EQUALITY
FROM STATE TO STATE 2007
Gay, Lesbian, Bisexual and Transgender Americans and State Legislation
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INTRODUCTION

December 2007

Dear Readers,

What a difference an election makes. In 2007, we celebrated victories for equality in a number of state legislatures. In several of these states, legislative victories were made possible by the election of fair-minded legislators in 2006.

Three states took important steps forward on the path toward marriage equality and full recognition of our relationships. New Hampshire enacted a civil union law, effective as of January 2008. Oregon passed a new and robust domestic partnership law. Washington enacted a domestic partnership law that provides a significant bundle of rights to same-sex partners. As we begin 2008, there will be 10 states, plus the District of Columbia, that offer some form of relationship recognition to same-sex couples.

Four states passed laws to protect GLBT people from discrimination in the workplace. Colorado, Iowa and Oregon each passed laws prohibiting discrimination based on sexual orientation and gender identity. Vermont expanded existing laws prohibiting discrimination based on sexual orientation to add protections for gender identity. The result: as of January 2008, 20 states will have laws prohibiting employment discrimination based on sexual orientation, and 12 states plus D.C. will have laws prohibiting employment discrimination based on gender identity.

Two thousand seven was also a good year for defeating anti-equality legislation, with only a few exceptions. In Massachusetts, we breathed a sigh of relief as supporters of equality defeated an attempt to amend the state constitution to prohibit same-sex marriage in the first state to recognize marriage equality. Anti-equality legislation was also defeated in Arkansas, Indiana, Maryland, New Mexico and New Hampshire, to give a few examples.

Anti-equality legislation passed in just two states, Utah and South Carolina. In Maryland, the state’s high court rejected marriage equality. It will now be up to the legislature to afford fairness, respect and equal rights to same-sex families.

In other states, there were hopeful signs, even though legislation has yet to become law. In California, for the second time since 2005, the legislature passed a marriage equality bill. Unfortunately, for a second time, it was vetoed by Governor Arnold Schwarzenegger. In New York, the Assembly passed a marriage equality bill by an 85-61 margin. That bill has stalled in the Senate; next November’s election will be crucial, as adding just a few pro-equality Senators could make the difference. In New Mexico, just one vote in the Senate prevented passage of domestic partnership legislation (the legislature will try again in January 2008).

Two thousand seven was also a good year for defeating anti-equality legislation, with only a few exceptions.
As we look ahead to 2008, there is also hope for progress in other states. In New Jersey, where civil unions were recognized in 2007, there is hope for full equality through marriage legislation. Similarly, in Connecticut, which has recognized civil unions since 2005, legislators may consider marriage equality legislation, which made some progress in 2007. It’s also possible that a pending court decision will result in marriage equality in Connecticut.

There are also some anti-equality measures on the horizon. In Florida and California, proposed anti-marriage amendments to the state constitutions may be placed before voters in November 2008. Voters in Arkansas may find a ballot measure that would prevent GLB couples (as well as unmarried straight couples) from adopting or foster parenting.

What does this all mean for GLBT people and their families? It’s clear that we are continuing to make historic progress toward realizing the promise of equality for all. It’s also clear that there is more work to be done. States with employment discrimination laws protecting GLBT people remain in the minority. The same is true for state relationship recognition laws. Massachusetts remains the only state to recognize marriage equality for loving and committed same-sex couples.

In 2008, we look forward to more progress, but for now, we celebrate the advances made this year. Thank you for your support and your work in the fight for equality for gay, lesbian, bisexual and transgender Americans in every state.

Sincerely,

Joe Solmonese
President, Human Rights Campaign Foundation
The year 2007 was an historic one for state legislation advancing equality for gay, lesbian, bisexual and transgender people across the United States. At the beginning of the year, 17 states, along with Washington, D.C., had laws prohibiting employment discrimination based on sexual orientation, and eight states (and D.C.) had laws prohibiting such discrimination based on gender identity. As we begin 2008, those numbers have changed to 20 and 12, respectively (a 50 percent increase in states with laws prohibiting employment discrimination based on gender identity).

Also in 2007, three states passed civil union and domestic partnership laws, bringing the number of states with various forms of relationship recognition laws to 10, plus the District of Columbia. Massachusetts remains the only state to recognize marriage equality under state law for same-sex couples — thanks to legislators who soundly defeated an attempt to put a proposed state constitutional amendment prohibiting same-sex marriage before voters. However, several other states took important steps toward marriage equality as California's Legislature passed a marriage bill for the second time in three years (vetoed for a second time) and New York's Assembly passed a marriage equality bill by a significant margin.
In several states, legislative victories in 2007 flowed directly from Election Day victories in 2006. Newly elected, fair-minded leaders in Colorado, Iowa and Oregon passed and signed into law legislation prohibiting discrimination based on sexual orientation and gender identity while new leadership in New Hampshire and Oregon achieved important protections for families through civil unions and domestic partnerships. Details on these and other highlights appear below.

**State Legislative Highlights for 2007**

- **California:** In sheer numbers of positive bills passed, California stands out, with seven new pro-equality laws in the categories we tracked. In addition, legislators passed a marriage equality bill, which was vetoed by Gov. Arnold Schwarzenegger.

- **Colorado:** The Legislature passed, and newly elected Gov. Bill Ritter signed into law, legislation prohibiting employment discrimination based on sexual orientation and transgender status. Ritter’s predecessor had vetoed such legislation in 2005 and 2006. The Legislature also passed, and Ritter signed into law, a bill providing for second-parent adoption.

- **Indiana:** Fair-minded legislators won a majority in the state House in 2006. In 2007, they killed a proposed anti-marriage amendment to the state constitution.

- **Iowa:** In 2006, fair-minded majorities were elected to both chambers of the Legislature. In 2007, the new Legislature passed a bill prohibiting discrimination based on sexual orientation and gender identity. It also passed a bill requiring school boards to implement policies prohibiting harassment and bullying because of sexual orientation, gender identity and other enumerated characteristics. Gov. Chet Culver signed both bills into law. The new Legislature also prevented a proposed anti-marriage amendment to the state constitution from advancing.

- **Massachusetts:** The Legislature defeated, by a 151-45 vote, an attempt to place a proposed constitutional amendment barring same-sex marriage before voters on the 2008 ballot. Newly elected Gov. Deval Patrick, new Senate President Therese Murray and House Speaker Sal DiMasi led efforts to defeat the proposed measure.

- **New Hampshire:** As in Iowa, in the 2006 election, both chambers of the Legislature were switched to fair-minded majorities. The new Legislature passed a bill permitting same-sex couples to enter into civil unions. Gov. John Lynch signed the bill, becoming effective in January 2008.

- **Oregon:** On election day 2006, Oregon voters elected a fair-minded majority to the state House of Representatives, joining an already existing fair-minded majority in the state Senate. In 2007, legislators passed domestic partnership and anti-discrimination bills, signed into law by Gov. Ted Kulongoski. The latter bill prohibits discrimination based on sexual orientation and gender identity and also adds protections against hate crimes. The anti-discrimination bill became effective in January 2008. The domestic partnership bill is on hold pending a court decision.

- **Vermont:** Gov. Jim Douglas signed a bill adding gender identity and expression to the state’s anti-discrimination law, which already prohibited discrimination based on sexual orientation. Last year, Douglas vetoed similar legislation.

- **Washington:** The Legislature passed, and Gov. Christine Gregoire signed into law, a bill permitting same-sex couples to enter into domestic partnerships, thereby receiving a specific bundle of rights and benefits.
2007 was a year in which pro-equality legislation was introduced and passed and, for the most part, anti-equality legislation was defeated, with a few exceptions.

Anti-equality legislation passed in just two states, Utah and South Carolina. In Massachusetts, supporters of equality scored a resounding victory in defeating an attempt to amend the state constitution to prohibit same-sex marriage. Anti-equality legislation was also defeated in Arkansas, Indiana, Maryland, New Mexico and New Hampshire, to give a few examples.

For a complete summary and final status of all the state legislation introduced and passed that affected GLBT people in 2007, please see page 19.
Marrying and Relationship Recognition in the States

Massachusetts remains the only state to recognize marriage equality for same-sex couples. As noted, legislators there defeated, by a decisive 151-45 vote, an attempt to place a proposed constitutional amendment barring same-sex marriage before voters on the 2008 ballot. Loving and committed same-sex couples, their families and supporters of equality can breathe a sigh of relief.

While, for now, Massachusetts stands alone, other states have taken important steps toward providing all families the recognition they deserve under the law. In California, legislators passed a marriage equality bill for the second time in three years. Unfortunately, Gov. Arnold Schwarzenegger vetoed the bill for the second time. New York’s Assembly voted by a strong majority, 85-61, to pass a marriage bill in that state. This legislation has the support of newly elected Gov. Eliot Spitzer, who proposed its introduction. The bill has stalled in the Senate, but a change of just a few votes in that chamber could make the difference in the future. This year’s state Senate races could be crucial for marriage equality in New York.

Other states passed legislation that provides important protections to families and represents a step toward marriage equality. New Hampshire became the fourth state to offer civil unions to same-sex couples. Oregon has a new — and broad — domestic partnership law that, like civil unions in New Hampshire, offers same-sex couples the same benefits and responsibilities provided to married couples under state law. Attempts to place the new law before Oregon voters for repeal have failed so far (however, implementation of the law is currently on hold pending a court decision). Washington passed a more limited domestic partnership law that nonetheless provides important protections like inheritance and hospital visitation rights.

The attempt to amend state constitutions to prohibit same-sex marriage continued this year, though efforts were not successful in any state.

New Mexico’s Legislature came within one Senate vote (the lieutenant governor would have broken the tie) in regular session of passing a bill that would have permitted same-sex couples to enter into...
domestic partnerships with the same rights, benefits and responsibilities as married couples. Gov. Bill Richardson supports the legislation, but his attempt to move the Legislature to pass this legislation in special session came up short.

There was a setback in Maryland, where the state’s high court rejected marriage equality. A trial court in Iowa ruled that the state’s constitution requires marriage equality; that case now awaits final resolution by the state Supreme Court. Similar cases are pending before state supreme courts in Connecticut and California.

The attempt to amend state constitutions to prohibit same-sex marriage continued this year, though efforts were not successful in any state. In addition to Massachusetts, legislators in Indiana, Maryland, New Hampshire, New Mexico and North Carolina defeated attempts to advance anti-marriage amendments.

Opponents of marriage equality in California and Florida are looking to place on the ballot proposed constitutional amendments to bar same-sex marriage and possibly other forms of relationship recognition. These measures may be put before voters in November 2008.
As the Employment Non-Discrimination Act and Matthew Shepard Act dominated attention at the federal level, legislators also introduced pro-equality bills in a large number of states. Across the country, 29 states introduced anti-discrimination legislation aimed at increasing protections for members of the GLBT community. In addition, 17 states introduced hate crimes bills addressing violence against GLBT people.

Anti-Discrimination Legislation

2007 saw important advances in the area of anti-discrimination legislation. Newly elected, fair-minded majorities in both houses of the Iowa Legislature were able to add sexual orientation and gender identity to the state’s anti-discrimination laws. For the third year in a row, Colorado’s Legislature passed a bill adding GLBT individuals to existing anti-discrimination laws. This time, newly elected Gov. Bill Ritter signed the bill, which had been vetoed twice by his predecessor. In Oregon, the election of a fair-minded majority in the House (joining a fair-minded Senate) led to a new law prohibiting discrimination based on sexual orientation and gender identity/expression. Finally, in Vermont, Gov. Jim Douglas, who had previously vetoed such legisla-
tion, signed a bill adding gender identity and expression to the state’s anti-discrimination laws, which already prohibited discrimination based on sexual orientation.

**Hate Crimes Legislation**

The FBI’s hate crime statistics for 2006 showed that hate crimes based on sexual orientation remain the third most prevalent type of hate crime, following hate crimes based on race and religion. Hate crimes based on gender identity also occur at high rates. Efforts to enact federal legislation addressing and recognizing these violent crimes against GLBT Americans saw unprecedented success this year, as the House and Senate each passed versions of the Matthew Shepard Act/Local Law Enforcement Hate Crimes Prevention Act of 2007.

State legislators also continued their efforts to add protections against hate crimes motivated by sexual orientation and gender identity. However, while hate crimes bills were introduced in 17 states, only one state, Oregon, enacted a new substantive law in this area.¹

¹Thirty-two states, plus Washington, D.C., have laws addressing hate or bias crimes based on sexual orientation, and 11 states (plus D.C.) have laws addressing hate or bias crimes based on gender identity. [Click here for more information.](#)

²California and Georgia passed resolutions. See page 35.
Legislatures were particularly active in the area of GLBT issues and the schools. Of the 72 bills introduced in this area, 10 became law. The major areas of focus were anti-bullying/anti-harassment bills and parental consent bills aimed at making it more difficult for students to participate in clubs and other extracurricular activities or to take classes that address human sexuality issues.

Given the discrimination and harassment that many GLBT students experience in school, it is a positive development that so many state legislatures are taking up anti-bullying/anti-harassment bills. However, only 10 of the 32 bills introduced in this area, and just one of the three that became law included enumerated categories specifically prohibiting bullying and/or harassment based on sexual orientation and gender identity.

Legislatures were less active in the area of parenting, although two significant pro-equality bills gained passage — in Colorado (addressing second parent adoption) and in the District of Columbia (recognizing legal status for de facto parents in custody disputes). In addition, openly lesbian Rep. Kathy Webb was instrumental in defeating an Arkansas bill that would have prohibited “homosexuals” from adopting or foster parenting. (Unfortunately, efforts to prohibit gay, lesbian and bisexual people from adopting or foster parenting in Arkansas continue, as noted on page 15.)

While most of the news was good in these areas, Utah provided a negative counterpoint, passing two anti-equality laws. One gives foster parenting priority (in most instances) to married opposite-sex couples. The other new law requires written consent by a parent or guardian before a student may participate in clubs. The law also permits schools to limit or deny authorization or school building use to clubs “whose proposed charter and proposed activities ... involve human sexuality” or when “the school determines it to be necessary to protect the ... moral well-being of students and faculty.”
OUTLOOK FOR 2008

Advocates for equality will look to build on 2007’s successes. In New Mexico, there is hope for domestic partnership legislation, which was just one Senate vote away from passing last year. In Connecticut and New York, we will look for marriage legislation that advanced last year to move further along this year. In California, the governor has twice vetoed marriage equality legislation, but the Supreme Court may rule this year on the issue (as is also the case in Connecticut). In Maryland, in the wake of a negative court ruling, it is possible marriage legislation will now be introduced. Maryland legislators may also take up legislation to prohibit discrimination based on gender identity. In New Jersey, where civil unions were recognized in 2007 but failed to provide same-sex couples with fully equal rights, dignity and respect under the law, there will also be a push for marriage legislation.

We will also be working to defeat efforts by opponents of equality. In Florida and California, proposed anti-marriage amendments to the state constitutions may be placed before voters in November 2008. The effort in Arkansas to prevent GLB people from adopting or foster parenting may also lead to a ballot measure for voters in that state. There are concerns that Arkansas may be a test state; if opponents of equality are successful there, we may see similar anti-parenting measures in other states.

2008 is a presidential election year, but it also offers important opportunities to elect pro-equality state legislators. 2008 is a presidential election year, but it also offers important opportunities to elect pro-equality state legislators. In some states, a few votes may make the difference in terms of passing good bills and defeating bad ones.
## 2007 State Bills Introduced

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Marriage-Related Bills: Passed

South Carolina House Bill 3063/Senate Bill 154 — This bill ratifies a proposed constitutional amendment passed by the voters in 2006. The amendment provides that “[a] marriage between one man and one woman is the only lawful domestic union that shall be valid or recognized in this State. This State and its political subdivisions shall not create a legal status, right, or claim respecting any other domestic union, however denominated. This State and its political subdivisions shall not recognize or give effect to a legal status, right, or claim created by another jurisdiction respecting any other domestic union, however denominated. Nothing in this section shall impair any right or benefit extended by the State or its political subdivisions other than a right or benefit arising from a domestic union that is not valid or recognized in this State. This section shall not prohibit or limit parties, other than the State or its political subdivisions, from entering into contracts or other legal instruments.”

Status: This bill passed the House on Jan. 25, 2007, by a 92-7 vote and passed the Senate on Feb. 27, 2007. The constitutional amendment was ratified March 27, 2007 (no signature by the governor was required).

Marriage-Related Bills: Active

Delaware Senate Bill 156 — This bill proposes to amend the state constitution to prohibit same-sex marriage. It also provides that “the uniting of two persons of the same gender in a civil union, domestic partnership, or other similar same-gender legal relationship shall not be valid or recognized” and declares that a same-sex marriage obtained or recognized outside the state shall not constitute a legal or valid marriage in Delaware.

Status: The bill was introduced June 21, 2007, and assigned to the Senate Executive Committee.

Illinois House Bill 1615 — This bill would enact the Religious Freedom and Marriage Fairness Act, which would provide marriage equality for same-sex couples under state law and allow marriage licenses to be issued to same-sex couples.

Status: This bill was introduced Feb. 22, 2007. There was no movement in 2007.

Illinois House Joint Resolution Constitutional Amendment 1 — This resolution proposes to amend the state constitution to provide that “only a union of one man and one woman shall be valid or recognized as a marriage in this

*NOTE: The last update on the status of these measures was on December 10, 2007.
State. This state and its political subdivisions shall not create or recognize a legal status similar to that of marriage.”

**Status:** This bill was introduced Jan. 19, 2007, and had no movement in 2007.

**Illinois Senate Joint Resolution Constitutional Amendment 8** — This resolution proposes to amend the state constitution to provide that “[o]nly marriage between one man and one woman shall be valid or recognized in Illinois. The uniting of persons of the same sex in a civil union, domestic partnership, or other similar same sex relationship shall not be valid or recognized in Illinois.”

**Status:** This bill was introduced Feb. 7, 2007, and had no movement in 2007.

**Iowa House Joint Resolution 8** — This resolution proposes to amend the state constitution to provide that “only a marriage between a man and a woman shall be valid or recognized in the State of Iowa.”

**Status:** This resolution was introduced March 15, 2007. There was no movement in 2007.

**Massachusetts House Bill 1710/Senate Bill 918** — These bills would provide that any person otherwise eligible to marry under state law may marry any other eligible person regardless of gender. (Note: Pursuant to the 2003 Goodridge v. Department of Public Health court decision, Massachusetts recognizes marriage equality. This bill would effectively codify the Goodridge decision.)

**Status:** There was no movement on these bills in 2007.

**Massachusetts Senate Bill 926** — This bill would declare that all same-sex marriages performed in Massachusetts since the Goodridge decision (other than the marriages of the plaintiffs in that case) are without statutory basis and no other marriage (including no other same-sex marriages) performed in Massachusetts with statutory basis will be considered legally binding.

**Status:** There was no movement on this bill in 2007.

**Minnesota House Bills 1845, 1846 and 1847** — These bills propose to amend the state constitution to provide that “only a union of one man and one woman shall be valid or recognized as a marriage in Minnesota. Any other relationship shall not be recognized as a marriage or its legal equivalent by the state or any of its political subdivisions.”

**Status:** These bills were introduced March 8, 2007. There was no movement on any of the bills in 2007.

**Minnesota Senate Bills 2158, 2159 and 2160** — These bills propose the same amendment to the state constitution as the House bills (above).

**Status:** These bills were introduced March 27, 2007. There was no movement on any of the bills in 2007.

**New Jersey Assembly Bill 3940/Senate Bill 2460** — These bills would allow public officials authorized under state law to solemnize marriages or civil unions to refuse to solemnize civil unions if such solemnization is in conflict with the public official’s conscience or sincerely held moral or religious beliefs. Refusal to solemnize civil unions under these circumstances shall not preclude a public official from solemnizing marriages and shall not constitute a violation of the state anti-discrimination law.

**Status:** There was no movement on these bills in 2007.

**New Jersey Assembly Concurrent Resolution 250/Senate Concurrent Resolution 124** — These resolutions propose to amend the state constitution to provide that marriage in New Jersey shall consist only of the union of a man and a woman.

**Status:** There was no movement on these resolutions in 2007.

**New York Assembly Bill 2021** — This bill would replace the term “marriage” with “civil union” in the state domestic relations law and make such unions available to both opposite-sex and same-sex couples.

**Status:** There was no movement on this bill in 2007.

**New York Assembly Bill 4978/Senate Bill 2800** — These bills would declare that a marriage or other union between two persons of the same sex is void, regardless of whether such marriage or union is recognized or solemnized in another jurisdiction.

**Status:** There was no movement on these bills in 2007.

**New York Assembly Bill 8590/Senate Bill 5884** — These bills would recognize marriage equality for same-sex couples, providing that no application for a marriage license shall be denied on the grounds that the parties are of the same sex.
Status: On June 19, 2007, Assembly Bill 8590 passed the Assembly by an 85-61 vote. Senate Bill 5884 is pending in the Senate.

New York Senate Bill 5994 — This bill would recognize marriage equality for same-sex couples, providing that no application for a marriage license shall be denied on the grounds that the parties are of the same sex.

Status: There was no movement on this bill in 2007.

Rhode Island House Bill 6081/Senate Bill 202 — These bills seek to recognize marriage equality by providing that any person who otherwise meets eligibility requirements may marry any other eligible person regardless of gender.

Status: On May 10, 2007, Senate Bill 202 was “held for further study” by the Senate Judiciary Committee. On May 16, 2007, House Bill 6081 was “held for further study” by the House Judiciary Committee.

Rhode Island House Bill 6159 — This bill would prohibit same-sex marriage.

Status: There was no movement on this bill in 2007.

Rhode Island Senate Bill 687 — This bill seeks to prohibit same-sex marriage.

Status: On May 10, 2007, this bill was “held for further study” by the Senate Judiciary Committee.

South Carolina House Concurrent Resolution 3696 — This resolution would urge Congress to amend the U.S. Constitution to recognize marriage as the union of one man and one woman and submit the amendment to the states for ratification.

Status: This resolution was introduced March 17, 2007. It received a favorable committee report on March 14, 2007.

Vermont House Bill 275/Senate Bill 80 — This bill would define marriage as the legally recognized union of two people, permitting same-sex marriage.

Status: This bill was introduced Feb. 9, 2007. There was no movement in 2007.

Washington House Bill 1350 — This bill would recognize marriage equality for same-sex couples.

Status: This bill was introduced Jan. 17, 2007. There was no movement in 2007.

Washington Senate Bill 5335 — This bill would recognize marriage equality for same-sex couples.

Status: This bill was introduced Jan. 17, 2007. There was no movement in 2007.

Washington Senate Joint Resolution 8219 — This resolution proposes to amend the state constitution to provide that “[m]arriage in Washington state shall consist solely of two persons, a male and a female. The uniting of two persons other than a male and a female in any marital relationship is not valid in this state, and, although valid in another jurisdiction, is not recognized as valid in this state. The legislature may provide for such restrictions or sanctions on marriage related to age or degree of kinship as it deems necessary.”

Status: This resolution was introduced Jan. 29, 2007. There was no movement in 2007.

West Virginia House Joint Resolution 20/Senate Joint Resolution 8 — These resolutions propose to amend the state constitution to provide that “[o]nly a union between one man and one woman may be a marriage valid in or recognized by this state and its political subdivisions. This state and its political subdivisions shall not create or recognize a legal status for same-sex relationships to which is assigned the rights, benefits, obligations, qualities or effects of marriage.”

Status: This resolution was introduced Feb. 9, 2007, in the House and Feb. 1, 2007, in the Senate. There was no movement on these resolutions in 2007.

Marriage-Related Bills: Dead

Arizona House Concurrent Resolution 2023 — This resolution proposed to amend the state constitution to provide that only unions between one man and one woman are valid or recognized.

Status: The bill's sponsor said that the resolution was filed accidentally as he rushed to file bills when the legislative session started. He asked that the resolution not move forward, and the speaker of the House agreed. The resolution died when the legislature adjourned June 20, 2007.
California Assembly Bill 43 — This bill would have recognized marriage equality for same-sex couples.

**Status:** This bill passed the Assembly on June 6, 2007, by a 42-34 vote. It passed the Senate by a 22-15 vote, but was vetoed by Gov. Arnold Schwarzenegger.

Connecticut House Bill 7395 — This bill sought to provide marriage equality for same-sex couples under state law and allow marriage licenses to be issued to same-sex couples.

**Status:** This bill passed the Joint Judiciary Committee on April 12, 2007, by a 27-15 vote. On May 11, 2007, the chairs of the Judiciary Committee announced that they would not seek a floor vote.

Indiana House Joint Resolution 15 — This resolution proposed to amend the state constitution to provide that marriage in Indiana may only be between a man and a woman and that marital status or the legal incidents of marriage may not be conferred upon unmarried couples or groups.

**Status:** This resolution was introduced Jan. 26, 2007, and had no movement in 2007. The resolution died when the legislature adjourned April 29, 2007.

Indiana Senate Joint Resolution 7 — This resolution proposed the same amendment to the state constitution as House Joint Resolution 15 (above).

**Status:** The resolution passed the Senate on Feb. 12, 2007, by a 39-10 vote. On April 3, 2007, the House Rules and Legislative Procedures Committee voted 5-5 on the amendment, which effectively killed the resolution. The resolution officially died when the legislature adjourned April 29, 2007.

Maryland House Bill 919 — This bill proposed to amend the state constitution to provide that only a marriage between a man and a woman is valid in Maryland.

**Status:** This bill was killed by the House Judiciary Committee on March 21, 2007, by a 12-8 vote.

Maryland Senate Bill 564 — Like House Bill 919 (above), this bill proposed to amend the state constitution to provide that only a marriage between a man and a woman is valid in Maryland.

**Status:** This bill was introduced Feb. 2, 2007. There was no movement, and the bill died when the legislature adjourned April 9, 2007.

Massachusetts Senate Bill 2220 — This bill proposed to amend the state constitution to define marriage only as the union of one man and one woman.

**Status:** On June 14, 2007, the legislature voted 151-45 to defeat the measure (only 25 percent of legislators, or 50 members, would have been enough to advance the measure to the 2008 ballot).

Mississippi House Concurrent Resolution 5 — This resolution urged Congress to call a constitutional convention for the purpose of proposing an amendment to the U.S. Constitution relating to marriage and also urged other state legislative bodies to make similar requests to Congress.

**Status:** This resolution was introduced Jan. 2, 2007. There was no movement, and the resolution died when the legislature adjourned March 30, 2007.

New Hampshire Constitutional Amendment Concurrent Resolution 1 — This resolution proposed to amend the state constitution to provide that “[a] marriage between one man and one woman shall be the only legal union that shall be valid or recognized in this state.”

**Status:** On March 28, 2007, the House voted 233-124 to defeat the resolution.

New Hampshire House Bill 235 — This bill would have provided that any marriage legally contracted outside the state would be recognized as valid in New Hampshire.

**Status:** On November 19, 2007, this bill was essentially killed in committee by an 18-1 vote that the bill is inexpedient to legislate.

New Hampshire House Bill 791 — This bill sought to establish a commission to study the legal and social effects of permitting same-sex marriage.

**Status:** On April 4, 2007, the House voted 210-160 in favor of this bill. On May 31, 2007, the Senate voted 24-0 to defeat the bill.

New Mexico House Bill 395 — This bill proposed to amend the state constitution to provide that “marriage in this state shall consist only of the union between one man and one woman. Any right or claim to a marriage between persons of the same sex shall not be valid, binding, or enforceable in New Mexico even if the marriage or any right or claim is valid, binding, or enforceable in another jurisdiction.”

**Status:** This bill was introduced Jan. 18, 2007, and action was postponed indefinitely. The bill died when the legislature adjourned March 17, 2007.
**New Mexico House Joint Resolution 2** — This bill proposed the same amendment to the state constitution as House Bill 395 (above).

*Status:* This bill was introduced Jan. 17, 2007, and action was postponed indefinitely. The bill died when the legislature adjourned March 17, 2007.

**New Mexico Senate Bill 816** — This bill proposed the same amendment to the state constitution as the House bill and resolution (above).

*Status:* This bill was introduced Feb. 2, 2007. On Feb. 28, 2007, action was postponed indefinitely. The bill died when the legislature adjourned March 17, 2007.

**New Mexico Senate Bill 1003** — This bill sought to change the application form for a marriage license to be gender-neutral, removing the requirement that one applicant be male and one female.

*Status:* This bill was introduced Feb. 9, 2007, and action was postponed indefinitely. The bill died when the legislature adjourned March 17, 2007.

**North Carolina House Bill 493** — This bill proposed to amend the state constitution to provide that “[m]arriage is the union of one man and one woman at one time. This is the only marriage that shall be recognized as valid in this State. The uniting of two persons of the same sex or the uniting of more than two persons of any sex in a marriage, civil union, domestic partnership, or other similar relationship within or outside of this State shall not be valid or recognized in this State. This Constitution shall not be construed to require that marital status or the rights, privileges, benefits, or other legal incidents of marriage be conferred upon unmarried individuals or groups.”

*Status:* On May 22, 2007, this bill was sent to the House Judiciary Committee for further consideration, effectively killing the bill, as a House floor vote was required by the May 24, 2007, crossover deadline but did not occur.

**North Carolina Senate Bill 493** — This bill proposed the same amendment to the state constitution as House Bill 493 (above).

*Status:* This bill was introduced Jan. 25, 2007. There was no movement in 2007, and the bill died May 24, 2007, as there was no floor vote prior to the May 24, 2007, crossover deadline.

**Texas House Joint Resolution 73** — This resolution proposed a constitutional amendment repealing the existing constitutional amendment providing that marriage in Texas consists only of the union of one man and one woman and prohibiting the state or a political subdivision of the state from creating or recognizing any legal status identical or similar to marriage.

*Status:* This resolution was introduced Feb. 21, 2007. There was no movement, and the resolution died when the legislature adjourned May 29, 2007.

**Virginia House Joint Resolution 678** — This resolution proposed to amend the recent constitutional amendment passed by voters in 2006. The 2006 amendment provides that “only a union between one man and one woman may be a marriage valid in or recognized by this Commonwealth and its political subdivisions. This Commonwealth and its political subdivisions shall not create or recognize a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage. Nor shall this Commonwealth or its political subdivisions create or recognize another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage.” This resolution proposed a further amendment, adding this language to the existing amendment: “Any right, benefit, obligation, or status pertaining to persons not married is otherwise not altered or abridged by this section.”

*Status:* This resolution was introduced Jan. 9, 2007. On Jan. 19, 2007, the resolution was “passed by indefinitely” or killed by the House Committee on Privileges and Elections.

**Virginia House Joint Resolution 721** — This resolution sought to repeal the constitutional amendment passed by voters in 2006 (see text above for House Joint Resolution 678).

*Status:* This resolution was introduced Jan. 10, 2007. On Jan. 19, 2007, the resolution was “passed by indefinitely” or killed by the House Committee on Privileges and Elections.

**Wyoming Senate Bill 13** — This bill sought to provide that only foreign marriages between a man and a woman are valid in Wyoming and that any marriage contracted in Wyoming that is not between a man and a woman is void without any decree of divorce.
**Status:** This bill passed the Senate by a 21-8 vote on Jan. 31, 2007. On March 1, 2007, a House committee voted 7-6 against the bill. The bill officially died when the legislature adjourned March 7, 2007.

### Other Relationship-Recognition Bills: Passed

**Arizona Senate Bill 1099** — This bill will permit a domestic partner to make an anatomical gift for a deceased partner (decedent’s adult children and parents will have decision-making priority ahead of the partner).

**Status:** On June 14, 2007, the bill passed the Senate by a 19-0 vote. On June 18, 2007, the bill passed the House by a 50-10 vote. On July 2, 2007, Governor Janet Napolitano signed the bill, which became effective September 19, 2007.

**California Assembly Bill 102** — This bill will allow couples entering into a marriage or registered domestic partnership to change their surnames by entering a new surname in a space provided on either a marriage license or declaration of domestic partnership form.

**Status:** On May 7, 2007, the bill passed the Assembly by a 46-26 vote. On Sept. 6, 2007, the bill passed the Senate by a 24-15 vote. On Sept. 10, 2007, the bill passed the Assembly by a 46-26 vote, concurring with Senate amendments. On Oct. 12, 2007, Gov. Arnold Schwarzenegger signed the bill, which will become effective Jan. 1, 2009.

**California Senate Bill 559** — This bill rolls back tax increases for domestic partners who separated or lost a partner before a 2006 law went into effect protecting them against certain property reassessments triggered by separation or the death of a partner.

**Status:** On Sept. 4, 2007, the bill passed the Assembly by a 47-29 vote. On Sept. 5, 2007, the bill passed the Senate by a 22-14 vote. On Oct. 12, 2007, Gov. Schwarzenegger signed the bill, which became effective Jan. 1, 2008.

**Connecticut Senate Bill 1447** — This bill amends existing law to provide family and medical leave to the civil union partners of municipal employees on the same basis as such leave is provided to spouses. In addition, the bill amends existing law to prohibit discrimination based on civil union status. Finally, the bill provides that, wherever the term ”spouse” appears in the general statutes (with some exceptions), civil union status shall be included in such use or definition.

**Status:** On May 24, 2007, the bill passed the House by a 146-3 vote. On June 6, 2007, the bill passed the Senate by a 36-0 vote. On July 10, 2007, Gov. Rell signed the bill, which became effective immediately.

**Maine Legislative Document 256** — This bill provides up to 15 days of family military leave if a domestic partner or other family member dies or incurs a serious health condition while on active duty.

**Status:** On June 14, 2007, the bill passed the House by a 132-18 vote. On June 6, 2007, the bill passed the Senate and was signed by Gov. John Baldacci, and became effective September 20, 2007.

**Maine Legislative Document 375** — This bill amends family medical leave laws to include domestic partners.

**Status:** On May 24, 2007, the bill passed the House by a 95-41 vote. On June 5, 2007, the bill passed the Senate and was signed by Gov. Baldacci. The bill became effective law September 20, 2007.

**Maryland House Bill 1057** — This bill requires health insurance companies to provide policies for domestic partners of employees, at the request of employers.

**Status:** On April 4, 2007, the bill passed the Senate by a 28-17 vote. On April 6, 2007, the bill passed the House of Delegates by a 122-18 vote. The bill was signed by Gov. Martin O’Malley on May 17, 2007 and became effective June 1, 2007.

**Maryland Senate Bill 1022** — This bill authorized companies providing group life insurance to provide coverage to the domestic partner of the insured.

New Hampshire House Bill 437 — This bill permits same-sex couples to enter into civil unions and have the same rights, responsibilities and obligations as married couples under state law.

**Status:** This bill passed the House on April 4, 2007, by a 243-129 vote and passed the Senate on April 26, 2007, by a 14-10 vote. On May 31, 2007, Gov. John Lynch signed the bill, which became effective Jan. 1, 2008.

Oregon House Bill 2007 — This bill permits same-sex couples to enter into domestic partnerships and have the same rights, benefits and responsibilities as married couples under state law.

**Status:** This bill passed the House on April 17, 2007, by a 34-26 vote and passed the Senate on May 2, 2007, by a 21-9 vote. On May 9, 2007, Gov. Ted Kulongoski signed the bill, which was scheduled to become effective Jan. 1, 2008, but is currently on hold pending a court decision.

Rhode Island Senate Bill 619 — This bill provides domestic partners of certain state and municipal employees with pension, death and other retirement benefits available to spouses of such employees. The term "domestic partner" is defined by the bill.

**Status:** The bill passed the House and Senate and was vetoed by Gov. Donald Carcieri on July 4, 2007. On Oct. 30, 2007, the House and Senate both voted to override the governor's veto, and the bill became effective immediately.

Virginia House Bill 2730 — This bill requires licensed hospitals to include in their visitation policies a provision allowing each adult patient to receive visits from any individual from whom the patient desires to receive visits.

**Status:** On February 5, 2007, the bill passed the House by a 97-0 vote. On February 20, 2007, the bill passed the Senate by a 40-0 vote. On March 26, 2007, the bill was approved by Gov. Tim Kaine. The bill became effective July 1, 2007.

Washington Senate Bill 5336 — This bill permits same-sex couples to enter into domestic partnerships and receive a limited bundle of rights, including inheritance and hospital visitation.


**Other Relationship-Recognition Bills: Active**

Alaska House Joint Resolution 9 — This measure proposes to amend the state constitution, which already provides that “[t]o be valid or recognized in this State, a marriage may exist only between one man and one woman,” to further read that “[n]o other union is similarly situated to a marriage between a man and a woman and, therefore, a marriage between a man and a woman is the only union that shall be valid or recognized in this State and to which the rights, benefits, obligations, qualities, or effects of marriage shall be extended or assigned.”

**Status:** On May 7, 2007, the House voted 22-14 in favor of the resolution, but because 27 votes were needed for passage, the vote failed. The resolution's sponsor called for reconsideration, and the resolution was returned to the House Rules Committee.

Alaska Senate Joint Resolution 9 — This is the Senate companion to House Joint Resolution 9 (above) and proposes the same amendment to the state constitution.

**Status:** The bill was introduced April 27, 2007, and had no movement in 2007.

California Senate Bill 11 — This bill would allow any two persons, either opposite-sex or same-sex couples, who are 18 or older and meet other specified criteria to register as domestic partners. Existing law provides that two unmarried, unrelated adults with a common residence may establish a domestic partnership by filing a declaration with the secretary of state if both persons are members of the same sex or are over 62 years of age.

**Status:** On June 4, 2007, this bill passed the Senate by a 23-15 vote. On June 26, 2007, the bill passed the Assembly Committee on the Judiciary by a 7-3 vote. It is pending in the Assembly.

Delaware Senate Bill 10 — This bill would provide benefits to partners of state employees, described by the bill as "spousal equivalents".

**Status:** This bill was introduced January 25, 2007 and had no movement in 2007.
District of Columbia Bill 17-135 — This bill, which consolidates several bills relating to rights and responsibilities for domestic partners, would extend additional rights and responsibilities to domestic partners under D.C. law, including parental rights and burial rights.

Status: There was no movement on this bill in 2007.

Hawaii House Bills 907 and 908 — These bills seek to create civil unions in Hawaii and confer the state-level rights and responsibilities of marriage on parties to a civil union.

Status: These bills were introduced Jan. 20, 2007, and had no movement in 2007.

Hawaii Senate Bill 1062 — This is the Senate companion bill to House Bills 907 and 908 (above) regarding civil unions.

Status: This bill was introduced Jan. 19, 2007, and had no movement in 2007.

Hawaii House Bill 1587/Senate Bill 1096 — This bill would extend benefits provided to spouses under the state's employer-union health benefits trust fund to reciprocal beneficiaries.

Status: There was no movement on these bills in 2007.

Illinois House Bill 1331 — This bill would permit teachers to designate domestic partners who would be eligible to receive survivor and death benefits through the state pension system in the same manner as a surviving spouse. (see also Senate Bill 85)

Status: This bill was introduced February 20, 2007. On March 22, 2007, it was passed by the House Personnel and Pensions Committee. There has been no further movement to date in 2007.

Illinois House Bill 1826 — This bill would create civil unions in Illinois and confer the state-level rights and responsibilities of marriage on parties to a civil union.

Status: This bill was introduced Feb. 23, 2007, and had no movement in 2007.

Illinois Senate Bill 85 — This bill would permit teachers to designate domestic partners who would be eligible to receive survivor and death benefits through the state pension system in the same manner as a surviving spouse. (see also House Bill 1331)

Status: This bill was introduced January 31, 2007. There has been no further movement to date in 2007.

Illinois Senate Bill 362 — This bill would include qualified domestic partners in the definition of dependents for purposes of the state employees group insurance.

Status: This bill was introduced February 7, 2007. There has been no further movement in 2007.

Kansas House Bill 2299 — This bill would prohibit cities and counties from enacting local legislation creating a domestic partnership registry or otherwise establishing or recognizing any domestic partnership relationship not recognized under state law.

Status: On February 23, 2007, this bill passed the House Federal and State Affairs Committee. There was no further movement in 2007.

Maine Legislative Document 1788 — This bill would require registered domestic partners to file tax returns subject to the same requirements as married persons.

Status: There was no movement on this bill in 2007.

Massachusetts Senate Bill 1499 — This bill would provide benefits to the domestic partners of public-sector employees.

Status: There was no movement on this bill in 2007.

Minnesota House Bill 219 — This bill would provide that an employee may use personal sick leave benefits provided by his or her employer for absences due to the illness or injury of a domestic partner, spouse or other family member. The term “domestic partner” is defined by the bill.

Status: On March 1, 2007, the bill passed the House Commerce and Labor Committee. The bill is currently pending in the House. Note: the bill was removed from an omnibus spending bill.

Minnesota House Bill 1589/Senate Bill 1398 — This bill would provide that, when a patient is admitted to a health care facility, the patient, or guardian/conservator, must have the opportunity to designate a person as domestic partner who would have the status of patient’s next of kin with respect to visitation and health care decisions. The term “domestic partner” is defined by the bill.

Status: On May 2, 2007, Senate Bill 1398 passed the Senate by a 43-22 vote. On May 4, 2007, the House bill was indefinitely post-
poned, or killed (because the Senate bill will go before the House). Senate Bill 1398 is currently pending in the House.

**Minnesota House Bill 1618/Senate Bill 1369** — This bill would require that health insurance benefits be made available to domestic partners of state employees if they are also made available to spouses.

*Status:* On March 24, 2007, House Bill 1618 passed the House Health and Human Services Committee. This bill is currently pending in the House. On March 12, 2007, Senate Bill 1369 passed the Senate State and Local Government Operations and Oversight Committee. This bill is currently pending in the Senate. **Note:** both bills were removed from an omnibus spending bill.

**New Hampshire Senate Bill 240** — This bill would permit any two people, regardless of gender, to obtain a “contractual cohabitation certificate,” providing certain rights and responsibilities, including but not limited to property tax exemption, hospital visitation rights, duty to support, and inheritance rights.

*Status:* There was no movement on this bill in 2007. **Note:** House Bill 437 passed the legislature and was signed by the governor, establishing civil unions as of Jan. 1, 2008.

**New Jersey Assembly Bill 3805/Senate Bill 2414** — These bills would establish “equal benefits contracts,” which may be contracted by any two adults who do not have the legal right to marry each other.

*Status:* There was no movement on these bills in 2007.

**New York Assembly Bill 2196** — This bill would require that any employer who provides funeral or bereavement leave to employees for the death of a spouse or a spouse’s child, parent or relative must provide the same leave to an employee for the death of a same-sex committed partner or a child, parent or relative of the committed partner.

*Status:* There was no movement on this bill in 2007.

**New York Assembly Bill 2309** — This bill would allow employees to use accrued sick leave to provide care for a domestic partner. The term “domestic partner” is defined by the bill.

*Status:* On May 15, 2007, the bill passed the Assembly Labor Committee. It is currently pending in the Assembly.

**New York Assembly Bill 2883** — This bill would provide that the surviving spouse or domestic partner of a state employee may use such deceased spouse’s or domestic partner’s earned but unused sick leave to continue health care coverage. The term “domestic partner” is defined by the bill.

*Status:* There was no movement on this bill in 2007.

**New York Assembly Bill 3251/Senate Bill 3873** — These bills would require insurers providing family health insurance to offer coverage for the domestic partner of an insured person. The term “domestic partner” is defined by the bill.

*Status:* On March 26, 2007, Assembly Bill 3251 passed the Assembly by a 121-22 vote. Senate Bill 3873 is pending in the Senate.

**New York Assembly Bill 3614/Senate Bill 1833** — These bills would provide that contributions made by an employer to an accident or health plan for the benefit of an employee’s domestic partner would be exempt from federal adjusted gross income for tax purposes.

*Status:* There was no movement on these bills in 2007.

**New York Assembly Bill 3785** — This bill would exempt all compensation attributable to employer-provided benefits to domestic partners from federal adjusted gross income.

*Status:* There was no movement on this bill in 2007.

**New York Assembly Bill 3869/Senate Bill 1992** — These bills would create a domestic partnership registry that would provide certain rights, benefits and responsibilities to same-sex and opposite-sex couples entering into domestic partnerships.

*Status:* There was no movement on these bills in 2007.

**New York Assembly Bill 3976/Senate Bill 1981** — These bills would require hospital admission forms to allow patients to designate a domestic partner with the same privileges as next of kin for purposes of visitation and authorization of surgery in the absence and unavailability of next of kin and if the patient becomes unable to give consent and has not otherwise identified a healthcare decisionmaker, e.g., by healthcare proxy.

*Status:* There was no movement on these bills in 2007.
New York Assembly Bill 4526/Senate Bill 2416 — These bills would make a domestic partner (as defined by the bill) eligible to receive crime victims’ compensation as the surviving family member of a homicide victim.

**Status:** On May 31, 2007, Assembly Bill 4526 was passed by an Assembly committee. It is pending before the Assembly. Senate Bill 2416 is pending in the Senate.

New York Assembly Bill 5709 — This bill would provide accidental death benefits to domestic partners and children of domestic partners of certain municipal employees outside New York City. The term “domestic partner” is defined by the bill.

**Status:** There was no movement on this bill in 2007.

New York Assembly Bill 5845 — This bill would amend disability benefits law to include domestic partners in certain provisions. The term “domestic partner” is defined by the bill.

**Status:** There was no movement on this bill in 2007.

New York Assembly Bill 6807 — This bill would allow credit unions to offer membership to domestic partners of persons eligible for membership in the credit union. The term “domestic partner” is defined by the bill.

**Status:** There was no movement on this bill in 2007.

New York Assembly Bill 6993 — This bill would permit domestic partners (as defined in the bill) and others to make medical decisions for incapacitated partners.

**Status:** The bill passed an Assembly committee on June 18, 2007. It is pending in the Assembly.

New York Assembly Bill 7130 — This bill would amend workers’ compensation law to establish a family temporary care leave insurance program, providing benefits to employees to care for a family member, including a domestic partner (as defined by the bill), with a serious health condition.

**Status:** There was no movement on this bill in 2007.

New York Assembly Bill 8391 — This bill would permit, in order of priority, certain persons, including domestic partners, to authorize organ donations for the deceased. The term “domestic partner” is defined by the bill.

**Status:** On June 5, 2007, the bill passed the Assembly by a 142-0 vote. The bill is pending in the Senate.

Oklahoma Senate Joint Resolution 21 — This resolution would place a proposed constitutional amendment on the ballot providing that civil unions between persons of the same gender are prohibited and that civil unions between persons of the same gender granted in another state are not recognized in Oklahoma.

**Status:** There was no movement on this bill in 2007.

Rhode Island House Bill 5238/Senate Bill 280 — These bills seek to amend the state’s existing Parental and Family Medical Leave Act to include “domestic partner” as a family member covered by the act. The term “domestic partner” is defined by the bill.

**Status:** On March 6, 2007, House Bill 5238 bill was “held for further study” by the House Labor Committee. On May 10, 2007, Senate Bill 280 was “held for further study” by the Senate Judiciary Committee.

Rhode Island House Bill 5289/Senate Bill 777 — These bills seek to have domestic partners afforded the protections offered to spouses who are witnesses at civil trials. The term “domestic partner” is defined by the bill.

**Status:** On March 7, 2007, House Bill 5289 bill was “held for further study” by the House Judiciary Committee. On April 3, 2007, Senate Bill 777 was “held for further study” by the Senate Judiciary Committee.

Rhode Island House Bill 5356 — This bill seeks to permit couples to enter into civil unions with all the same benefits, protections and responsibilities that are granted to married spouses under state law.

**Status:** On May 16, 2007, this bill was “held for further study” by the House Judiciary Committee.

Rhode Island House Bill 5473 — This bill would amend existing law to provide surviving domestic partners with the same rights as married spouses with regard to funeral arrangements. The term “domestic partner” is defined by the bill.

**Status:** There was no movement on this bill in 2007.
Rhode Island House Bill 5643 — This bill seeks to permit couples, regardless of gender, to enter into civil unions with all the same benefits, protections and responsibilities that are granted to married spouses under state law.

Status: On May 16, 2007, this bill was “held for further study” by the House Judiciary Committee.

Rhode Island House Bill 5855 — This bill would amend existing law to provide domestic partners with the same rights as married spouses with regard to patients in a nursing home.

Status: There was no movement on this bill in 2007.

Rhode Island House Bill 5868 — This bill would amend existing law to permit a domestic partner to recover civil damages for loss of consortium for the wrongful death of a domestic partner. The term “domestic partner” is defined in the bill.

Status: There was no movement on this bill in 2007.

Rhode Island Senate Bill 328 — This bill seeks to amend existing law to provide domestic partners with the same rights as married spouses with regard to patients in a nursing home.

Status: On May 10, 2007, the bill was “held for further study” by the Senate Judiciary Committee.

Rhode Island Senate Bill 709 — This bill seeks to amend existing law to provide surviving domestic partners with the same rights as married spouses with regard to funeral arrangements. The term “domestic partner” is defined by the bill.

Status: On May 10, 2007, the bill was “held for further study” by the Senate Judiciary Committee.

Rhode Island Senate Bill 893 — This bill would permit any two unmarried persons who are prohibited from marrying under Rhode Island law to enter into a reciprocal beneficiary agreement providing certain rights and responsibilities to each beneficiary.

Status: There was no movement on this bill in 2007.

South Carolina Senate Bill 326 — This bill would permit same-sex couples to enter into civil unions with a legal status equivalent to marriage under state law.

Status: This bill was introduced Jan. 24, 2007. There was no movement on this bill in 2007.

Washington Senate Bill 5069 — This bill would provide retirement benefits for the domestic partners of certain state employees.

Status: This bill was introduced Jan. 9, 2007. There was no movement on this bill in 2007.

Other Relationship-Recognition Bills: Dead

California Assembly Bill 537 — This bill sought to expand the state Family and Medical and Leave Act to permit an employee to take leave to care for a seriously ill domestic partner.


Connecticut Senate Bill 1449 — This bill sought to recognize as a civil union in Connecticut the legal union of two persons validly entered into in another state or jurisdiction.

Status: This bill died when the legislature adjourned June 6, 2007.

Kentucky House Bill 10 — This bill would have prohibited institutions in the state postsecondary education system from providing health benefits to domestic partners of employees. The term “domestic partner” is defined by the bill.

Status: The bill died when the legislature adjourned March 27, 2007.

Kentucky House Bill 48 — This bill would have prohibited institutions in the state postsecondary education system from providing health benefits to domestic partners of employees. The term “domestic partner” is defined by the bill.

Status: The bill died when the legislature adjourned March 27, 2007.

Kentucky Senate Bill 5 (special session) — This bill would have prohibited public agencies from providing health benefits to domestic partners.

Status: The bill died when the legislature adjourned March 27, 2007.

Kentucky Senate Bill 5 (special session) — This bill would have prohibited public agencies from providing health benefits to domestic partners.

Status: On July 5, 2007, the bill passed the Senate by a 2806 vote. On July 5, 2007, the House voted 56-34 to adjourn the special ses-
sion without taking up any bills, including Senate Bill 5.

**Maryland House Bill 774** — This bill proposed that an insurance provider that offers a benefit plan to a married couple is not required to provide that plan to an unmarried couple.

**Status:** This bill was killed by the House Judiciary Committee on March 22, 2007.

**Minnesota House File 1097/Senate File 906** — These bills, which were made part of an omnibus spending bill, would have given local governments the authority to provide domestic partner benefits.

**Status:** These bills passed the House and Senate, but were vetoed by Gov. Tim Pawlenty.

**New Hampshire House Bill 771** — This bill would have extended state employee spousal medical and surgical benefits to domestic partners.

**Status:** On November 14, 2007, a House Committee voted 13-0 that the bill is inexpedient to legislate, essentially killing the bill. **Note:** New Hampshire passed a civil union bill, House Bill 437, that becomes effective Jan. 1, 2008 and provides civil union partners all the rights, benefits and responsibilities provided to married couples under state law.

**New Hampshire House Bill 905** — This bill sought to establish civil unions for same-sex couples, providing those joined in a civil union with a legal status equivalent to marriage under state law.

**Status:** On April 4, 2007, the House voted this bill inexpedient to legislate, killing the bill. **Note:** A similar bill, House Bill 437, passed the legislature and was signed by the governor, establishing civil unions as of Jan. 1, 2008.

**New Mexico House Bill 15** — This bill would have required insurers providing group health insurance to provide coverage for domestic partners of employees. The term “domestic partner” is defined by the bill.

**Status:** On Feb. 5, 2007, the bill passed the House by a 41-25 vote. On March 2, 2007, the bill passed a Senate committee. There was no further action, and the bill died when the legislature adjourned March 17, 2007.

**New Mexico House Bill 603** — This bill sought to allow same-sex couples to enter into domestic partnerships with the same rights, protections, benefits and responsibilities provided to married spouses.

**Status:** On Feb. 26, 2007, the bill passed the House by a 33-24 vote. On March 16, 2007, the Senate voted to consider a substitute bill (providing benefits to “contractually covered households”) by a 22-20 vote. On March 17, 2007, the House passed a corrected version of the bill (restoring to version before Senate amendments) by a 30-27 vote. There was no further movement, and the bill died when the legislature adjourned March 17, 2007 (see also House Bill 4 in special session, below).

**New Mexico House Bill 4 (special session)** — This bill, introduced in special session, sought to allow same-sex couples to enter into domestic partnerships with the same rights, protections, benefits and responsibilities provided to married spouses.

**Status:** On March 21, 2007, the bill passed the House by a 30-23 vote. The special session adjourned without any action by the Senate.

**New Mexico Senate Bill 182** — This bill would have required insurers providing group health insurance to provide coverage for domestic partners of employees. The term “domestic partner” is defined by the bill.

**Status:** On Feb. 26, 2007, the bill was defeated in the Senate by a 22-17 vote.

**Oregon House Bill 3217** — This bill sought to provide an adult who cohabits with another adult who is a patient in a health care facility with the same visitation privileges provided to members of the patient’s immediate family.

**Status:** This bill died when the legislature adjourned June 28, 2007.

**Oregon House Bill 3536** — This bill sought to permit same-sex couples to enter into reciprocal beneficiary relationships and gain certain rights and obligations.

**Status:** This bill was introduced March 5, 2007. There was no movement in 2007, and the bill died when the legislature adjourned June 28, 2007. **Note:** A bill providing for domestic partnership passed (See Oregon House Bill 2007).
**Anti-Discrimination Bills: Passed**

**California Assembly Bill 14** — This bill amends existing private-sector anti-discrimination laws to make them consistent with public-sector, anti-discrimination laws, which prohibit discrimination based on sexual orientation and gender identity.

**Status:** On May 21, 2007, the bill passed the Assembly by a 46-29 vote. On Sept. 11, 2007, the bill passed the Senate by a 23-13 vote. On Sept. 12, 2007, the bill passed the Assembly by a 47-29 vote (concurring with Senate amendments). On Oct. 12, 2007, Gov. Arnold Schwarzenegger signed the bill, which became effective Jan. 1, 2008.

**California Senate Bill 518** — This bill creates a Youth Bill of Rights for youth residing in juvenile justice facilities. Among other things, the bill requires the Division of Juvenile Facilities to provide care, placement and services for children in their custody without discriminating on the basis of actual or perceived sexual orientation, gender identity or HIV status.

**Status:** On Sept. 10, 2007, the bill passed the Assembly by a 47-31 vote. On Sept. 11, 2007, the bill passed the Senate by a 22-12 vote. On Oct. 13, 2007, Gov. Schwarzenegger signed the bill, which became effective Jan. 1, 2008.

**Colorado Senate Bill 25** — This bill adds sexual orientation and transgender status to existing law prohibiting discrimination in employment.

**Status:** This bill was signed by Gov. Bill Ritter on May 25, 2007, and became effective Aug. 3, 2007.

**Connecticut Senate Bill 1106** — This bill requires contracts with the state or its political subdivisions to include provisions stating that the contractor will not discriminate based on sexual orientation, civil union status or other characteristics in the performance of the contract. It further provides that, prior to entering into the contract, the prospective contractor must provide the state with documentation in the form of a company or corporate policy adopted by the board of directors or other governing body agreeing to support the contractual agreements not to discriminate.

**Status:** On May 24, 2007, the bill passed the Senate by a 36-0 vote. On June 2, 2007, the bill passed the House by a 145-0 vote. On June 25, 2007, Gov. Rell signed the bill, which became effective July 1, 2007.

**Connecticut Senate Bill 1109** — This bill extends existing law, making it a discriminatory practice for any person to subject, or cause to be subjected, any other person to the deprivation of any rights, privileges or immunities, which are secured or protected by the U.S. Constitution or state or federal laws, on account of sexual orientation.

**Status:** On May 9, 2007, the bill passed the Senate by a 36-0 vote. On May 15, 2007, the bill passed the House by a 147-0 vote. On May 30, 2007, Gov. Jodi Rell signed the bill, which became effective Oct. 1, 2007.

**Iowa Senate Bill 427** — This bill adds sexual orientation and gender identity to the state’s existing anti-discrimination laws.

**Status:** On April 25, 2007, the bill passed the House by a 59-37 vote and passed the Senate by a 34-16 vote. On May 25, 2007, Gov. Chet Culver signed the bill, which became effective July 1, 2007.

**Oregon Senate Bill 2** — This bill adds sexual orientation and gender identity or expression to the state’s existing anti-discrimination laws.

**Status:** On April 17, 2007, the bill passed the House by a 35-25 vote. On April 19, 2007, the bill passed the Senate by a 19-7 vote. On May 9, 2007, Gov. Ted Kulongoski signed the bill, which became effective Jan. 1, 2008.

**Vermont Senate Bill 51** — This bill adds gender identity or expression to the state’s existing anti-discrimination laws.


**Anti-Discrimination Bills: Active**

**Delaware Senate Bill 141** — This bill would add sexual orientation to the state’s existing anti-discrimination laws.

**Status:** This bill was introduced June 14, 2007. There was no movement in 2007.
Kansas Senate Bill 163 — This bill would add sexual orientation and gender identity to the state’s existing anti-discrimination laws.

*Status:* This bill was introduced Jan. 24, 2007. There was no movement in 2007.

Massachusetts House Bill 1722 — This bill would expand the existing anti-discrimination law to prohibit discrimination based on gender identity.

*Status:* There was no movement on this bill in 2007.

Massachusetts House Bill 3725 — This bill would provide that nothing shall be construed to deny benefits to anyone discharged solely under Article 125 of the Uniform Code of Military Justice as the result of consensual behavior between adults.

*Status:* There was no movement on this bill in 2007.

Massachusetts Senate Bill 928 — This bill would strike out all references to “sexual orientation” in Massachusetts statutes.

*Status:* There was no movement on this bill in 2007.

Michigan House Bill 4160 — This bill would add sexual orientation and gender identity or expression to the state’s existing anti-discrimination laws.

*Status:* This bill was introduced Jan. 30, 2007. There was no movement in 2007.

New Jersey Assembly Bill 4209 — This bill would amend existing anti-discrimination law to provide that it is an unlawful employment practice for an employer to subject an employee to a hostile work environment that is based on the employee’s civil union status, domestic partnership status or other enumerated characteristics.

*Status:* There was no movement on this bill in 2007.

New York Assembly Bill 3483 — This bill would amend existing law to prohibit discrimination because of sexual orientation in the underwriting, rating or providing of insurance policies.

*Status:* On May 31, 2007, the bill passed the Assembly by a 134-0 vote. The bill is pending in the Senate.

New York Assembly Bill 6584/Senate Bill 3753 — These bills would add gender identity or expression to the state’s anti-discrimination laws. The bills would also add gender identity or expression to the state’s hate crime law.

*Status:* On April 24, 2007, Assembly Bill 6584 passed the Assembly Committee on Government Operations. It is currently pending in the Senate. Senate Bill 3753 was introduced March 14, 2007, and did not have any movement in 2007.

New York Senate Bill 1807 — This bill would amend existing law to require that state and municipal contractors not discriminate based on sexual orientation or other enumerated characteristics.

*Status:* There was no movement on this bill in 2007.

Pennsylvania House Bill 1400 — This bill would add sexual orientation and gender identity or expression to the state’s existing anti-discrimination laws.

*Status:* This bill was introduced June 18, 2007. There was no movement in 2007.

Pennsylvania Senate Bill 761 — This bill would add sexual orientation and gender identity or expression to the state’s existing anti-discrimination laws.

*Status:* This bill was introduced April 12, 2007. There was no movement in 2007.

Vermont House Bill 228 — This bill would add gender identity or expression to the state’s existing anti-discrimination laws.

*Status:* This bill is technically still alive, but is now moot since the nearly identical Senate Bill 51 (see p. 31) was signed into law.

West Virginia House Bill 2860 — This bill would add sexual orientation to the state’s existing anti-discrimination laws.

*Status:* This bill was introduced Feb. 6, 2007. There was no movement in 2007.
West Virginia House Bill 3211/Senate Bill 688 — These bills would add sexual orientation to the state’s existing anti-discrimination laws.
   Status: There was no movement on these bills in 2007.

Wisconsin Senate Joint Resolution 2 — This resolution proposes to amend the state constitution to guarantee equal protection of the laws and provide that no law shall discriminate based on sexual orientation (as well as other categories, including race, sex, gender, age, disability and religion).
   Status: There was no movement on this resolution in 2007.

Anti-Discrimination Bills: Dead

Arizona House Bill 2580 — This bill sought to add sexual orientation and gender identity or expression to existing law that prohibits discrimination in employment.
   Status: The bill died when the legislature adjourned June 20, 2007.

California Senate Bill 836 — This bill sought to amend anti-discrimination laws in the areas of employment and housing to prohibit discrimination based on familial status (which includes being an individual who is caring for or supporting a domestic partner).

Connecticut Senate Bill 1044 — This bill sought to add gender identity or expression to the state’s existing anti-discrimination laws.
   Status: The bill passed the Senate by a 30-4 vote on May 23, 2007, but died when the legislature adjourned June 6, 2007.

Florida House Bill 609 — This bill sought to add sexual orientation to existing law prohibiting discrimination against students and employees in the state public education system.
   Status: This bill died when the legislature adjourned May 4, 2007.

Florida House Bill 639/Senate Bill 2628 — These bills sought to add sexual orientation to the state’s existing anti-discrimination laws.
   Status: These bills died when the legislature adjourned May 4, 2007.

Indiana House Bill 1716 — This bill sought to add sexual orientation and gender identity or expression to the state’s existing anti-discrimination laws.
   Status: This bill died when the legislature adjourned April 29, 2007.

Maine Legislative Document 180 — This bill would have permitted a person who has reassigned gender to change his or gender on driver’s license.
   Status: This bill died in committee on February 27, 2007.

Maryland Senate Bill 516/House Bill 945 — These bills sought to add gender identity and expression to the state’s existing anti-discrimination laws.
   Status: On March 23, 2007, the Senate Judicial Proceedings Committee voted 6-5 against the bill. The bills formally died when the legislature adjourned April 9, 2007.

Missouri House Bill 819/Senate Bill 266 — These bills sought to add sexual orientation and gender identity to the state’s existing anti-discrimination laws.
   Status: These bills died when the legislature adjourned May 30, 2007.

Montana Senate Bill 371 — This bill sought to add sexual orientation and gender identity or expression to the state’s existing anti-discrimination laws.
   Status: This bill died when the legislature adjourned April 27, 2007.

Nebraska Legislative Bill 475 — This bill sought to add sexual orientation to the state’s existing anti-discrimination laws.
   Status: This bill died when the legislature adjourned May 31, 2007.

Nevada Assembly Bill 255 — This bill would have amended existing law to prohibit discrimination in public accommodations based on sexual orientation.
   Status: On June 4, 2007, the bill passed the House by a 26-16 vote. There was no further action, and the bill died when the legislature adjourned June 5, 2007.
Nevada Assembly Bill 442 — This bill would have amended existing law to prohibit discrimination in public accommodations based on sexual orientation. This bill would also have declared it state policy to foster employment rights for all people without discrimination because of sexual orientation (state law already prohibits employment discrimination because of sexual orientation). The bill would also have enhanced the authority of the Nevada Equal Rights Commission to investigate discrimination based on sexual orientation.  
**Status:** This bill died when the legislature adjourned June 5, 2007.

North Carolina House Bill 1789/Senate Bill 1534 — These bills sought to add sexual orientation and gender identity or expression to existing law prohibiting discrimination against state employees.  
**Status:** There was no movement in 2007, and these bills died May 24, 2007, as there was no floor vote on either bill prior to the May 24, 2007, crossover deadline.

Oregon House Bill 3526 — This bill sought to add sexual orientation and gender identity or expression to the state’s existing anti-discrimination laws.  
**Status:** This bill died in committee on June 28, 2007.  
**Note:** a very similar bill, Senate Bill 2, was passed and signed into law.

Oregon Senate Bill 500 — This bill sought to add sexual orientation and gender identity or expression to the state’s existing anti-discrimination laws.  
**Status:** This bill died in committee on June 28, 2007.  
**Note:** a very similar bill, Senate Bill 2, was passed and signed into law.

South Carolina Senate Bill 438 — This bill sought to add sexual orientation and gender identity and expression to the state’s existing employment discrimination laws.  
**Status:** This bill was introduced Feb. 14, 2007. There was no movement in 2007, and the bill died May 1, 2007, as there was no floor vote prior to the May 1, 2007, crossover deadline.

Texas House Bill 247 — This bill would have provided that a person may not refuse to insure or provide insurance coverage to an individual or otherwise discriminate with regard to insurance coverage based on the individual’s sexual orientation, gender identity or expression and other characteristics.  
**Status:** This was a carry-over bill from 2006. There was no movement in 2007 and the bill died when the legislature adjourned May 29, 2007.

Texas House Bill 307 — This bill sought to add sexual orientation and gender identity to the state’s existing employment discrimination laws.  
**Status:** This bill died when the legislature adjourned May 29, 2007.

Texas House Bill 900 — This bill sought to add sexual orientation and gender identity to the state’s existing anti-discrimination laws.  
**Status:** This bill died when the legislature adjourned May 29, 2007.

Texas House Bill 1326 — This bill would repeal the section of the Texas penal code criminalizing consensual same-sex sexual intercourse and would require the use of educational materials emphasizing sexual abstinence before marriage.  
**Status:** This bill died when the legislature adjourned May 29, 2007.  
**Note:** The Supreme Court’s 2003 decision in Lawrence v. Texas struck down as unconstitutional the section of the state penal code criminalizing consensual, same-sex sexual intercourse, but the unconstitutional law remains on the books.

Virginia House Bill 2550 — This bill sought to prohibit discrimination based on sexual orientation and gender identity or expression against state employees.  
**Status:** There was no movement on this bill, and the bill died when the legislature adjourned Feb. 24, 2007.

Virginia House Bill 2252 — This bill would have provided that the city of Richmond could enact an ordinance prohibiting discrimination based on sexual orientation.  
**Status:** There was no movement on this bill, and the bill died when the legislature adjourned Feb. 24, 2007.

Virginia House Bill 2598 — This bill would have provided that counties with an urban county executive form of government could enact an ordinance prohibiting discrimination based on sexual orientation.  
**Status:** There was no movement on this bill, and the bill died when the legislature adjourned Feb. 24, 2007.
Virginia Senate Bill 820 — This bill sought to prohibit discrimination based on sexual orientation and gender identity or expression against state employees.

**Status:** There was no movement on this bill, and the bill died when the legislature adjourned Feb. 24, 2007.

Virginia Senate Bill 1310 — This bill sought to prohibit discrimination based on sexual orientation and gender identity or expression against state employees.

**Status:** There was no movement on this bill, and the bill died when the legislature adjourned Feb. 24, 2007.

Wyoming House Bill 325 — This bill sought to add sexual orientation to the state’s existing anti-discrimination laws.

**Status:** There was no movement on this bill, and the bill died when the legislature adjourned March 7, 2007.

Hate Crimes Bills: Passed

California Assembly Joint Resolution

Senate Bill 29 — This resolution urges Congress to pass the Local Law Enforcement Hate Crimes Prevention Act, or Matthew Shepard Act, and urges the president of the United States to sign the act into law.

**Status:** On July 12, 2007, this resolution passed the Assembly by a 70-1 vote. On Aug. 27, 2007, the resolution passed the Senate by a 22-1 vote. On August 29, 2007, it was chaptered by the Secretary of State.

Georgia Senate Resolution 555 — This resolution creates a Senate Study Committee on Hate Crime Legislation to be composed of five members of the Senate to be appointed by the lieutenant governor.

**Status:** On April 19, 2007, the Senate voted 42-0 to adopt the resolution.

Oregon Senate Bill 2 — This bill, in addition to adding sexual orientation and gender identity or expression to the state’s existing anti-discrimination laws, also added gender identity or expression to the state’s existing hate crimes law (which already applied to crimes motivated by the victim’s sexual orientation).

**Status:** On April 17, 2007, the bill passed the House by a 35-25 vote. On April 19, 2007, the bill passed the Senate by a 19-7 vote. On May 9, 2007, Gov. Ted Kulongoski signed the bill, which became effective Jan. 1, 2008.

Hate Crimes Bills: Active

Alaska Senate Bill 6 — This bill would add sexual orientation to the state’s hate crimes law.

**Status:** There was no movement on this bill in 2007.

Georgia Senate Bill 211 — This bill would enhance the penalty for crimes committed because of a victim’s race, religion, gender, gender identity, sexual orientation or national origin.

**Status:** On March 19, 2007, this bill passed the Senate Judiciary Committee. There was no further movement in 2007.

Iowa Senate Study Bill 1040 — This bill would add gender identity to the state’s hate crime law.

**Status:** This bill was introduced Jan. 17, 2007. There was no movement in 2007.

Massachusetts House Bill 1722 — This bill would expand the existing hate crimes law to cover crimes motivated by the victim’s gender identity or expression.

**Status:** There was no movement on this bill in 2007.

Michigan Senate Bill 610 — This bill would add gender identity or expression to the state’s hate crime law.

**Status:** This bill was introduced June 27, 2007. There was no movement in 2007.

New York Assembly Bill 6584/Senate Bill 3753 — These bills would add gender identity or expression to the state’s hate crime law. The bills would also add gender identity or expression to the state’s anti-discrimination laws.

**Status:** On April 24, 2007, Assembly Bill 6584 passed the Assembly Committee on Government Operations. It is currently pending in the Assembly. Senate Bill 3753 was introduced March 14, 2007, and did not have any movement in 2007.

West Virginia House Bill 2851 — This bill would add sexual orientation and disability to the state’s hate crimes law.

**Status:** The bill was introduced Feb. 6, 2007. There was no movement in 2007.
Hate Crimes Bills: Dead

**Alabama House Bill 247** — This bill sought to add sexual orientation to the state’s hate crimes law.

*Status:* The bill died when the legislature adjourned June 7, 2007.

**Arizona House Bill 2358** — This bill would permit enhanced sentences for misdemeanors committed out of malice toward a victim because of the victim’s race, color, religion, national origin, sexual orientation, gender or disability.

*Status:* The bill died when the legislature adjourned June 20, 2007.

**Indiana House Bill 1459** — This bill sought to permit judges to enhance the penalty for crimes committed because of a victim’s color, creed, disability, national origin, race, religion, sexual orientation, gender identity, sex or any other characteristic or belief.

*Status:* On Feb. 19, 2007, this bill passed the House Committee on Courts and Criminal Code. There was no further movement in 2007, and the bill died when the legislature adjourned April 29, 2007.

**Mississippi House Bill 214** — This bill sought to add actual or perceived age or sexual orientation to the state’s hate crimes law.


**Mississippi House Bill 807** — This bill sought to make it a crime for any person, under color of state law, to deprive a person of legal rights (guaranteed under state or federal law) because of sexual orientation or other protected characteristics.

*Status:* On Feb. 6, 2007, this bill passed the House by a 90-27 vote. On Feb. 28, 2007, an amended version of the bill passed the Senate by a 31-20 vote. The different versions were not reconciled before the legislature adjourned March 30, 2007, and the bill died.

**Montana Senate Bill 454** — This bill sought to add sexual orientation, gender and disability to the state’s hate crimes law.

*Status:* The bill died when the legislature adjourned April 27, 2007.

**North Carolina House Bill 1631** — This bill sought to add sexual orientation, gender identity, age, gender and disability to the state’s hate crimes law.

*Status:* There was no movement in 2007, and this bill died May 24, 2007, as there was no floor vote on either bill prior to the May 24, 2007, crossover deadline.

**South Carolina House Bill 3738** — This bill sought to create a hate crimes law applicable to certain offenses committed because of the victim’s sexual orientation, gender identity or expression, race, religion, sex, age or national origin.

*Status:* There was no movement in 2007, and the bill died May 1, 2007, as there was no floor vote prior to the May 1, 2007, crossover deadline.

**South Carolina Senate Bill 440** — This bill sought to create a hate crimes law applicable to certain offenses motivated by the victim’s sexual orientation, gender identity, race, religion, color, ancestry, gender, age, disability or national origin.

*Status:* There was no movement in 2007, and this bill died May 1, 2007, as there was no floor vote prior to the May 1, 2007, crossover deadline.

**Texas House Bill 1289** — This bill sought to add gender identity or expression to the state’s hate crimes law.

*Status:* The bill died when the legislature adjourned May 29, 2007.

Parenting Bills: Passed

**Colorado House Bill 1330** — This bill provides that a child may be adopted by a second adult parent upon the written consent of a single parent if the child has no other legal parent.


**District of Columbia Bill 17-0041** — This bill permits de facto parents to bring an action in court
for custody of children. An individual who establishes he or she is a de facto parent would be deemed a parent pursuant to D.C. law.

**Status:** On June 21, 2007, the D.C. Council voted to pass the bill, which was signed by Mayor Adrian Fenty on July 9, 2007, and became effective Sept. 20, 2007, after the congressional review period expired.

**Utah House Bill 343** — This bill requires that priority shall be given to foster placement of children with a man and a woman who are married to each other, unless it is in the best interests of the child to be placed with a single foster parent.

**Status:** On Feb. 22, 2007, this bill passed the House by a 61-12 vote. On Feb. 28, 2007, the bill passed the Senate by a 28-1 vote. On March 14, 2007, Gov. Jon Huntsman signed the bill, which became effective immediately.

**Parenting Bills: Active**

**Massachusetts Senate Bill 893** — This bill would provide that, for adoptive parents who are not married to each other, in any dispute as to custody, visitation or support, laws applicable to children born out of wedlock apply.

**Status:** There was no movement on this bill in 2007.

**Michigan House Bill 4259** — This bill would permit two unmarried persons to jointly adopt a child.

**Status:** On May 9, 2007, this bill passed the House Judiciary Committee by an 8-5 party line vote. It is now pending before the House.

**Michigan Senate Bill 666** — This bill would permit two unmarried persons to jointly adopt a child.

**Status:** This bill was introduced August 1, 2007. There has been no movement to date in 2007.

**New Hampshire House Bill 51** — This bill would permit two unmarried adults in a “familial relationship” to adopt jointly. A familial relationship is defined as sharing a common residence, economic interdependence (such as jointly owning or renting a home) and a shared commitment to parenting duties and responsibilities.

**Status:** On March 21, 2007, this bill passed the House by a 234-127 vote. The bill is pending in the Senate.

**New York Assembly Bill 7449** — This bill would permit any two unmarried adults to jointly adopt another person.

**Status:** There was no movement on this bill in 2007.

**New York Assembly Bill 8710** — This bill would provide that, in any case involving the custody of a child, when making a determination as to the best interests of the child, a judge may not take into consideration a parent’s decision to undergo “gender reassignment”. The judge also shall not prohibit a parent from undergoing “gender reassignment” as a condition of receiving custody.

**Status:** There was no movement on this bill in 2007.

**Pennsylvania Senate Bill 702** — This bill would provide that any individual may adopt, but only a husband and wife may file a joint petition for adoption.

**Status:** There was no movement on this bill in 2007.

**Washington House Bill 2347** — This bill, responding to a state supreme court decision recognizing a lesbian co-parent as a de facto parent after she and her partner separated, would state that the legislature did not intend to create a de facto parent.

**Status:** There was no movement on this bill in 2007.

**Parenting Bills: Dead**

**Arkansas Senate Bill 959** — This bill sought to provide that a person otherwise eligible to adopt under state law may not adopt or foster parent if he or she is “homosexual” and/or an unmarried adult cohabiting in a sexual relationship that is not a valid marriage in Arkansas.

**Status:** On March 13, 2007, this bill passed the Senate by a 20-7 vote. On March 27, 2007, the bill was rejected in the House Judiciary Committee by voice vote. The bill formally died when the legislature adjourned April 3, 2007.
Florida House Bill 789/Senate Bill 1012 — These bills sought to modify current law prohibiting “homosexuals” from adopting to allow adoptions in certain circumstances, including if the prospective parent has resided with the child, the child recognizes the prospective parent as his or her parent and a family court finds that the child’s best interest will be served by the adoption or if the child’s parents are both deceased and the prospective parent is the child’s guardian, as per the parents’ wishes.

**Status:** These bills died when the legislature adjourned May 4, 2007.

Florida Senate Bill 206 — This bill sought to eliminate the ban on adoption by “homosexuals” and define the standard for selecting an adoptive parent as the best interest of the child to be adopted. For “homosexuals,” an assessment of the prospective parent would be conducted by a family court judge.

**Status:** This bill died when the legislature adjourned May 4, 2007.

Nebraska Legislative Bill 571 — This bill sought to permit two adults, regardless of their marital status, to jointly adopt a minor child.

**Status:** This bill died when the legislature adjourned May 31, 2007.

New York Assembly Bill 3239/Senate Bill 4756 — These bills sought to permit any two unmarried adults to jointly adopt another person.

**Status:** On April 20, 2007, the enacting clause was stricken for Assembly Bill 3239, killing the bill. On June 4, 2007, the enacting clause was stricken for Senate Bill 4756, killing the bill.

School-Related Bills: Passed

Arkansas House Bill 1072 — This bill amends existing anti-bullying law to define bullying. There are no enumerated categories in the bill.


California Assembly Bill 394 — This bill requires the state Department of Education to monitor adherence to existing anti-discrimination and anti-harassment requirements that prohibit discrimination and harassment on the basis of sexual orientation or gender identity.


California Senate Bill 777 — This bill prohibits instruction or activity or the use of any instructional materials in public schools (or in some cases private schools receiving state financial assistance) that reflects adversely upon any persons because of their sexual orientation or actual or perceived gender. The bill also prohibits discrimination based on sexual orientation or actual or perceived gender in any program or activity conducted by a school that receives state financial assistance.

**Status:** On Sept. 11, 2007, the bill passed the Assembly by a 43-32 vote, and it passed the Senate by a 21-15 vote. On Oct. 12, 2007, Gov. Schwarzenegger signed the bill, which became effective Jan. 1, 2008.

Delaware House Bill 7 — This bill requires school districts and charter schools to establish and implement anti-bullying policies. There are no enumerated categories in the bill.

**Status:** On Jan. 18, 2007, this bill passed the House by a 38-0 vote. On April 5, 2007, this bill passed the Senate by an 18-1 vote. On May 3, 2007, Gov. Ruth Ann Minner signed the bill, which became effective immediately.

Iowa Senate Bill 61 — This bill requires school boards and accredited nonpublic schools to adopt a policy prohibiting harassment and bullying against students, employees and volunteers because of sexual orientation, gender identity and other enumerated characteristics.


Louisiana House Concurrent Resolution — This resolution requests the Department of Health and Hospitals to provide for an evaluation of the Governor’s program on abstinence by an independent outside entity.
Status: On June 12, 2007, the resolution was adopted by the House. On June 13, 2007, the resolution passed the Senate by a 35-0 vote. On June 22, 2007, the resolution was presented to the Secretary of State.

Utah House Bill 236 — This bill amends existing law to require written parental or guardian consent for student participation in all curricular and noncurricular clubs. Parents are to be provided with specific information about clubs, including their purpose, goals and activities. The bill also permits schools to limit or deny authorization or school building use to a student organization “as the school determines it to be necessary to [among other things] protect the … moral well-being of students and faculty.” The law further permits schools to limit or deny authorization or school building use to a student organization “whose proposed charter and proposed activities … involve human sexuality.”


School-Related Bills: Active

Georgia House Bill 619 — This bill would amend existing anti-bullying law to clarify and expand the definition of bullying. Neither this bill nor existing law contains enumerated categories. Status: There was no movement on this bill in 2007.

Hawaii House Bill 532/Senate Bill 1168 — These bills would amend existing anti-bullying law to define bullying. There are no enumerated categories in the bills. Status: There was no movement on these bills in 2007.

Hawaii House Bill 700 — This bill would prohibit discrimination and harassment, both in public and charter schools, based on sexual orientation, gender identity and other enumerated characteristics. Status: There was no movement on this bill in 2007.

Massachusetts House Bill 453 — This bill would require public school districts to implement safe school plans designed to prevent bullying. There are no enumerated categories in the bill.

Status: There was no movement on this bill in 2007.

Massachusetts House Bill 465 — This bill would require that parents or guardians receive notification about classes or activities primarily involving human sexual education or sexual orientation issues. The bill would further require that such classes or activities be offered only on a non-mandatory basis and that parents or guardians who choose to enroll their children in such classes or activities do so through written notification. Finally, no public school teacher or administrator would be required to participate in such classes or activities primarily involving human sexual education or sexual orientation issues that violate his or her religious beliefs.

Status: There was no movement on this bill in 2007.

Massachusetts Senate Bill 275 — This bill would require public school districts to implement anti-bullying plans. There are no enumerated categories in the bill.

Status: There was no movement on this bill in 2007.

Massachusetts Senate Bill 288 — This bill would require age-appropriate, medically accurate instruction in a number of areas related to health, including sexuality. Parents would be able to exempt their children from such instruction by providing written notification.

Status: There was no movement on this bill in 2007.

Massachusetts Senate Bill 321 — This bill would require that any school district implementing a program involving human sexual education, human sexuality issues or “alternative sexual behavior” (defined to include “homosexuality, bisexuality, lesbianism, transsexuality, transgenderism … sex reassignment treatments … sexual orientation and alternative family, parenting, and marriage constructs”) provide notice to parents and guardians of such programs, which could only be offered on a
non-mandatory basis. Parent/guardian consent would have to be provided in writing. In addition, no public school teacher or administrator would be required to participate in any such school programs that violate his or her religious beliefs.

**Status:** There was no movement on this bill in 2007.

**Michigan House Bill 4091** — This bill would require the state Department of Education to develop a model anti-bullying/anti-harassment policy for school districts, public school academies and non-public schools. The bill would only take effect if House Bill 4162 is enacted into law. There are no enumerated categories in the bill.

**Status:** On March 28, 2007, the bill passed the House by a 66-43 vote. It is currently pending in the Senate.

**Michigan House Bill 4162** — This bill would require school district boards and public school academy boards to adopt and implement policies prohibiting bullying and harassment of students at school. The bill would only take effect if House Bill 4091 is enacted into law. There are no enumerated categories in the bill.

**Status:** On March 28, 2007, the bill passed the House by a 59-50 vote. It is currently pending in the Senate.

**Michigan House Bill 4201** — This bill would require school district boards and public school academy boards to adopt and implement policies prohibiting bullying and harassment. There are no enumerated categories in the bill.

**Status:** There was no movement on this bill in 2007.

**Michigan Senate Bill 107** — This bill would require school district boards and public school academy boards to implement policies prohibiting bullying and harassment. Such policies must define bullying and harassment to include conduct based on a student’s sexual orientation, gender identity and other enumerated characteristics.

**Status:** There was no movement on this bill in 2007.

**New Jersey Assembly Resolution 265/Senate Resolution 98** — These resolutions would urge the governor and commissioner of Health and Senior Services to apply for federal abstinence education funding through Title V, Section 510, grants.

**New York Assembly Bill 1054/Senate Bill 1408** — These bills would require state university police officers to notify college and university personnel when a bias-related offense has been committed. Bias-related offenses would include any actual, threatened or attempted criminal act directed at someone because of his or her actual or perceived sexual orientation as well as other enumerated characteristics.

**Status:** There was no movement on these resolutions in 2007.

**New York Assembly Bill 3496/Senate Bill 1571** — These bills would prohibit discrimination against and harassment of students by employees or students based on actual or perceived sexual orientation or other enumerated characteristics.

**Status:** On April 16, 2007, this bill passed the Assembly by a 125-7 vote. It is currently pending in the Senate.

**New York Assembly Bill 4587** — This bill would prohibit bullying in public schools. Bullying would be defined to include intimidation through the use of epithets or slurs involving sexual orientation or other enumerated characteristics.

**Status:** There was no movement on this bill in 2007.

**New York Assembly Bill 6126** — This bill would amend existing law to prohibit certain types of bullying in public schools, including bullying or harassment by electronic communication. There are no enumerated categories in the bill.

**Status:** There was no movement on this bill in 2007.

**New York Assembly Bill 6916** — This bill would prohibit the harassment, bullying or intimidation of public school students. There are no enumerated categories in the bill.

**Status:** There was no movement on this bill in 2007.

**New York Assembly Bill 6967/Senate Bill 3501** — These bills would require that assistance and information be provided to victims of gender-motivated offenses at state universities. They also would require orientation for students, faculty and staff on gender-motivated offenses. Gender-motivated offenses would be defined to include harassing or intimidating conduct motivated by a person’s actual
or perceived sexual orientation.

**Status:** There was no movement on these bills in 2007.

**New York Senate Bill 3124** — This bill would prohibit bullying by any student of a public school or publicly funded special education program. Bullying is defined to include “intimidation through the use of epithets or slurs involving … sexual orientation” as well other enumerated characteristics.

**Status:** There was no movement on this bill in 2007.

**New York Senate Bill 6205** — This bill would mandate that a comprehensive, medically accurate and age-appropriate sex education curriculum be taught in grades one through 12 in all public and charter schools.

**Status:** There was no movement on this bill in 2007.

**North Carolina House Bill 1366** — This bill would require each local school administrative unit to develop a policy prohibiting bullying or harassing behavior, including acts reasonably perceived as being motivated by actual or perceived sexual orientation, gender identity or expression or other enumerated characteristics.

**Status:** On May 24, 2007, this bill passed the House by a 73-46 vote. On Aug. 2, 2007, the Senate voted 48-40 to pass a version of the bill that did not contain enumerated categories. The bill will carry over to the next legislative session, to begin in 2008.

**Oklahoma House Bill 1569** — This bill would require the board of education for each school district to annually notify parents and guardians of students about school-sponsored clubs and organizations, including giving information about club names, their missions or purpose and descriptions of past and planned activities. Parents would have the opportunity to withhold permission for students to join or participate in clubs or organizations.

**Status:** There was no movement on this bill in 2007.

**Pennsylvania Senate Bill 71** — This bill would require school districts to adopt anti-bullying policies. There are no enumerated categories in the bill.

**Status:** On March 12, 2007, this bill passed the Senate by a 42-6 vote. On April 17, 2007, this bill passed the House Judiciary Committee. It is currently pending in the House.

**Tennessee House Bill 868/Senate Bill 2079** — These bills would have required local education agencies to provide parents and guardians with information regarding school clubs and organizations. Parents or guardians would have been given the opportunity to decline permission for their child to participate in a club or organization.

**Status:** On March 13, 2007, these bills were taken off notice, effectively killing them for the year—they will carry over into the 2008 session.

**Tennessee House Bill 905/Senate Bill 1133** — These bills would require schools to provide parents or guardians with information about student clubs and organizations. Students would not be permitted to participate in clubs or organizations without written parental/guardian permission.

**Status:** House Bill 905 bill passed a House committee, but there was no further action in 2007. Senate Bill 1133 passed a Senate committee but had no further action in 2007.

**Vermont House Bill 486** — This bill would provide for civil penalties against students who engage in bullying. It would also give the state Human Rights Commission authority to ensure that educational institutions are complying with state anti-harassment laws. There are no enumerated categories in the bill.

**Status:** There was no movement on this bill in 2007.

**Vermont Senate Bill 131** — This bill would provide for civil penalties against students who engage in bullying. It would also give the state Human Rights Commission authority to ensure that educational institutions are complying with state anti-harassment laws. There are no enumerated categories in the bill.

**Status:** There was no movement on this bill in 2007.
Wisconsin Senate Bill 42 — This bill would require the Department of Public Instruction to develop a model anti-bullying policy. Each school board would be required to adopt an anti-bullying policy. There are no enumerated categories in the bill.  
**Status:** On Nov. 8, 2007, this bill passed the Senate. It is currently pending in the House.

School-Related Bills: Dead

Alabama House Bill 326 — This bill would require local boards of education to adopt policies prohibiting bullying in grades. There are no enumerated categories in the bill.  
**Status:** The bill died when the legislature adjourned June 7, 2007.

Connecticut House Bill 5110 — This bill would have required that the Department of Education conduct an analysis of safe learning policies and practices in school districts, including bullying policies developed pursuant to existing state law.  
**Status:** The bill died when the legislature adjourned June 6, 2007.

Florida House Bill 575 — This bill sought to prohibit bullying or harassment of any student employee at a public K-12 educational institution. School districts would have been required to adopt anti-bullying and harassment policies conforming to a state Department of Education model policy. The bill defined bullying to include sexual, religious or racial harassment, but did not expressly apply to bullying or harassment based on sexual orientation or gender identity.  
**Status:** On April 24, 2007, this bill passed the House by a 110-1 vote. The bill died in the Senate when the legislature adjourned May 4, 2007.

Florida Senate Bill 114 — This bill sought to prohibit bullying or harassment of any student employee at a public K-12 educational institution. (See text in previous entry.)  
**Status:** On Jan. 24, 2007, this bill passed the Senate Education Pre-K-12 Committee by a 6-1 vote. The bill died in the Senate when the legislature adjourned May 4, 2007.

Florida Senate Bill 2574 — This bill sought to amend existing law to prohibit discrimination based on sexual orientation and directed against students and employees in the public education system. (Existing law prohibits discrimination on other bases.)  
**Status:** There was no movement on this bill, which died when the legislature adjourned May 4, 2007.

Iowa House Bill 149 — This bill sought to require school boards and accredited nonpublic schools to adopt a policy prohibiting harassment and bullying against students, employees and volunteers because of sexual orientation, gender identity and other enumerated characteristics.  
**Status:** This bill was withdrawn Feb. 8, 2007, after an essentially identical bill, Senate Bill 61, passed the House. Senate Bill 61 was later passed and signed into law.

Kentucky House Bill 64 — This bill sought to require school districts to implement policies prohibiting harassment, intimidation or bullying of students. There are no enumerated categories in the bill.  
**Status:** On March 2, 2007, this bill passed the House by a 91-4 vote. There was no movement in the Senate, and the bill died when the legislature adjourned March 27, 2007.

Missouri House Bill 35 — This bill sought to require school districts to notify parents or legal guardians of students regarding school-sponsored clubs and extracurricular activities and to provide parents or legal guardians the opportunity to withhold their permission from children seeking to join clubs or participate in activities. Parents or guardians would receive an annual notification informing them of the name and purpose of all school-sponsored clubs and extracurricular activities, including a description of past or planned programs or actions. School districts would be required to obtain written parental or legal guardian permission for a student to participate in a school-sponsored club or extracurricular activity.  
**Status:** On March 14, 2007, this bill passed a House committee. There was no further action, and the bill died when the legislature adjourned May 30, 2007.

Missouri House Bill 971 — This bill sought to require local boards of education to include information about school clubs and organizations in their student handbook or code of conduct. This information was to include the name of the club or organization, a description of its mission or purpose and a
description of past or planned activities. Local boards would also be required to provide a form for a parent or guardian to decline permission for student participation. For clubs or organizations started during the school year, affirmative written permission from a parent or guardian would be required before a student could participate.

**Status**: There was no movement on this bill, and it died when the legislature adjourned May 30, 2007.

**Missouri House Bill 1082/Senate Bill 539** — These bills sought to require school districts to adopt anti-bullying policies. These policies would have prohibited bullying by school employees or students that is reasonably perceived as being motivated by actual or perceived sexual orientation, gender identity and other enumerated characteristics.

**Status**: There was no movement on these bills, which died when the legislature adjourned May 30, 2007.

**Nebraska Legislative Bill 205** — This bill sought to require school districts to adopt anti-bullying policies. There are no enumerated categories in the bill.

**Status**: The bill passed the Education Committee, but there was no further movement, and the bill died when the legislature adjourned May 31, 2007.

**North Carolina House Bill 879/Senate Bill 1182** — These bills sought to amend existing school health education law to provide for an “abstinence-based comprehensive sexual health education program” in public schools in place of existing “abstinence until marriage education.” This new program needed to be appropriate for use with students of “all races, genders, sexual orientations …” and instructions and materials “shall not reflect or promote bias against any person on the basis of … sexual orientation, gender identity” and other enumerated characteristics.

**Status**: There was no movement in 2007, and these bills died May 24, 2007, as there was no floor vote on either bill prior to the May 24, 2007, crossover deadline.

**Texas House Bill 305** — This bill sought to prohibit discrimination against students in public educational institutions on account of the gender identity or sexual preference of the student or student’s parent (other enumerated characteristics would also be covered).

**Status**: There was no movement on this bill, which died when the legislature adjourned May 29, 2007.

**Texas House Bill 1017** — This bill sought to require school districts to obtain written parental consent before a student participates in a club sponsored or sanctioned by the school district. Parents were to receive information about the club’s activities. This bill further provided that school districts may not permit a student club “to engage in activity involving human sexuality,” which would include “advocating or engaging in sexual activity that occurs outside of legally recognized marriage.”

**Status**: There was no movement on this bill, which died when the legislature adjourned May 29, 2007.

**Texas House Bill 2527** — This bill sought to prohibit school districts or employees of school districts from discriminating against or harassing employees or students on account of the actual or perceived sexual orientation or gender identity of the employee, student or student’s parent (other enumerated characteristics would also be covered).

**Status**: There was no movement on this bill, which died when the legislature adjourned May 29, 2007.

**Texas House Bill 2835/Senate Bill 1469** — These bills sought to require school districts to establish a student code of conduct that, among other things, would have prohibited bullying and harassment. There were no enumerated categories in the bills.

**Status**: There was no movement on these bills, which died when the legislature adjourned May 29, 2007.

**Texas House Bill 3165** — This bill sought to require anyone receiving state funding to provide instruction or develop material for instruction regarding human development or human sexuality to provide medically accurate information.

**Status**: There was no movement on this bill, which died when the legislature adjourned May 29, 2007.

**Texas Senate Bill 1807/House Bill 311** — These bills sought to require that school districts notify parents of the content of human sexuality instruction and obtain written parental consent before a student is provided human sexuality instruction.
**Status:** There was no movement on these bills, which died when the legislature adjourned May 29, 2007.

**Virginia House Bill 1727** — This bill sought to require local school boards to provide parents or guardians of middle or high school students with information about school-sponsored clubs and also to provide parents or guardians with either an opportunity to prevent their children from participating in any school-sponsored club or require prior express written permission of a parent or guardian before a student may be a member of a school-sponsored club.

**Status:** On Jan. 30, 2007, this bill passed the House of Delegates by an 82-15 vote. On Feb. 15, 2007, the Senate Education and Health Committee defeated the bill by a 9-6 vote.

**Virginia House Bill 3047** — This bill sought to require local school boards to provide parents or guardians of middle or high school students with information about school-sponsored clubs and also to require prior express written permission of a parent or guardian before a student may participate in a club.

**Status:** There was no movement on this bill, which died when the legislature adjourned Feb. 24, 2008.

**Wyoming House Bill 104** — This bill sought to require each school district to establish a policy prohibiting harassment, intimidation and bullying of students. There were no enumerated categories in the bill.

**Status:** On Jan. 29, 2007, this bill passed the House by a 54-4 vote. On Feb. 5, 2007, it passed a Senate Committee by a 5-0 vote. There was no further movement, and the bill died when the legislature adjourned March 7, 2007.
About the Author

Chris Edelson is the state legislative director for the Human Rights Campaign. He joined the organization in 2006. Chris works with state and local legislators and gay, lesbian, bisexual and transgender advocacy organizations in pursuing their GLBT-related legislative priorities.

Chris is a 1993 graduate of Brandeis University and a 1996 graduate of Harvard Law School.

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