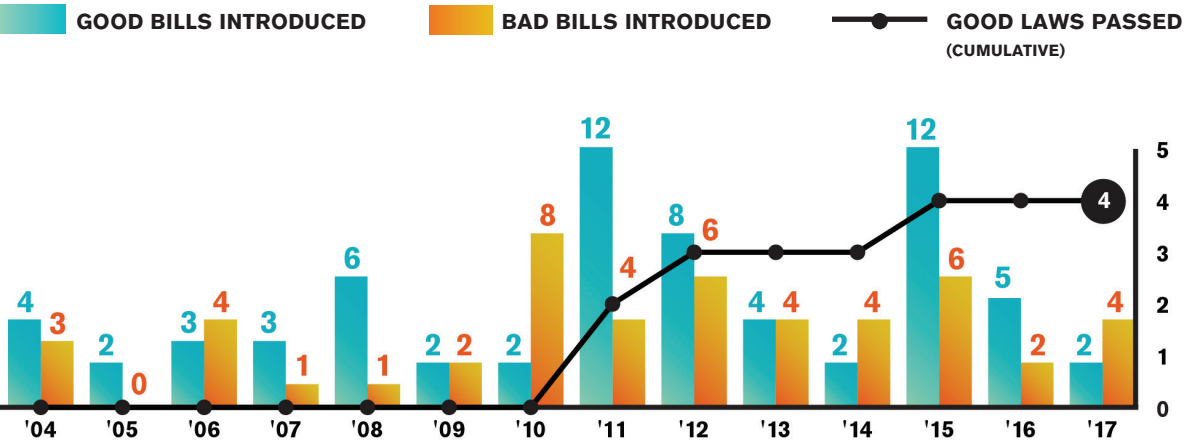
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RELATIONSHIP RECOGNITION AND RELIGIOUS REFUSAL LAWS

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ANNUAL PROGRESS



NON-DISCRIMINATION LAWS

Employment	☐
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Public Accommodations	☐
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WISCONSIN

BUILDING EQUALITY

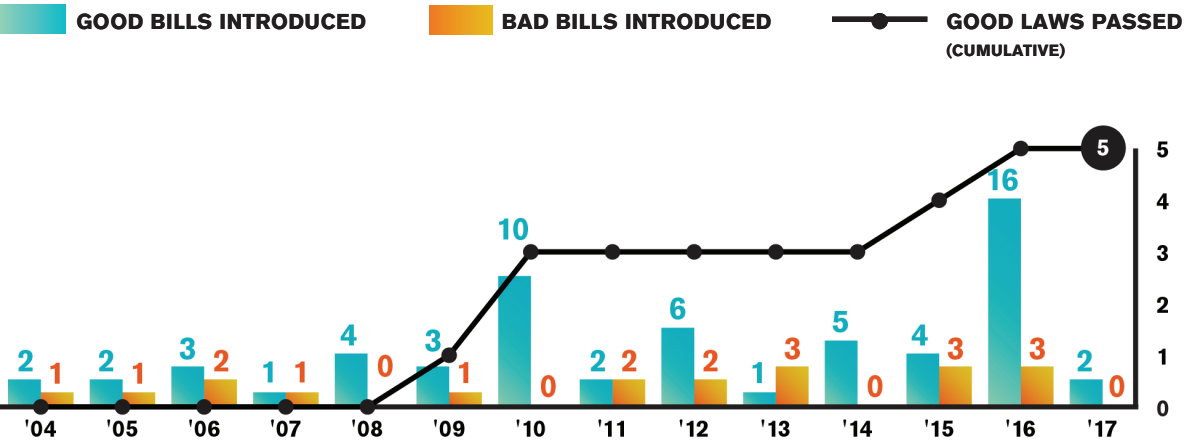
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ANNUAL PROGRESS



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WYOMING

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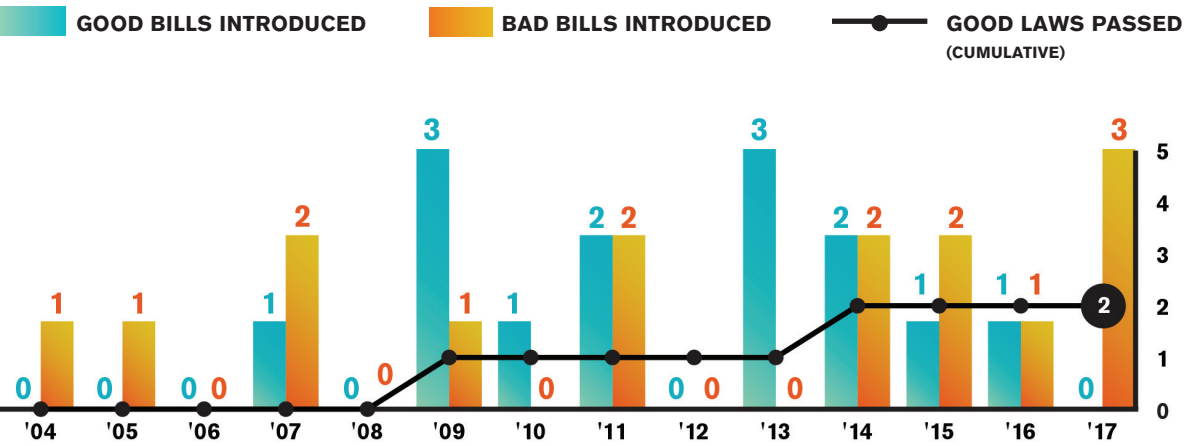
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ANNUAL PROGRESS



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Laws to Address LGBTQ Youth Homelessness	☐
LGBTQ Inclusive Sex Education Laws	☐
LGBTQ Inclusive Juvenile Justice Policies	☐
Inequality in Age of Consent for Same-Sex Couples	☐
School Laws that Criminalize Youth	☐
Anti-Bullying Laws that Prohibit Enumeration	☐
Laws that Restrict Inclusion of LGBTQ Topics in Schools	☐

HEALTH & SAFETY LAWS

LGBTQ Non-Discrimination Protections in ACA Exchanges	☐
Transgender Healthcare Coverage - Ban on Insurance Exclusions for Trans Health Care - Transgender Healthcare Inclusion in State Medicaid - Trans Inclusive Health Benefits for State Employees	☐ ☐ ☐
Name and Gender Change on Identification Documents - Driver's Licenses - Birth Certificates	☐ ☐
Health Data Collection - BRFSS - YRBS	☐ ☒
Gender Neutral Single Occupancy Restrooms	☐
Sodomy Laws	☐
HIV/AIDS Criminalization Laws	☐
Laws Prohibiting Transgender People from Receiving Appropriate ID	☐
Transgender Exclusions in State Medicaid Coverage	☒

FOR MORE INFORMATION ABOUT CRITERIA OR THE SEI SCORING SYSTEM, PLEASE REFER TO **PAGE 28** OR VISIT **HRC.ORG/SEI**. FOR FEEDBACK REGARDING A PARTICULAR STATE'S SCORECARD, PLEASE EMAIL **SEI@HRC.ORG**.

- ☐ No statewide law or policy
- ☐ Statewide law or policy for sexual orientation only
- ☐ No statewide law or policy for sexual orientation and gender identity
- ☒ Statewide law or policy present
- ☐ Statewide law or policy for gender identity only
- ☒ Statewide law or policy for both sexual orientation and gender identity
- ☒ Not Applicable

SCORECARD **CHANGES** FOR THE **2018 SEI**

The legal landscape for LGBTQ equality has shifted rapidly in the past few years.

States have continued to push for LGBTQ equality beyond relationship recognition after the ruling of *Obergefell v. Hodges* made marriage equality the law of the land. Many are increasingly focused on passing non-discrimination laws, protecting LGBTQ youth and expanding healthcare access for the transgender community. This publication will continue to evaluate the changing landscape of law and provide the fullest picture of LGBTQ equality in the states.

The rise in religious refusal bills that have become law calls for greater attention from LGBTQ advocates. Future editions of the SEI will recognize various laws that fall in this category.

POSITIVE

- LGBTQ cultural competency training requirements for various types of professionals (doctors, mental health professionals, etc.)
- Proper gender and name requirements on death certificates for transgender people
- Prohibiting profiling based on actual or perceived LGBTQ status by law enforcement

We will consider other changes to the SEI scorecard based on developments in state law over the next year. As a general matter, we will not include an item on the SEI scorecard unless at least one state has passed a law or policy that qualifies under criteria for an item. Potential new criteria for future editions may include:

NEGATIVE

- Laws that restrict access to supportive student groups in public schools
- Laws that allow government officials or businesses to refuse to recognize legal marriages
- Broad religious exemptions in state non-discrimination laws that single out sexual orientation and/or gender identity

ACKNOWLEDGMENTS

ABOUT THE AUTHORS

Sarah Warbelow is the legal director for Human Rights Campaign and Human Rights Campaign Foundation (together, "HRC"), leading HRC's team of lawyers and fellows focused on federal, state, and municipal policy. She also coordinates HRC's advocacy efforts as amicus curiae ("friend of the court") in litigation affecting the lesbian, gay, bisexual, transgender and queer community. She received her bachelor's degrees in social relations and women's studies from Michigan State University and her master's of public policy and law degree from the University of Michigan. Warbelow is admitted to the bar of Michigan.

Breanna Diaz serves as legislative counsel at HRC, focusing on federal and state advocacy. She also handles issues concerning LGBTQ youth, criminal justice and immigration. Breanna received her bachelor's degree in political science from Southern Methodist University and her law degree from American University, Washington College of Law.

THE SEI TEAM

This year's publication was truly a team effort. The SEI involves a significant quantity of research and outreach in order to ensure the accuracy and utility of our state scorecards. Collen Kutney's is the senior manager of HRC's state and municipal program and oversees the completion of this project. Kutney manages the research process, liaises with the design and communication teams for publication, and edits this publication.

A significant portion of the research for the SEI was conducted by HRC's 2017 McCleary law fellows; Bailey Metzger, Jamie DiNicola, Cameron Redfern, Celeste Gonzalez and Corey Garlick. We thank them for their meticulous research and their helpful insight into assessment of state law.

Barrett Anderson at Cooley LLP lent an extra hand with legal research.

Our talented communications team, including Liz Halloran, Ianthe Metzger and Allison Turner, told the story of LGBTQ equality at the state level all year long, but particularly during the launch of this report.

We'd also like to thank Bob Villaflor for his expertise in design. The General Design Company's Soung Wiser and Caroline Brickell contributed their innovative and creative talents to make this report the beautiful publication it is.

Carolyn Simon and Emily Roberts provided their skills and knowledge in all things digital for the launch, and ensured this report, plus all state scorecards, are available on the web at hrc.org/sei.

THE EQUALITY FEDERATION INSTITUTE

It has been our great pleasure to work in partnership with the Equality Federation Institute on this report. Members of the Equality Federation strive each day to achieve the equality measures that this report indexes, bringing state policy and advocacy expertise, grassroots organizing, local experience to the fight for LGBTQ equality. The State Index Equality, and indeed, the tremendous gains in LGBTQ equality at the state level, would not be possible without their effort and relentless commitment. We particularly want to thank Andy Garcia for his support and advisement.

Please see the next page for the logos of groups who provided feedback to make the SEI a success.

We look forward to working with you again for SEI 2018!

The State Equality Index would not have been possible without the valuable contributions made by state advocates. A particular thanks therefore goes out to the following:

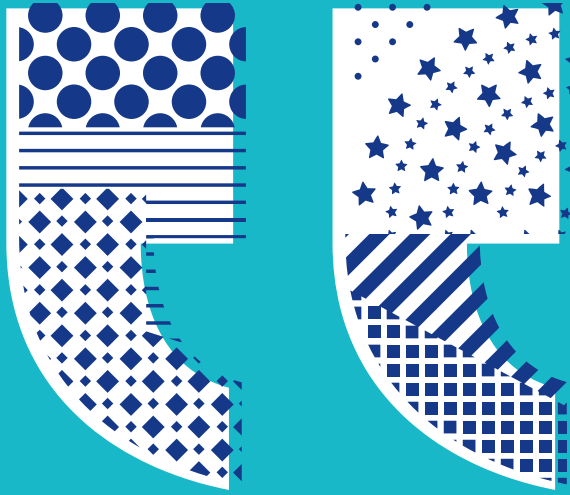


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ALTHOUGH THE MARKEDLY CHANGED POLITICAL CLIMATE OF THE COUNTRY PRESENTS UNIQUE CHALLENGES, THE UNWAVERING PASSION AND DETERMINATION OF STATE AND LOCAL ADVOCATES ACROSS THE COUNTRY WILL CONTINUE TO ENSURE THAT THE ANTI-EQUALITY LEGISLATION IS UNMASKED FOR THE POOR PUBLIC POLICY THAT IT IS.

WE LOOK FORWARD TO CONTINUING OUR PARTNERSHIP WITH STATE ADVOCATES AS WE CONTINUE THE MARCH TOWARD FULL EQUALITY FOR LGBTQ AMERICANS.





HUMAN
RIGHTS
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**THE STATE EQUALITY INDEX REMINDS US THAT
THE STRENGTH OF OUR MOVEMENT IS WHERE IT
HAS ALWAYS BEEN: IN THE STATES, IN THE
COMMUNITIES WE CALL HOME. WE ARE A MORE
UNITED, MORE STRATEGIC MOVEMENT THAN
EVER BEFORE AND I KNOW THAT WE WILL GET
THROUGH THESE CHALLENGES BY STANDING
TOGETHER. JUSTICE WILL PREVAIL!**

REBECCA ISAACS
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