

Equality

from state to state 2009



HUMAN
RIGHTS
CAMPAIGN
FOUNDATION™

a review of state legislation in 2009
affecting the lesbian, gay, bisexual
and transgender community,
and a look ahead to 2010

equ

A REPORT BY THE HUMAN RIGHTS CAMPAIGN FOUNDATION
DECEMBER 2009

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from
state
to
state
2009

MARRIAGE

RELATIONSHIP RECOGNITION

ANTI-DISCRIMINATION

PARENTING

SCHOOLS

HATE CRIMES

HEALTH & SAFETY



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introduction

December 2009

Dear Readers,

As 2009 draws to a close, it becomes clear that on balance this has been a banner year for lesbian, gay, bisexual and transgender equality at the state level. Grassroots efforts for marriage equality led to legislative victories in Maine, New Hampshire and Vermont. The Iowa Supreme Court delivered a striking message by becoming the first court to rule unanimously in recognizing the right of same-sex couples to get married. Connecticut legislators overturned discriminatory marriage laws from their books after their state's Supreme Court decided in favor of marriage equality. Most recently, the District of Columbia had marriage equality legislation signed into law. For LGBT families in five states, the District of Columbia, as well as the 18,000 Californian gay and lesbian couples still married in the wake of the California Supreme Court's latest decision regarding Proposition 8, 2009 changed our lives.

We have had moments of genuine disappointment this year. Maine legislators passed marriage equality, ultimately receiving support from the governor, only to have it overturned by a narrow majority at the polls. In New York, pro-equality senators pushed a marriage equality bill out of committee but

were unable to garner sufficient support on the floor. In stark contrast, the New York Assembly passed the bill twice this year. Eventually,

these moments of frustration will be a mere blip in history as we remember all of our victories in 2009.

Although nothing short of equal marriage rights will suffice in our fight for equality, grassroots efforts led to further victories for relationship recognition. Washington voters stood together in voting "Yes on 71" and affirmed the Legislature's decision to expand

the state's domestic partnership law to "everything but marriage." In Nevada, the dedication of LGBT equality advocates, our membership and key business support led to the state Legislature overriding Republican Gov. Jim Gibbons' veto, passing a domestic partnership law that provided LGBT families in Nevada with the rights, responsibilities and benefits of marriage. In Colorado and Wisconsin, state legislatures passed laws securing essential protections for LGBT families, making a substantial step in marching forward to equality.

And in each of these states, the road was not easy. As we continue forward in our fight to secure marriage equality in states such as New York, Rhode Island, Illinois, Oregon, Maryland and others, we must not allow ourselves to become cynical from our disappointments. Legislators voting against marriage equality are on the wrong side of history, and we will not stop fighting until every family has equal access to marriage. Every day, we should remind ourselves that were it not for advocates of equality and HRC supporters such as you, few if any gains could have been made. In fact, if 2009 stood for any one mes-

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sage, it is that victory only happens with the resiliency of our community and supporters.

Even in states where we face a long and uphill battle, opponents of marriage equality are finding it much more difficult to pass discriminatory legislation. Opposition by members of the Kentucky state Senate convinced anti-equality legislators to shelve a bill targeting LGBT families by prohibiting unmarried couples from being adoptive or foster parents. Equality advocates in Tennessee and Utah have similarly fought off bills targeting LGBT families that would ban adoption by unmarried couples. In Tennessee, the legislation has failed for the past three years, meaning that same-sex couples can continue to adopt under an opinion by the state's attorney general. Even the nation's most restrictive adoption law — a 1977 Florida law banning "homosexual" individuals from adopting — has come into question as lower courts have struck it down as unconstitutional.

Let us also not forget that 2009 brought the passage of the first piece of federal legislation protecting LGBT individuals — the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act. We are closer than ever to passing a Domestic Partner Benefits and Obligations Act, a healthcare bill that addresses taxation discrepancies for domestic partners, and a federal Employment Non-Discrimination Act protecting LGBT workers. With every victory at the federal level, we open up more resources to

secure state-level rights for the LGBT community.

As 2009 closes, I am thankful for so many things. I am thankful for your continued support and your work in securing equality both at the state level and federally. I am thankful for the hard-working members of our staff who bring their boundless energy in continuing the fight for equality. I am thankful for the elected officials who voted in support of LGBT rights, because they knew it was the right thing to do, even when their vote put them at risk of backlash. Most of all, I am thankful for all the unsung heroes — whether they write their state legislators and members of Congress, work at phone banks encouraging voters to support pro-equality legislation or donate their time, energy and resources — without whom we could not have made such progress.

So as we move forward in 2010, let us ring in the New Year rejuvenated and energized despite our disappointments, knowing well that it is through our continued dedication and resiliency that equality will continue to spread state to state.

Sincerely,



Joe Solmonese
President, Human Rights Campaign Foundation

summary of state developments in 2009

Marriage Equality and Relationship Recognition Legislation Make Sweeping Advances, Yet Election Day Shows a Long Road Ahead

Prior to 2009, the judicial branch has been the sole avenue available to LGBT civil rights advocates seeking to bring marriage equality to the states. Step by step, vote by vote, times have changed. Although Election Day 2008 brought much disappointment with the passage of Proposition 8 in California, the election of fair-minded state legislators across the country changed the dynamic for marriage equality advocates. The Iowa Supreme Court made history of its own by being the first court to rule unanimously in favor of marriage equality, and 2009 also marked the first year where state officials enacted marriage equality legislation without the helpful hand of the judiciary. With equality advocates making advances in all three branches of state government, one major hurdle remains – the fight against discriminatory referenda.

Key State Legislative Developments in 2009

Marriage

Although Election Day 2008 brought much disappointment with the passage of Proposition 8 in California, the election of fair-minded state legislators across the country changed the dynamic for marriage equality advocates.

State legislatures in New Hampshire, Vermont, Maine and the District of Columbia passed marriage equality legislation in 2009. Connecticut legislators repealed the state's discriminatory marriage law after the Connecticut Supreme Court had struck it down in 2008. Although not every state action led to a happy ending, marriage equality advocates maintain the momentum going into 2010.

- **New Hampshire** – On June 3, 2009, the state Legislature passed and Gov.

John Lynch signed legislation enacting marriage equality, which became law on Jan. 1, 2010. By law, new civil unions will no longer be offered by the state, and existing civil unions will be turned into marriages on Jan. 1, 2011.

- **Vermont** – Initially passed by large, but not veto-proof, majorities of both houses of the Vermont Legislature, a marriage equality bill was vetoed by Gov. Jim Douglas. The very next day — April 7, 2009 — marriage equality advocates persuaded several members of the Vermont House to shift their votes and to override the governor's veto. Beginning Sept. 1, 2009, same-sex couples could begin marrying in Vermont. By law, new civil unions are no longer offered by Vermont, but existing civil unions will continue to be recognized.
- **Iowa** – On April 3, 2009, the Iowa Supreme Court ruled unanimously in favor of marriage equality in *Varnum v.*

Brien. On April 27, 2009, county recorders began issuing marriage licenses to same-sex couples in Iowa. Overturning the court's decision would require passing a state constitutional amendment — meaning that both houses of the Iowa Legislature would need to pass a proposed amendment in two consecutive legislatures before it could be put before voters. Both the Iowa Senate majority leader and the Iowa House speaker have openly expressed their support of the Court's decision, stating that it was "exceedingly unlikely" that the 2009-10 Iowa Legislature would address the issue.

- **District of Columbia** – The Council of the District of Columbia moved quickly this year in extending marriage rights to same-sex couples. On May 5, 2009, the Council voted 12-1 to recognize same-sex marriages performed outside of the District. On July 7, 2009, the law went into effect after undergoing a mandatory review period by Congress. After this successful "test" run, the City Council passed legislation 11-2 recognizing same-sex marriages performed in the District, with Mayor Adrian Fenty signing the legislation on Dec. 18, 2009. Although the measure has been passed, the legislation will not go into effect until spring 2010, when Congress' mandatory review period has expired.
- **Connecticut** – In response to the state's 2008 Supreme Court ruling enacting marriage equality, state legislators passed a measure repealing discriminatory language in the marriage statute. On Oct. 1, 2010, existing civil unions will be converted into marriages, and only marriages will be recognized by the state.
- **California** – The California Supreme Court ruled that Proposition 8 was validly enacted; however, the court also ruled that the 18,000 gay and lesbian couples married in California between their landmark decision in *In re Marriage Cases* and the enactment of Proposition 8 remain fully married

by law. Pro-equality advocates are working to repeal Proposition 8.

- **Maine** – On May 6, 2009, Gov. John Baldacci signed marriage equality legislation that was passed by large margins in both houses of the Maine Legislature. State law requires that any measure wait 90 days before going into effect; however, if enough signatures are collected in the 90 days, state law permits a "people's veto," which places the issue before the voters. The "No on 1" campaign worked tirelessly to convince voters not to veto the marriage equality legislation, but the veto was passed on Nov. 3, 2009, by a margin of 52.8 to 47.2 percent. Pro-equality supporters must wait until a new legislature convenes in 2011 to pass marriage equality legislation.
- **New York** – Despite passing the New York Assembly by an overwhelming margin and strong support from Gov. David Paterson, the New York Senate voted down marriage equality legislation on Dec. 2, 2009, by a vote of 24-38. Supporters of the measure remain committed to marriage equality and expect to bring the bill back to the Legislature in the near future. On a positive note, New York's highest court ruled on Nov. 19, 2009, that the state can recognize marriages of same-sex couples performed out-of-state.
- **New Jersey** – In December 2008, the Civil Union Review Commission officially reported that the state's civil union laws fail to provide equal rights and benefits to marriage, as required by the New Jersey Supreme Court's decision in *Lewis v. Harris*. As 2009 closed, New Jersey legislators continued to whip votes in support of legalizing marriages for same-sex couples. Outgoing Gov. Jon Corzine has stated his desire for the legislature to pass marriage equality legislation so that he can sign it before anti-equality Governor-Elect Chris Christie's term begins in mid-January 2010.

- **Other states** – Marriage equality legislation has been introduced in a number of states but has not progressed. In 2009, marriage equality legislation was introduced in Illinois, Maryland, Pennsylvania, Rhode Island and other states. Maryland Attorney General Douglas Gansler stated that he will issue an opinion on whether Maryland law permits the state to recognize the marriages of same-sex couples validly entered into out-of-state. Meanwhile, grassroots organizers in Oregon have set a 2012 target date for repealing the state’s constitutional amendment banning same-sex marriage.

Relationship Recognition

Grassroots activism led to impressive gains at the ballot box and in passing legislation. Both the states

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of Washington and Nevada enacted “everything but marriage” domestic partnership laws. Wisconsin and Colorado enacted their first pieces of LGBT relationship-recognition legislation.

- **Washington** – On May 18, 2009, Gov. Christine Gregoire signed a bill expanding domestic partnership to “all areas, but marriage.” The “everything but marriage” law purports to provide same-sex domestic partners with all the same rights, benefits and obligations of different-sex married couples. In response, anti-equality forces collected enough signatures by petition to put Referendum 71 before voters at the ballot box. On Nov. 3, 2009, Washington voted “Yes on 71” by a 52 to 48 percent margin in approving the expansion of domestic partnership to “everything but marriage.” The new domestic partnership law went into effect on Dec. 3, 2009.
- **Nevada** – After passing legislation that would establish a domestic partnership sys-

tem with all the rights, benefits and obligations of marriage (such as is now in effect in Washington) by a vote of 26-14 in the Nevada Assembly and by a vote of 12-9 in the Nevada Senate, anti-equality Gov. Jim Gibbons vetoed the legislation. Needing two-thirds of both houses to override the governor’s veto, two Nevada state senators switched their votes to override the veto 14-7 on May 30, 2009. The next day, the Nevada Assembly gained two votes in overriding the veto 28-14. The new domestic partnership law went into effect on Oct. 1, 2009.

- **Wisconsin** – On June 29, 2009, Gov. Jim Doyle signed the state’s budget, which included a provision establishing domestic partnerships. The new domestic partnership law provides same-sex couples with a few rights and benefits, such as inheritance in the absence of a partner leaving a will, hospital visitation, family leave and other rights, but does not provide many of the rights and benefits of marriage, such as those provided in domestic partnership by Washington and Nevada. The domestic partnership law went into effect on Aug. 3, 2009. Opponents of the law filed suit in the Wisconsin Supreme Court, alleging that the domestic partnership law is unconstitutional; however, the court rejected review of the case on Nov. 4, 2009.
- **Colorado** – On April 9, 2009, Gov. Bill Ritter signed legislation allowing unmarried — including same-sex — couples to enter into a “designated beneficiary agreement.” The new law grants a limited number of rights to same-sex couples, such as estate planning, making medical decisions for each other, making funeral arrangements for each other and other rights.
- **Rhode Island** – On Nov. 10, 2009, anti-equality Gov. Donald Carcieri vetoed a bill that would have added “domestic partners” to the list of people authorized to make funeral arrangements for a deceased

individual. Pro-equality advocates condemned the governor as “heartless,” as national media jumped on the story. Just six days after the veto, Gov. Carcieri reversed course, publicly stating that he would consider backing a domestic partnership system.

Hate Crimes

After many years of hard work, the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act was

This new federal law provides a crucial tool for law enforcement in fighting violent crime; however, efforts at the state level to pass hate crimes legislation continue.

passed by Congress on Oct. 22, 2009. Signed by President Barack Obama on Oct. 28, 2009, the act expands current federal hate crimes laws to include crimes motivated by a victim’s actual or perceived gender, sexual orientation, gender identity or disability. In addition, the law allows federal authorities

greater ability to get involved in investigating and prosecuting hate crimes that local authorities either choose not to pursue or lack the resources to pursue. The law also updates the hate crimes statistics act by requiring the FBI to track hate crimes against transgender individuals.

This new federal law provides a crucial tool for law enforcement in fighting against violent crime; however, efforts at the state level to pass hate crimes legislation continue. To date, 12 states and DC have a law that addresses hate or bias crimes based on sexual orientation and gender identity.

Anti-Discrimination

On July 2, 2009, Gov. Jack Markell signed a bill amending Delaware’s anti-discrimination law to cover sexual orientation as a protected class. The new law prohibits discrimination based on sexual orientation in employment, housing, public accommodations, public works and insurance. In addition, Gov. Markell issued an executive order prohibiting discrimination on the basis of gender identity in state employment.

As 2009 comes to a close, pro-equality advocates continue to focus on passing the federal Employment Non-Discrimination Act, which would prohibit discrimination based on sexual orientation and gender identity by private employers.

Parenting

New laws in Delaware and the District of Columbia moved to secure the rights of LGBT parents as equality advocates continued to beat back discriminatory legislation in several states. Clearly motivated by a desire to harm LGBT parents, anti-equality legislators in several states have introduced discriminatory bills that would attack the rights of all unmarried parents in both adoption and foster care.

- **Delaware** – In response to the Delaware Supreme Court’s refusal to recognize a lesbian mother as a de facto parent to a child who had been adopted by her former partner, and whom they had planned to have together and raised together, the Delaware Legislature passed a de facto parenting law in August. The law will help to secure the rights of LGBT parents who have raised a child with their partner, but who are not the biological or adoptive parent of the child.
- **District of Columbia** – The Council of the District of Columbia passed a law that allows domestic partners to be presumed as parents of their partner’s biological children and to be included as a parent on birth certificates. In addition, the law recognizes a domestic partner’s parental rights if he or she consents to his or her partner’s artificial insemination or if he or she acknowledges or presents the child as his or hers to others.
- **Kentucky** – A bill that would ban unmarried couples from becoming adoptive or foster parents, which especially targeted same-sex couples, was shelved after state senators refused to give support for the discriminatory law.
- **Tennessee** – For the past three years, supporters of LGBT families have brushed

back attempts to ban unmarried couples from adopting children, leaving in effect an opinion by the Tennessee Attorney General stating that same-sex couples can legally adopt under state law. It is expected that anti-equality Tennessee state legislators will again attempt to pass the legislation in 2010.

- **Utah** – Utah legislators did not support a bill that would have established that it is in the best interests of a child to be adopted by legally married persons, which would give preference to adoptive married couples over single adoptive parents, and which also would have banned adoption by all cohabitating unmarried couples, effectively excluding most lesbian and gay Utahns.
- **Florida** – Although two pro-LGBT parenting bills died in committee, Florida's strict law banning "homosexual" individuals from adopting has been struck down twice at the trial court level, but the decisions have been stayed pending review by a state appellate court. Until its decision, the law remains in effect.
- **Arkansas** – A law passed by voters went into effect Jan. 1, 2009, whereby unmarried couples are banned from becoming foster or adoptive parents. The law is currently being challenged in state court, with a trial expected in 2010.

Schools

Strong anti-bullying and harassment legislation

...the legislation does not specify any enumerated classes, meaning that it is unknown the extent to which LGBT students will be protected by these laws.

based on sexual orientation and gender identity passed in North Carolina. Anti-bullying and harassment legislation was also passed in Alabama and Wyoming; however, the legislation does not specify any enumerated classes, meaning that it is unknown the extent to which LGBT students will

be protected by these laws. Mixed results were seen

in Virginia as the state Legislature successfully passed a cyberbullying law, but safe schools advocates were disappointed with the passage of a law on family life education, which requires that students be taught the value and benefits of marriage for men and women.

- **North Carolina** – After years of hard work by local advocates, Gov. Beverly Perdue signed the School Violence Prevention Act on June 30, 2009, requiring that local schools adopt strong policies banning harassment against students, including harassment based on a student's sexual orientation and gender identity. The law marks the first time that the terms "sexual orientation" and "gender identity" have been written into North Carolina's state law.
- **Alabama** – The Alabama Legislature passed a law that went into effect Oct. 1, 2009, which requires local public school systems to adopt by July 1, 2010, policies to prevent student-on-student violence, harassment and intimidation. The law does not yet prohibit harassment based on a specified list of characteristics, but such a list will be set by the state's Department of Education in a Model Policy. Local school boards must include these characteristics in their own policies, but may add additional characteristics. The Birmingham school board has shown leadership by adopting a harassment policy inclusive of sexual orientation, gender identity, and gender expression.
- **Wyoming** – Gov. Dave Freudenthal signed an anti-bullying law that went into effect on Dec. 31, 2009. The anti-bullying law prohibits harassment that harms a student physically or emotionally, damages a student's property, or places students in personal fear of personal harm or harm to their property. The law does not enumerate any classes, such as sexual orientation and gender identity. A suggested model policy provided by the Wyoming Department of Education does include sexual orientation as a class, but local school boards are not required to adopt this policy.

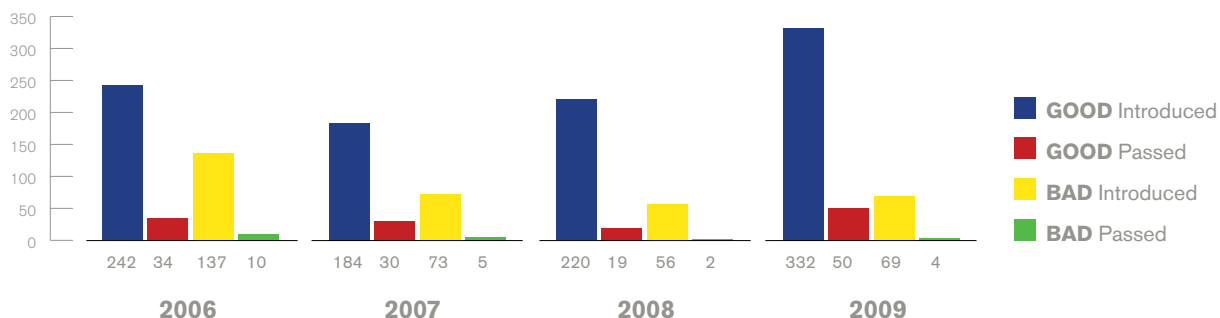
- **Virginia** – Although Gov. Tim Kaine signed a law updating the state’s harassment laws to include cyberbullying, Virginia also enacted a law that requires the teaching of the value of marriage for men and women (from a heterosexual-only perspective) in its family life education curriculum.
- **Oregon** – Safe schools advocates cheered as legislation was passed that extended the state’s bullying law (which covers sexual orientation and gender identity) to include cyberbullying. In addition, the Oregon enacted a law on June 2, 2009, requiring that medically accurate information be taught in sex education classes.
- **California** – Despite having been vetoed by the governor previously, Gov. Schwarzenegger signed legislation on May 22, 2009, recognizing Harvey Milk Day and designating that the day should have special significance in public schools around the state.

For a complete summary and final status of all the state legislation introduced and passed that affected LGBT people in 2009, please see page 27.

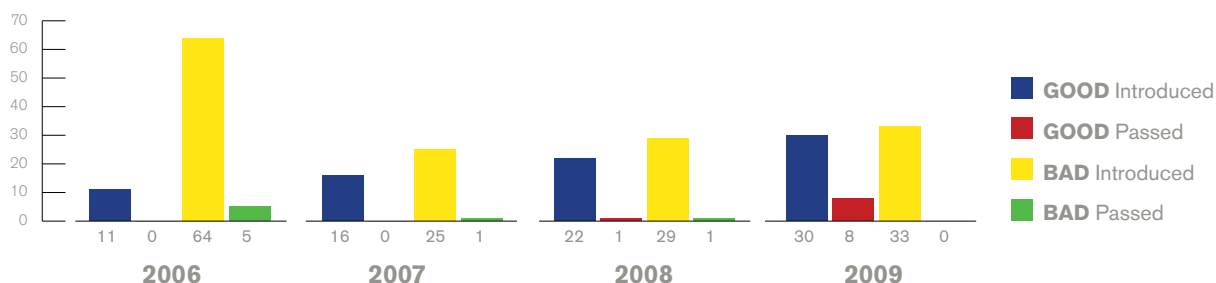
comparative legislation at a glance



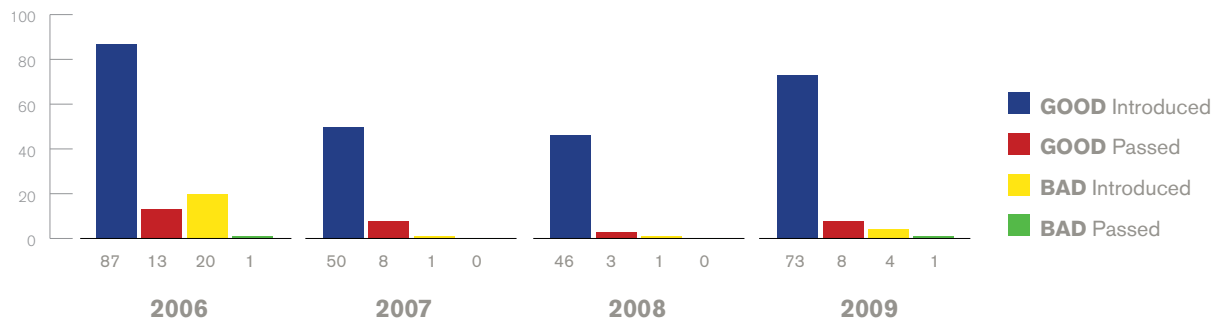
Overall LGBT Bills



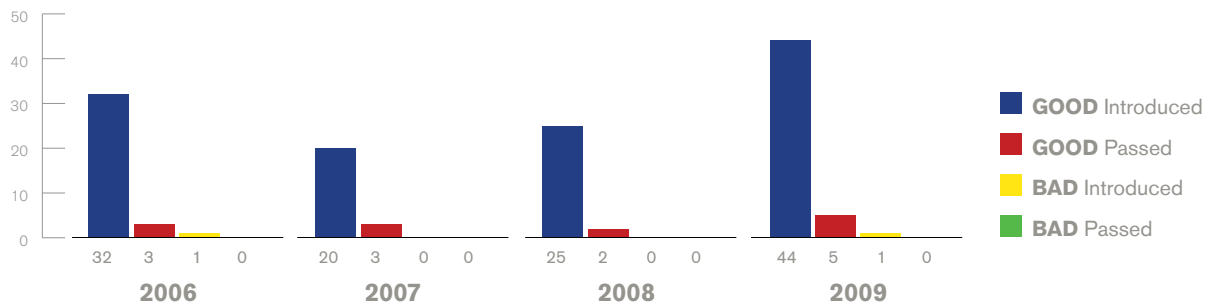
Marriage Bills



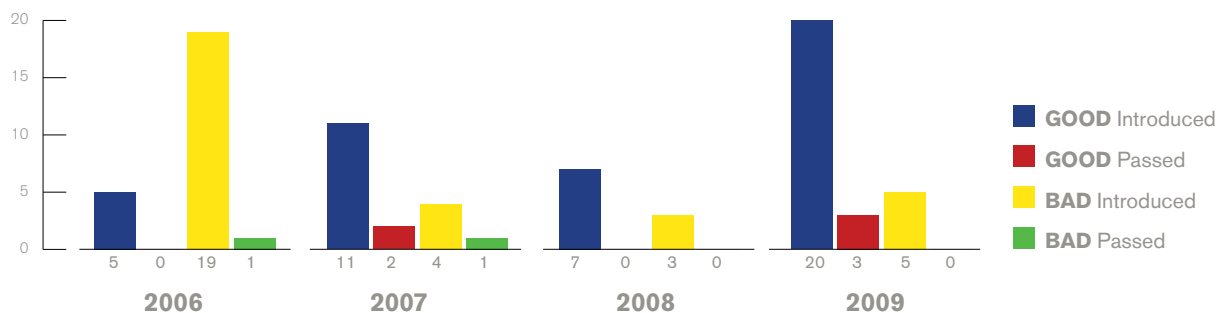
Anti-Discrimination Bills



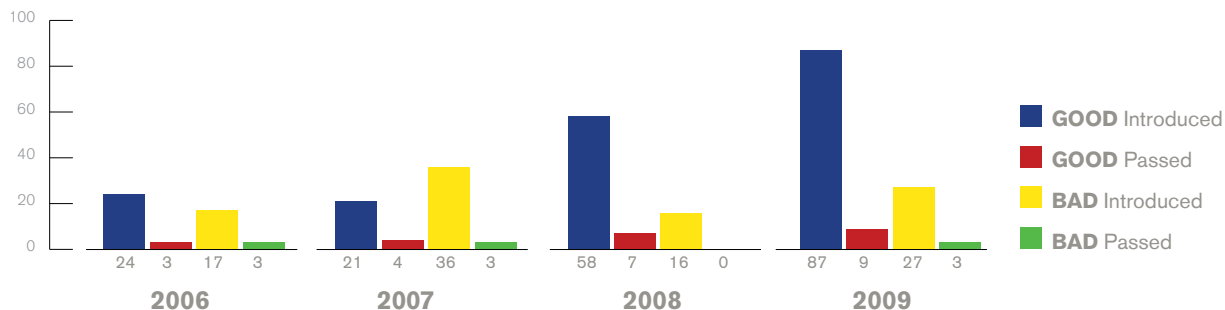
Hate Crimes Bills



Parenting Bills

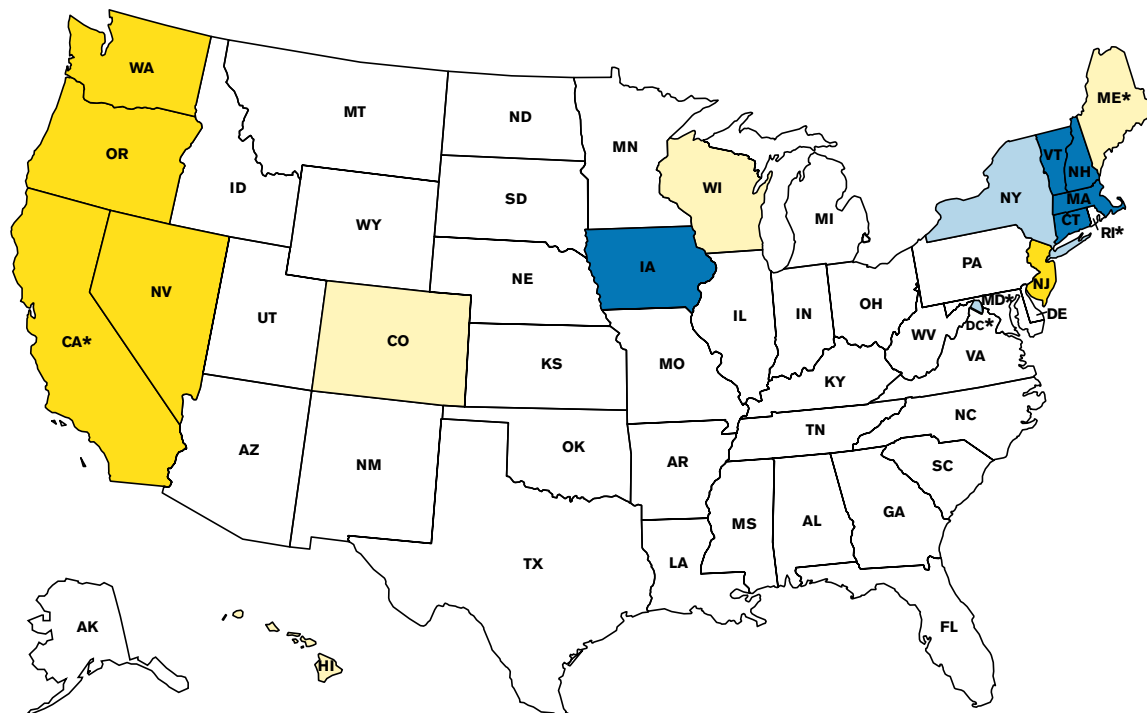


Schools-Related



current state legislation maps

Marriage Equality and Other Relationship Recognition Laws



- State issues marriage licenses to same-sex couples (5 states). Connecticut (2008), Iowa (2009), Massachusetts (2004), New Hampshire (2010) and Vermont (2009).
- State recognizes marriages by same-sex couples legally entered into in another jurisdiction (1 state and Washington, D.C.). New York (2008) and District of Columbia* (2009).
- Statewide law providing the equivalent of state-level spousal rights to same-sex couples within the state (5 states and Washington, D.C.). California* (domestic partnerships, 1999, expanded in 2005), District of Columbia* (domestic partnerships, 2002), Nevada (domestic partnerships, 2009), New Jersey (civil unions, 2007), Oregon (domestic partnerships, 2008) and Washington (domestic partnerships, 2007/2009).
- Statewide law providing some statewide spousal rights to same-sex couples within the state (4 states). Colorado (designated beneficiaries, 2009), Hawaii (reciprocal beneficiaries, 1997), Maine (2004), and Wisconsin (domestic partnerships, 2009).

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

* District of Columbia: Mayor Adrian Fenty signed the marriage equality law on Dec. 15, 2009. There is a 30-day congressional review period for laws enacted by the D.C. government.

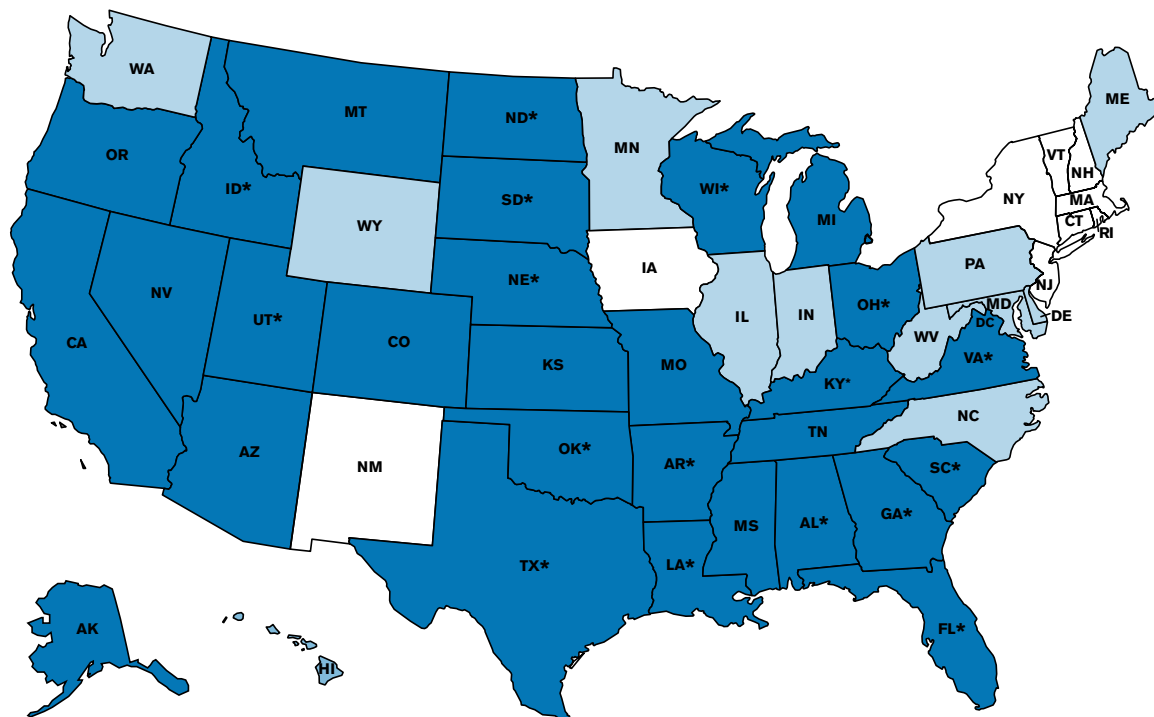
* Maine: Gov. John Baldacci signed marriage equality legislation May 6, 2009. However, the new law was repealed effort by a ballot measure in November 2009.

* Maryland: There is no registry but the state does provide certain benefits to statutorily defined domestic partners.

* Rhode Island: There is no registry but the state does provide certain benefits to statutorily defined domestic partners.

*Map current as of December 2009

Statewide Marriage Prohibition Laws



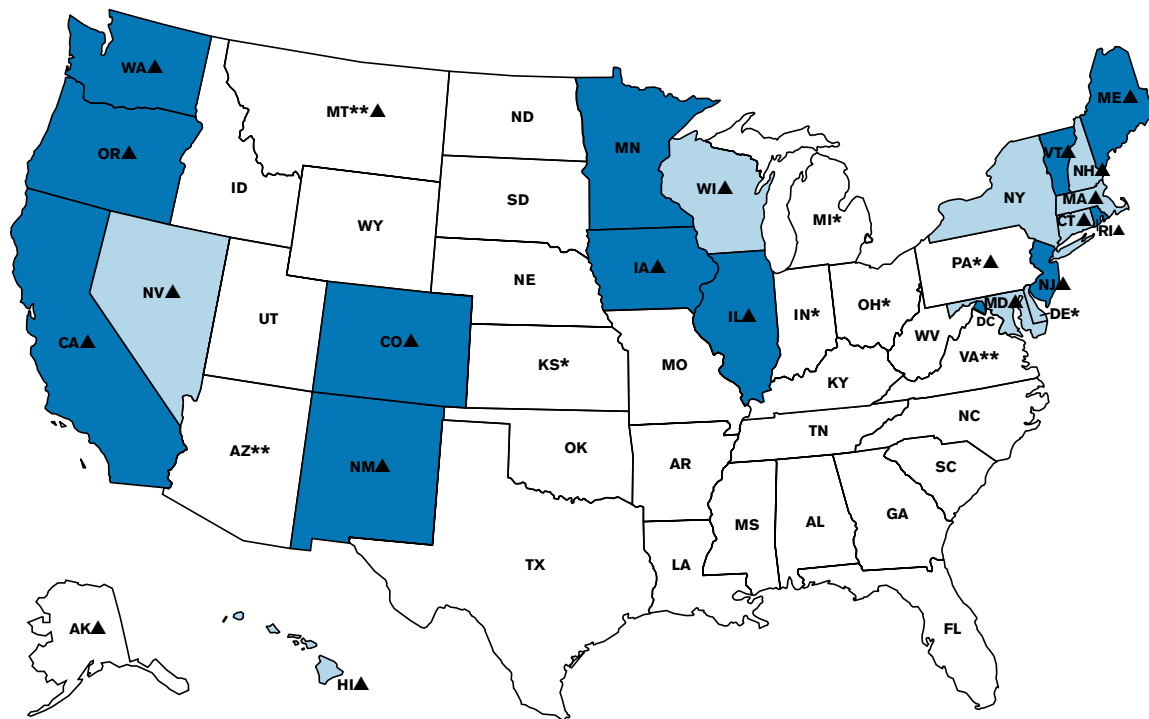
Statewide prohibitions against marriage for same-sex couples are in place in most states – either in the form of statutory law or amendment to the state's constitution. States that explicitly bar same-sex couples from marriage are as follows.

- States with constitutional amendments restricting marriage to one man and one woman. (29 states): Alabama (2006), Alaska (1998), Arizona (2008), Arkansas (2004), California (2008), Colorado, Florida (2008), Georgia (2004), Kansas (2005), Idaho (2006), Kentucky (2004), Louisiana (2004), Michigan (2004), Mississippi (2004), Missouri (2004), Montana (2004), Nebraska (2000), Nevada (2002), North Dakota (2004), Ohio (2004), Oklahoma (2004), Oregon (2004), South Carolina (2006), South Dakota (2006), Tennessee (2006), Texas (2005), Utah (2004), Virginia (2006) and Wisconsin (2006).
- States with law restricting marriage to one man and one woman. (11 states)
In addition to those listed above, Delaware, Hawaii, Illinois, Indiana, Maryland, Minnesota, North Carolina, Pennsylvania, Washington, West Virginia and Wyoming.

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

**Map current as of December 2009*

Statewide Employment Laws & Policies



States that prohibit discrimination based on sexual orientation and gender identity.
(14 states and D.C.)

- California (1992, 2003), Colorado (2007), District of Columbia (1977, 2006), Illinois (2006), Iowa (2007), Kentucky (2008), Maine (2005), Maryland (2001, 2007), Minnesota (1993), New Jersey (1992, 2007), New Mexico (2003), Oregon (2008), Rhode Island (1995, 2001), Vermont (1991, 2007) and Washington (2006).
- State courts, commissions, agencies, or attorneys general have interpreted the existing law to include some protection against discrimination against transgender individuals in Connecticut, Florida, Hawaii, Massachusetts and New York.

States that prohibit discrimination based on sexual orientation. (22 states and D.C.)

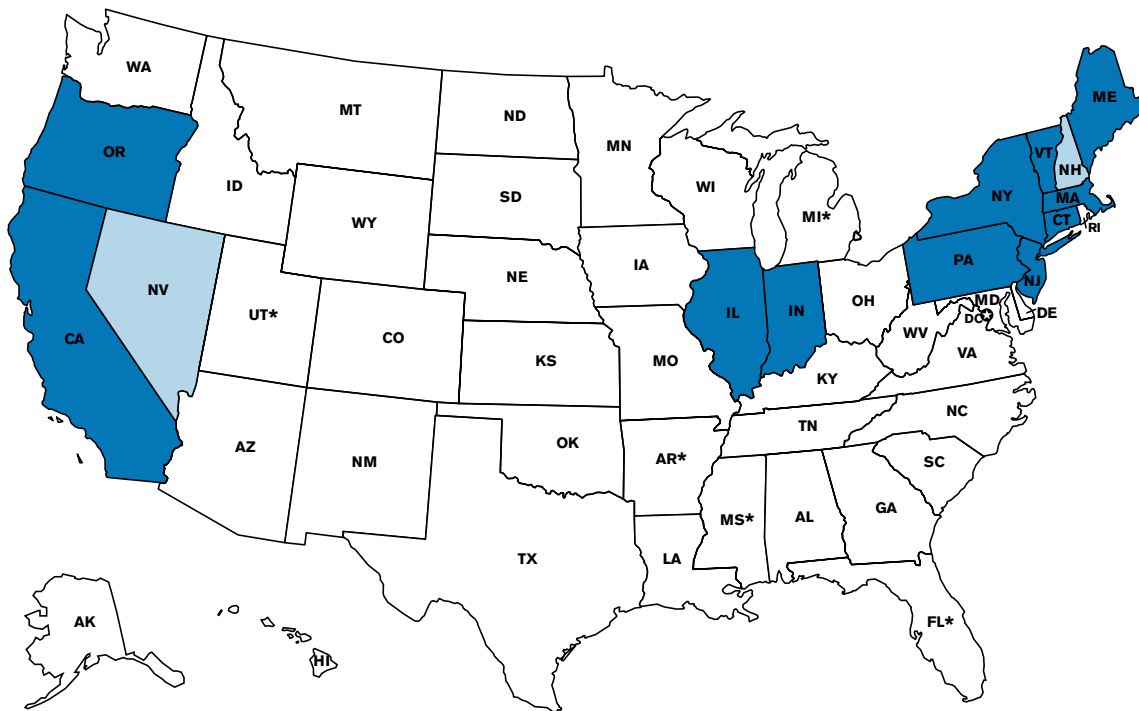
In addition to the same states above: Connecticut (1991), Delaware (2009), Hawaii (1991), Massachusetts (1989), Nevada (1999), New Hampshire (1998), New York (2003), and Wisconsin (1982).

Laws and policies covering public employees only:

The laws referenced above apply to public and private employers (with some limitations) in the respective states. Additionally, there are 6 states (*) that have an executive order, administrative order or personnel regulation prohibiting discrimination against public employees based on sexual orientation and gender identity and 3 states (**) prohibit discrimination against public employees based on sexual orientation only. In 22 states and the District of Columbia (▲) state employees are provided with domestic partner benefits.

*Map current as of December 2009

Parenting Laws: Joint Adoption



Each state has its own laws governing adoption and they vary widely. A joint adoption involves a couple adopting from the child's biological parent(s) or is in the custody of the state. In many states it is unclear whether a same-sex couple would be permitted to file a joint petition to adopt. This map provides information on the known laws and policies.

- States where same-sex couples can jointly petition to adopt statewide. (10 states and D.C.)
California, Connecticut, District of Columbia, Illinois, Indiana, Maine, Massachusetts, New Jersey, New York, Oregon and Vermont.
- States where same-sex couples have successfully petitioned to adopt in some jurisdictions. (2 states)
Nevada and New Hampshire.

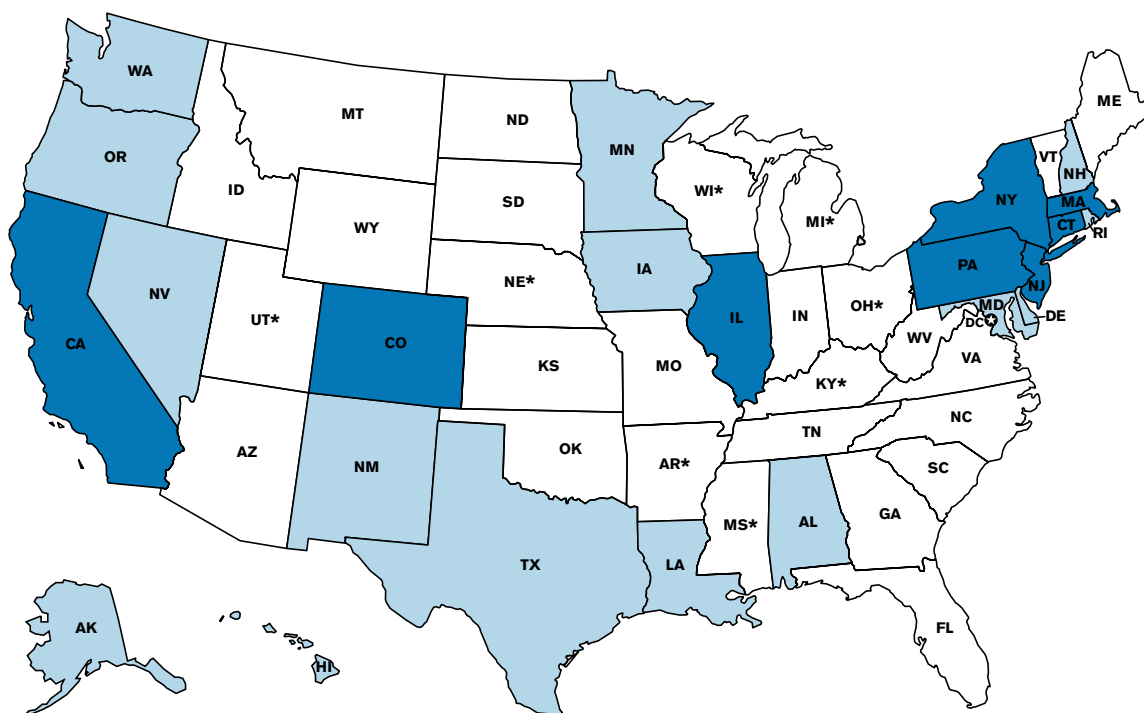
In many states the status of parenting laws for LGBT people is unclear. The determination of parenting rights is always made on a case-by-case basis and it is ultimately the decision of the judge whether to grant the adoption petition. If you are considering becoming a parent, you should consult with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

*Obstacles to equal treatment:

Same-sex couples are prohibited from adopting in Florida, Mississippi and Utah. State courts in Michigan have ruled that unmarried individuals may not jointly petition to adopt. Florida is the only state that explicitly prohibits all LGB people, whether individuals or couples, from adopting. On Nov. 4, 2008, Arkansas voters approved a statutory ban on adoption and foster parenting by unmarried individuals cohabiting with a sexual partner.

**Map current as of December 2009*

Parenting Laws: Second-Parent Adoption



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

- States where second-parent adoption is an option for same-sex couples statewide. (9 states and D.C.)
California, Colorado, Connecticut, District of Columbia, Illinois, Massachusetts, New Jersey, New York, Pennsylvania and Vermont.
- States where same-sex couples have successfully petitioned for second-parent adoption in some jurisdictions. (15 states)
Alabama, Alaska, Delaware, Hawaii, Iowa, Louisiana, Maryland, Minnesota, Nevada, New Hampshire, New Mexico, Oregon, Rhode Island, Texas and Washington.

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

*Obstacles to Equal Treatment:

Same-sex couples are prohibited from adopting in Florida, Mississippi and Utah. State courts in Michigan have ruled that unmarried individuals may not jointly petition to adopt. Florida is the only state that explicitly prohibits all LGB people, whether individuals or couples, from adopting. On Nov. 4, 2008, Arkansas voters approved a statutory ban on adoption and foster parenting by unmarried individuals cohabiting with a sexual partner.* State courts have ruled that second-parent adoptions are not available under current law in Kentucky, Nebraska, Ohio and Wisconsin.

**Map current as of December 2009*

A map of the United States where each state is labeled with its two-letter abbreviation. The states are colored based on their position relative to the Great Lakes and the Mississippi River. States west of the Great Lakes (CA, NV, UT, AZ, NM, TX) and south of the Mississippi River (LA, MS, AL, GA, FL) are white. States east of the Mississippi River and north of the Great Lakes (ME, VT, NH, MA, CT, RI, PA, NY, NJ, DE, MD, VA, WV, KY, TN, NC, SC) are light blue. States between the Great Lakes and the Mississippi River (WA, OR, ID, MT, ND, SD, NE, KS, OK, AR, MO, IL, IN, OH, MI, WI, MN, IA, WI, MI) are dark blue. Alaska (AK) and Hawaii (HI) are also shown in white.

**** Policies/No Categories:** States that prohibit bullying in schools but list no categories of protection. (23 states) Alabama, Alaska, Arizona, Arkansas, Colorado, Delaware, Florida, Georgia, Illinois, Kentucky, Louisiana, Missouri, Nevada, New Hampshire, Ohio, Oklahoma, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia and Wyoming.



outlook^{for} 2010

2010 shows signs of continuing economic challenges for our country. As midterm elections draw nearer for state and federal legislators, and also for 37 governors, lesbian, gay, bisexual and transgender equality legislation will likely shift into the background. Continuing the positive trends of 2009, marriage equality and relationship recognition legislation will remain a focal point in several states, including Hawaii, Illinois, New Mexico and Rhode Island.

The outlook is positive in Hawaii as state legislators appear willing to revisit the state's limited "reciprocal beneficiary" law. Currently, efforts in the Aloha State are focused on gathering support for marriage equality legislation; however, a civil union bill has been proposed as a possible intermediate step. State legislators have also signaled that Illinois may become the next state to recognize same-sex relationships as a civil unions bill continues to gather momentum. New Mexico Gov. Bill Richardson has voiced continued support of a domestic partnership bill. In Rhode Island, vehement opposition to a veto of a bill that would grant same-sex partners the right to make funeral arrangements resulted in the governor announcing his support for domestic partnership legislation.

In addition, three states that provide limited recognition of same-sex relationships appear once again to be progressing. Colorado legislators will likely amend the state's new "designated beneficiary" law to provide an

increased number of benefits to same-sex couples. The Maryland attorney general will also release his decision on whether the state must recognize

marriages of same-sex couples performed out-of-state. And in Wisconsin, the state's Supreme Court will rule on whether Wisconsin's Defense of Marriage amendment is unconstitutional.

On the anti-discrimination front, state-level efforts in 2010 to pass legislation will result in growing

support for passage of the federal Employment Non-Discrimination Act. Both Massachusetts and New York appear close to expanding current discrimination protections by including gender identity and gender expression. After Ohio's governor enacted an executive order banning discrimination based on sexual orientation in government employment, Ohio legislators will renew efforts at passing a statewide anti-discrimination law. The most promising advances on the discrimination front could be in Utah, where an unexpected endorsement by the Church of Latter-day Saints to a Salt Lake City ordinance banning discrimination based on sexual orientation and gender identity resulted in renewed hopes that the state legislators will pass statewide discrimination legislation that will ensure equal treatment of LGBT people.

As the LGBT community knows well, major victories can be won by fighting off discriminatory legislation. In Kentucky and Tennessee, legislators backing LGBT families will face robust challenges from legislators seeking to pass harmful adoption bills that would bar unmarried couples from adopting or fostering children. These laws are especially targeted at LGBT people because these states do not permit same-sex couples to marry. But the outlook on LGBT parenting bills could shift dramatically as Florida appellate courts will review the decisions of several trial courts that have ruled that the state's harsh anti-LGBT parenting bill is unconstitutional.

Not to be forgotten in 2010 is the need to show strong support for pro-LGBT state legislators. For the first time in over 20 years, the governor, lieutenant governor and all 201 state representatives and senators will be up for election in Minnesota — representing a significant opportunity for pro-equality advocates to

**We look ahead to 2010
with renewed
dedication
to the fight for equality.**

elect fair-minded legislators. Also in Maine, Maryland and New York, efforts are under way to ensure that

As the LGBT community knows well, major victories can be won by fighting off discriminatory legislation.

pro-equality legislators are victorious in the 2010 elections and beyond in the hopes of renewing the call for marriage equality legislation.

Despite the challenges set before LGBT civil rights advocates in 2010, the coming year will offer numerous opportunities to continue to move forward, step by step, to equality.

2009 STATE BILLS INTRODUCED OR CARRIED OVER FROM 2008

	Marriage		Relationships		Anti-Discrimination		Hate Crimes		Parenting		Education		Med/Safety Bill		Other Bill		Good	Bad
	Good	Bad	Good	Bad	Good	Bad	Good	Bad	Good	Bad	Good	Bad	Good	Bad	Good	Bad	Totals	Totals
Alabama		1					1				3						4	1
Alaska																	0	0
Arizona					1						1						2	0
Arkansas				1													0	1
California	3		3		4		1		1		2	1	1		1		16	1
Colorado			2		1				1								4	0
Connecticut	1		1		2				1			1					5	1
Delaware		1	1		1				1								3	1
D.C.	2		1						1				1				5	0
Florida			3		1				3		3						10	0
Georgia							1		1		1	1					3	1
Hawaii	2		1		1						3			1			7	1
Idaho			1														1	0
Illinois	1	1	2			1			1								4	2
Indiana					1						2						3	0
Iowa	1	1			1							1					2	2
Kansas					1							1					1	1
Kentucky					1					1	1	1					2	2
Louisiana									1	1				1		1	1	3
Maine	1		2														3	0
Maryland	1	1	3		2		1					1					7	2
Massachusetts	1				3		1				6	4	2				13	4
Michigan	3				1		2		1		2	1					9	1
Minnesota	3	1	4						1		2	1					10	2
Mississippi					1					1	2	2					3	3
Missouri					2						3	1					5	1
Montana			1		2		1				2			1			6	1
Nebraska											1						1	0
Nevada			1		5						2						8	0
New Hampshire	2	4	4	1	1	1											7	6
New Jersey	2	3	6		3		3		1		4	2					19	5
New Mexico		2	3		1		1				1				1		7	2
New York	1	1	16		13		20		3		11		1				65	1
North Carolina		2			2		1				2	2			1		6	4
North Dakota					1												1	0
Ohio					1						2						3	0
Oklahoma						1	2		1		2						5	1
Oregon			2		1		1				2						6	0
Pennsylvania	1				3		2				5						11	0
Rhode Island	1	1	1														2	1
South Carolina			1		4		1					1					6	1
South Dakota							1				1						2	0
Tennessee		1				1	1		1	1		2	2	1			4	6
Texas	1		1		4		3	1			11	1					20	2
Utah			2		1					1	1						4	1
Vermont	1								1								2	0
Virginia	1		1		4						3	1					9	1
Washington	1	1	4	1							2			1			7	3
West Virginia		1			2							1					2	2
Wisconsin			1								2	1					3	1
Wyoming		1			1						2						3	1
TOTAL:	30	23	68	3	73	4	44	1	20	5	87	27	7	5	3	1	332	69

Note: The total tally of bills is lower in this section than the total number of bills in the Equality from State to State report. Bills that repeal domestic partnerships and civil unions after the passage of marriage, and bills regulating reproductive technologies that do not disproportionately impact the LGBT community are not rated as good or bad bills.

2009 STATE BILLS PASSED

	Marriage		Relationships		Anti-Discrimination		Hate Crimes		Parenting		Education		Med/Safety Bill		Other Bill		Good	Bad
	Good	Bad	Good	Bad	Good	Bad	Good	Bad	Good	Bad	Good	Bad	Good	Bad	Good	Bad	Totals	Totals
Alabama											1						1	0
Alaska																	0	0
Arizona																	0	0
Arkansas																	0	0
California	2		2		2		1		1		1				1		10	0
Colorado			2		1												3	0
Connecticut	1																1	0
Delaware					1				1								2	0
D.C.	2		1						1								4	0
Florida																	0	0
Georgia																	0	0
Hawaii																	0	0
Idaho																	0	0
Illinois						1											0	1
Indiana																	0	0
Iowa					1												1	0
Kansas																	0	0
Kentucky																	0	0
Louisiana																	0	0
Maine	1		1														2	0
Maryland			1		1												2	0
Massachusetts																	0	0
Michigan																	0	0
Minnesota																	0	0
Mississippi																	0	0
Missouri																	0	0
Montana																	0	0
Nebraska																	0	0
Nevada			1		2						1						4	0
New Hampshire	1																1	0
New Jersey			2								1						3	0
New Mexico							1										1	0
New York			1				2										3	0
North Carolina												1					0	1
North Dakota																	0	0
Ohio																	0	0
Oklahoma																	0	0
Oregon			1				1				2						4	0
Pennsylvania																	0	0
Rhode Island																	0	0
South Carolina																	0	0
South Dakota																	0	0
Tennessee																	0	0
Texas												1					0	1
Utah																	0	0
Vermont	1																1	0
Virginia											2	1					2	1
Washington			3														3	0
West Virginia																	0	0
Wisconsin			1														1	0
Wyoming											1						1	0
TOTAL:	8	0	16	0	8	1	5	0	3	0	9	3	0	0	1	0	50	4

Note: The total tally of bills is lower in this section than the total number of bills in the Equality from State to State report. Bills that repeal domestic partnerships and civil unions after the passage of marriage, and bills regulating reproductive technologies that do not disproportionately impact the LGBT community are not rated as good or bad bills.

lgbt-related bills considered in 2009

The following is a categorized listing of LGBT-related bills considered in the 2009 state legislatures. Some bills were carried over from 2008.*

Marriage-Related Bills: Passed.....	27	Parenting Bills: Passed.....	51
Marriage-Related Bills: Active	28	Parenting Bills: Active.....	51
Marriage-Related Bills: Dead	31	Parenting Bills: Dead.....	53
Other Relationship-Recognition Bills: Passed.....	32	Schools-Related Bills: Passed.....	54
Other Relationship-Recognition Bills: Active	34	Schools-Related Bills: Active.....	56
Other Relationship-Recognition Bills: Dead	37	Schools-Related Bills: Dead.....	61
Anti-Discrimination Bills: Passed	40	Health & Safety Bills: Passed.....	65
Anti-Discrimination Bills: Active	41	Health & Safety Bills: Active.....	66
Anti-Discrimination Bills: Dead	44	Health & Safety Bills: Dead.....	67
Hate Crimes Bills: Passed	47	Other Bills: Passed.....	67
Hate Crimes Bills: Active	47	Other Bills: Active.....	67
Hate Crimes Bills: Dead	50	Other Bills: Dead.....	67

Marriage-Related Bills: **PASSED**

California Assembly House Resolution 5/ Senate Resolution 7 — These resolutions formally oppose Proposition 8 as an improper revision to the California Constitution.

Status: HR 5 was introduced on Dec. 2, 2008, and adopted on March 2, 2009. SR 7 was introduced on Dec. 1, 2008, and adopted on March 2, 2009.

California Senate Bill 54 — This bill recognizes out-of-state same-sex marriages performed prior to Nov. 5, 2008 (the passage of Proposition 8). Same-sex marriages performed after Nov. 5, 2008, are recognized as domestic partnerships in California.

Status: This resolution was introduced on Jan. 15, 2009. It passed both the Assembly and the Senate and was approved by Gov. Arnold Schwarzenegger and chaptered by the secretary of state (Chapter 625, Statutes of 2009) on Oct. 11, 2009.

District of Columbia Bill 18-0010 — This bill recognizes same-sex marriages performed in other jurisdictions as legally valid in the District of Columbia.

Status: This bill was introduced on Jan. 2, 2009. The District Council passed the bill on April 7, 2009, and as required, passed the bill again on May 5, 2009. The bill was signed into law by the mayor on May 6, 2009. The law became effective on July 7, 2009.

District of Columbia Bill 482 — This bill permits same-sex couples to marry in the District of Columbia.

Status: This bill was introduced on Oct. 6, 2009. The District Council passed the bill on Dec. 1, 2009, and, as required, passed the bill again on Dec. 15, 2009. The bill was signed into law by the mayor on Dec. 18, 2009.

Maine Legislative Document 1020 — This bill authorizes same-sex marriage.

Status: This bill was recommended by the

*NOTE: The last update on the status of these measures was on Dec. 22, 2009.

Senate Committee on Judiciary on March 17, 2009. It was passed by the House on May 5, 2009, and by the Senate on May 6, 2009. The bill was signed into law by the governor on May 6, 2009.

Note: On Nov. 3, 2009, Question 1 was passed by Maine voters, resulting in the repeal of LD 1020.

New Hampshire House Bill 436 — This bill legalizes same-sex marriage and converts existing civil unions to the status of marriage.

Status: This bill was introduced on Jan. 8, 2009, and passed by the House on March 26, 2009. The bill was amended and passed by the Senate on April 29, 2009, and the House concurred on May 6, 2009. The bill was signed into law on June 4, 2009.

Vermont House Bill 178/Senate Bill 115 — This bill allows same-sex marriage after Sept. 1, 2009, and discontinues the issuance of civil unions.

Status: HB 178 was introduced on Feb. 6, 2009, and SB 115 was introduced on March 17, 2009. It was passed by the Senate on March 24, 2009, and then passed by the House on April 3, 2009. The governor vetoed the bill on April 6, 2009. The veto was overridden and the bill was enacted on April 7, 2009.

Connecticut Senate Bill 899 — This bill implements the Connecticut Supreme Court's decision in *Kerrigan v. Commissioner of Public Health*, provide for the recognition of same-sex marriages and merge existing civil unions into marriages.

Status: This bill was introduced on Feb. 11, 2009, and signed by Gov. M. Jodi Rell on April 23, 2009.

Marriage-Related Bills: ACTIVE

California Assembly Joint Resolution 19

— This resolution would call upon Congress and the president to repeal the discriminatory Defense of Marriage Act (DOMA).

Status: This resolution was introduced on May 18, 2009. The resolution was adopted by the Assembly on Aug. 31, 2009, and sent

to the Senate. It was referred the Senate Rules Committee on Sept. 1, 2009, and there has been no further action.

Hawaii House Bill 309 — This bill would recognize lawful same-sex marriages performed in other countries.

Status: This bill was introduced on Jan. 26, 2009, and passed a first reading on the same date. It was then referred to the Committee on the Judiciary. On May 11, 2009, it was carried over to 2010 Regular Session.

Hawaii House Bill 878 — This bill would repeal language that defines marriage as being limited to a relationship between a man and a woman and instead defines the relationship as one between two persons.

Status: This bill was introduced on Jan. 28, 2009, and passed first reading on the same date. It was then referred to the Committee on the Judiciary. On May 11, 2009, it was carried over to 2010 Regular Session.

Illinois House Bill 178/Senate Bill 2468 — This bill would legalize same-sex marriage.

Status: This bill was pre-filed on Jan. 13, 2009. The first reading of the bill was on Jan. 14, 2009, and it was then referred to the Committee on Rules. The bill was later assigned to the Youth and Family Committee and re-referred to the Rules Committee on March 13, 2009. There has been no further action on this bill.

Illinois House Joint Resolution

Constitutional Amendment 2 — This bill would amend the Illinois Constitution to read that only a union of one man and one woman shall be valid or recognized as a marriage.

Status: This bill was introduced on Jan. 8, 2009. Following a first reading, it was referred to the Rules Committee on Jan. 14, 2009. There has been no further action on this bill.

Iowa HJR 6 — This resolution would seek to amend to the state constitution to define marriage as between a man and a woman, and would prohibit the recognition of same-sex marriage.

Status: This resolution was introduced on March

13, 2009. On April 9, 2009, a call of House occurred and the speaker ruled the call of House was out of order. The resolution is still active.

Iowa SB 353 — This bill would legalize same-sex marriage.

Status: This bill was introduced on March 5, 2009.

Note: This bill is in effect dead following the Iowa Supreme Court decision on April 3, 2009, declaring a failure of the state to recognize same-sex marriages to be in violation of the Iowa Constitution.

Massachusetts House Bill 1708 — This bill would codify the state high court's 2003 marriage equality ruling and guarantee that any person otherwise eligible to marry may marry any other eligible person regardless of gender.

Status: This bill was introduced Jan. 20, 2009. This bill is still active.

Michigan House Bill 5587 — This bill would remove the language in Michigan's current marriage statute that limits marriage to opposite-sex couples.

Status: HB 5587 was introduced Nov. 10, 2009, and referred to the Committee on Judiciary.

Michigan House Bill 5588 — This bill would allow Michigan to recognize same-sex marriages performed in other states where same-sex marriage is legal.

Status: HB 5588 was introduced Nov. 10, 2009, and referred to the Committee on Judiciary.

Michigan House Joint Resolution NN — This resolution proposes amending the state constitution to provide for same-sex marriage.

Status: Joint Resolution NN was introduced on Nov. 10, 2009, and referred to the Committee on the Judiciary.

Minnesota House Bill 893/House Bill 1644/Senate Bill 120/Senate Bill 1210/Senate Bill 2145 — These bills would legalize same-sex marriage.

Status: HB 893 was introduced in the House on Feb. 16, 2009. HB 1644 was introduced

in the House on March 12, 2009. SB 120 was introduced in the Senate on Jan. 15, 2009. SB 1210 was introduced in the Senate on March 5, 2009. SB 2145 was introduced in the Senate on May 14, 2009. These bills are still active.

Minnesota House Bill 1655/Senate Bill

1988 — This bill would provide for a Marriage Evaluation Study Group, for the purposes of reviewing "all existing state and federal laws that are directly impacted by marriage or otherwise affect the social or economic status of a married couple" and to determine "the extent to which structural barriers exist that negatively impact single people, same-sex couples, and cohabitating couples who are not in a marriage relationship."

Status: HB 1655 was introduced in the House on March 12, 2009. SB 1988 was introduced in the Senate on March 30, 2009. These bills are still active.

Minnesota House Bill 1740/Senate Bill

1732 — These bills would recognize lawful same-sex marriages performed in other states.

Status: HB 1740 was introduced in the House on March 16, 2009. SB 1732 was introduced in the Senate on March 23, 2009. These bills are still active.

Minnesota House Bill 1824/House Bill 1870/House Bill 1871/Senate Bill 1974/Senate Bill 1975/Senate Bill 1976

— These bills would amend the state constitution to define marriage as between a man and a woman.

Status: HB 1824, HB 1870 and HB 1871 were introduced in the House on March 18, 2009. SB 1974, SB 1975 and SB 1976 were introduced in the Senate on March 30, 2009. These bills are still active.

New Jersey Assembly Bill 648 — This bill would establish that same-sex marriages are prohibited in New Jersey and prohibit the recognition of out-of-state same-sex marriages.

Status: This bill was introduced Jan. 8, 2008. This bill is still active.

New Jersey Assembly Bill 818/Assembly Bill 2978/Senate Bill 1967 — These bills would legalize same-sex marriage.

Status: AB 648 was introduced in the Assembly on Jan. 8, 2008. AB 2978 was introduced in the Assembly on June 16, 2008. SB 1967 was introduced in the Senate on June 9, 2008. These bills are still active.

New Jersey Assembly Bill 1687/Senate Bill 577 — These bills would allow a public official authorized 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.

Status: These bills were introduced Jan. 8, 2008. These bills are still active.

New Jersey Assembly Bill 3497 — This bill would authorize members of the New Jersey state Legislature to solemnize marriages and civil unions.

Status: This bill was introduced on Dec. 8, 2008. This bill is still active.

New Jersey Assembly Concurrent Resolution 56/Assembly Concurrent Resolution 120/Senate Concurrent Resolution 30 — These resolutions propose

amending the state constitution to define marriage as between a man and a woman and prohibit the recognition of same-sex marriage.

Status: ACR 56 and ACR 120 were introduced in the Assembly on Jan. 8, 2008. SCR 30 was introduced in the Senate on Jan. 8, 2008. These resolutions are still active.

New Hampshire Legislative Service Request 287 — This request proposes replacing civil marriage with civil unions.

Status: This request was posted on Nov. 20, 2008, and is still active.

New Hampshire Legislative Service Request 2069 — This request proposes repealing same-sex marriage and re-establishing civil unions.

Status: This request was posted on Oct. 2, 2009, and is still active.

New Hampshire Legislative Service Request 2158 — This request proposes urging Congress to repeal the Defense of Marriage Act and affirms marriage equality.

Status: This request was posted on Oct. 2, 2009, and is still active.

New Hampshire Legislative Service

Request 2237/LSR 2655 — These requests propose amending the state constitution to define marriage as between a man and a woman.

Status: These requests were posted on Oct. 2, 2009, and are still active.

North Carolina House Bill 361/Senate Bill 272

— This bill would amend the state constitution such that marriage between a man and a woman is the only legally recognized domestic union in the state.

Status: HB 361 was referred to the Committee on Rules, Calendar, and Operations of the House on March 3, 2009. If the outcome from that committee is favorable, it will be sent to the following committees: Judiciary I, Election Law & Campaign Finance Reform and Appropriations. SB 272 was referred to the Committee on Ways & Means on Feb. 24, 2009.

Pennsylvania Senate Bill 935 — This bill would legalize same-sex marriage.

Status: This bill was introduced on June 5, 2009. It is still active.

Rhode Island Senate Bill 136 — This bill would limit marriage in Rhode Island to opposite-sex couples and prevent the state from recognizing same-sex marriages performed elsewhere.

Status: SB 136 was referred to the Senate Judiciary Committee on Jan. 29, 2009. It was scheduled for hearing/consideration on Feb. 26, 2009. No action has occurred since then.

Rhode Island Senate Bill 147 — This bill would broaden the definition of marriage to allow two same-sex people to marry. The bill contains a provision that allows clergy to refuse to perform same-sex marriages.

Status: SB 147 was referred to the Senate Judiciary Committee on Jan. 29, 2009. It was scheduled for hearing/consideration on Feb. 26, 2009. No action has occurred since then.

Tennessee House Joint Resolution 477 — This resolution would urge Congress to intervene and reject a measure passed by the Council of the District of Columbia that recognizes lawful same-sex marriages.

Status: This resolution was introduced on May 11, 2009. This resolution is still active.

Washington House Bill 1745/Senate Bill 5674 — These bills would legalize same-sex marriage.

Status: These bills were introduced on Jan. 28, 2009. These bills are still active.

Washington House Joint Resolution 4204 — This bill would amend the state constitution to define marriage as between a man and a woman and would prohibit the recognition of same-sex marriage.

Status: This bill was introduced on Jan. 30, 2009. This bill is still active.

Marriage-Related Bills: DEAD

Alabama House Joint Resolution 846/Senate Joint Resolution 138 — These resolutions would have requested the United States Congress, upon the request of 2/3 of state legislatures, to call a convention for the purpose of amending the U.S. Constitution to provide that “marriage in the United States shall consist only of the union of a man and a woman. Neither this Constitution, nor the constitution of any State, shall be construed to require that marriage or the legal incidents thereof be conferred upon any union other than the union of a man and a woman.”

Status: HJR 846 was introduced in the House of Representatives on May 5, 2009. SJR 138 was introduced in the Senate on May 7, 2009. The resolutions died when the Legislature adjourned on May 19, 2009.

Delaware Senate Bill 27 — This bill would have amended Article XV of the constitution of the state of Delaware by adding the following language: “Section 11. Only a marriage between one man and one woman shall be a valid or legally recognized marriage in this State.”

Status: This bill was introduced on March 26, 2009. On the same day, the Senate voted to defeat the legislation.

Maryland House Bill 913/Senate Bill 647 — These bills would have amended the state con-

stitution to define marriage as between a man and a woman and would have prohibited the recognition of same-sex marriage.

Status: HB 913 was introduced in the House on Feb. 12, 2009. SB 647 was introduced in the Senate on Feb. 6, 2009. The bills died upon adjournment on April 13, 2009.

Maryland House Bill 1055/Senate Bill 565 — This bill would have changed the definition of marriage from “between a man and a woman” to “between two individuals who are not otherwise prohibited from marrying.”

Status: HB 1055 was introduced in the House on Feb. 13, 2009. SB 565 was introduced in the Senate on Feb. 6, 2009. The bills died upon adjournment on April 13, 2009.

New Hampshire House Bill 453 — This bill would have amended the state constitution to define marriage as between a man and a woman and would have repealed laws authorizing civil unions.

Status: This bill was introduced Jan. 8, 2009, and passed by House committee March 19, 2009. The House voted the bill Inexpedient to Legislate on March 25, 2009, and in light of this, HB 436 is effectively dead.

New Mexico House Bill 118/Senate Bill 162 — This bill would have amended the state constitution to define marriage as between a man and a woman and would have prohibited the recognition of same-sex marriage.

Status: HB 118 was introduced in the House of Representatives on Jan. 21, 2009, and died upon adjournment on March 21, 2009. SB 162 was introduced on Jan. 20, 2009, and died upon adjournment on March 21, 2009.

New Mexico House Joint Resolution 2/Senate Joint Resolution 6 — These resolutions would have proposed amending the state constitution to define marriage as between a man and a woman and prohibited the recognition of same-sex marriage.

Status: HJR 2 was introduced on Jan. 21, 2009, and died upon adjournment on March 21, 2009. SJR 6 was introduced on Jan. 20, 2009, and died upon adjournment on March 21, 2009.

New York Assembly Bill 3000 — This bill would have prohibited the recognition of lawful out-of-state same-sex marriages.

Status: This bill was introduced on Jan. 22, 2009, and killed on June 23, 2009.

New York Assembly Bill 7732/Senate Bill 4401/Senate Bill 51101/Senate Bill 66003/Assembly Bill 40003 — This bill would have legalized same-sex marriage.

Status: AB 7732 was introduced on April 22, 2009, and passed by the Assembly on May 12, 2009. SB 4401 was introduced in the Senate on April 22, 2009. AB 40003 was introduced on Dec. 1, 2009, and ultimately superseded the other bills. AB 40003 was passed by the Assembly on Dec. 2, 2009, but voted down by the Senate on Dec. 2, 2009.

Texas House Joint Resolution 131 — This resolution would have repealed the constitutional provision defining marriage as between a man and a woman and prohibited the recognition of same-sex marriage.

Status: This resolution was introduced on March 13, 2009, and died upon adjournment June 1, 2009.

Virginia House Joint Resolution 657 — This bill would have repealed a constitutional provision defining marriage as between a man and a woman and prohibited the recognition of same-sex marriage.

Status: This bill was introduced on Jan. 6, 2009. It died upon adjournment on April 8, 2009.

West Virginia House Joint Resolution 5/House Concurrent Resolution 121/House Joint Resolution 24/Senate Joint Resolution 7/Senate Joint Resolution 12

— These resolutions would have amended the state constitution to define marriage as between a man and a woman.

Status: HJR 5 and SJR 7 were introduced on Feb. 11, 2009. SJR 12 was introduced in the Senate on March 9, 2009. HJR 24 was introduced in the House of Representatives on March 18, 2009. HCR 121 was introduced on April 11, 2009. All resolutions died upon adjournment on May 31, 2009.

Wyoming House Joint Resolution 17/

Senate Joint Resolution 2 — These resolutions would have amended the state constitution to define marriage as between a man and a woman and would have prohibited the recognition of same-sex marriage.

Status: HJR 17 was introduced in the House of Representatives on Jan. 27, 2009. SJR 2 was introduced in the Senate on Jan. 14, 2009. Both resolutions died upon adjournment on March 5, 2009.

Other Relationship-Recognition Bills: **PASSED**

California Assembly Bill 1003 — This bill revises existing law to require the California Emergency Management Agency to award grants annually to fund domestic violence programs and services for the lesbian, gay, bisexual, and transgender community, including but not limited to all of the following: 24-hour crisis hotlines; counseling; court and social service advocacy; legal assistance with temporary restraining orders, devices and custody disputes; community resource and referral; household establishment assistance; emergency housing; educational workshops and publications; batterers intervention; and warmlines.

Status: This bill was introduced on Feb. 27, 2009. It passed both the Assembly and the Senate and was approved by Gov. Arnold Schwarzenegger and chaptered by the secretary of state (Chapter 498, Statutes of 2009) on Oct. 11, 2009.

California Senate Bill 273 — This bill redefines “domestic violence” to make it more inclusive of same-sex couples and violence against male partners, and affirms the Legislature’s attention to domestic violence within the LGBT community.

Status: This bill was introduced on Feb. 24, 2009. It passed both the Assembly and the Senate and was approved by Gov. Arnold Schwarzenegger and chaptered by the secretary of state (Chapter 177, Statutes of 2009) on Oct. 11, 2009.

Colorado House Bill 1260 — This bill allows two adults who are not married to enter into a designated beneficiary agreement, making each adult a designated beneficiary of the other and entitling each party to a host of financial and legal protections, including healthcare dependent benefits, hospital visitation rights and property rights.

Status: This bill was introduced on Feb. 3, 2009. It passed both the House and the Senate and was signed by Gov. Bill Ritter on April 9, 2009.

Colorado Senate Bill 88 — This bill extends state employee group benefits, including health insurance benefits, to domestic partners of state employees.

Status: This bill was introduced on Jan. 14, 2009. It passed both the House and the Senate and was signed by Gov. Bill Ritter on May 18, 2009.

District of Columbia Proposed Regulation

56 — The bill provides that a District employee who elects family health benefits coverage for a domestic partner or the children of a domestic partner must pay 25 percent of the cost of coverage and the District government will pay the remaining 75 percent.

Status: This bill was introduced on Jan. 2, 2009. On Jan. 5, 2009, it was referred to the Committee on Government Operations and the Environment. On March 14, 2009 it was deemed approved without Council action.

Maine Legislative Document 716 — This bill amends the definition of “domestic partner” in the laws governing the custody of remains to make it consistent with other laws.

Status: This bill was recommended by the House Committee on Judiciary on Feb. 2, 2009. The House passed the bill on April 29, 2009, and the Senate passed the bill on May 5, 2009. The governor signed the bill into law on May 12, 2009.

Maryland House Bill 1215/Senate Bill 785

— These bills extend the inheritance tax exemption to a domestic partner of the decedent.

Status: HB 1215 was introduced on Feb. 13, 2009, and passed by the House on April 8,

2009. SB 785 was introduced on Feb. 6, 2009, and passed by the Senate on April 3, 2009. SB 785 was amended and passed by the House on April 9, 2009, and the Senate concurred on April 10, 2009. HB 1215 died upon adjournment on April 13, 2009. SB 785 was signed into law May 19, 2009.

Nevada Senate Bill 283 — This bill creates domestic partnerships and provides for the rights and responsibilities attendant to domestic partnerships.

Status: This bill was introduced on March 16, 2009, and passed by the Senate on April 21, 2009. The bill was amended and passed by the Assembly on May 15, 2009, and the Senate concurred on May 19, 2009. The bill was vetoed on May 25, 2009. The Senate voted to override the veto on May 30, 2009, and the Assembly voted to override the veto on May 31, 2009. The bill became law June 1, 2009.

New Hampshire House Bill 73 — This bill, pursuant to the passage of marriage equality legislation, prohibits the establishment of civil unions on or after Jan. 1, 2010.

Status: This bill was introduced in the House of Representatives on Jan. 7, 2009. The bill was passed by the House on March 25, 2009. The bill was amended and passed by the Senate on May 20, 2009. The Conference Committee Report was approved by the House and Senate on June 3, 2009, and the bill was signed into law on June 4, 2009.

New Jersey Assembly Bill 2595/Assembly Bill 2624/Senate Bill 375/Senate Bill 1557

— These bills amend the meaning of “dependent” under state health insurance law to include domestic partners.

Status: AB 2595 was introduced in the Assembly on May 5, 2008, and SB 375 was introduced in the Senate on Jan. 8, 2008, but both were superseded by SB 1557. AB 2624 was introduced in the Assembly on May 12, 2008, and substituted by SB 1557 on June 23, 2008. SB 1557 was introduced in the Senate on April 7, 2008, passed by the Senate on June 23, 2008, and passed by the Assembly on June 23, 2008. SB 1557 was signed into law on July 8, 2008.

New York Assembly Bill 904/Senate Bill

3910 — This bill sets forth an order of priority for organ donation, including the person designated as the decedent's healthcare agent, the person designated as the decedent's agent per a written statement, and the domestic partner.

Status: AB 904 was introduced in the Assembly on Jan. 7, 2009, and passed on June 10, 2009. SB 3910 was introduced in the Senate on April 3, 2009, and passed on July 16, 2009. The bill was signed into law on Aug. 26, 2009.

Oregon House Bill 2839 — This bill amends certain provisions of the state's domestic partnerships law.

Status: This bill was introduced on Feb. 25, 2009. It was passed by the House on April 27, 2009. The bill was amended and passed by the Senate on June 11, 2009. The House passed the Senate version on June 15, 2009. This bill was signed into law on June 25, 2009.

Washington House Bill 1445/Senate Bill

5439 — These bills extend benefits under the Washington State Patrol Retirement System to domestic partners.

Status: HB 1445 was introduced in the House of Representatives on Jan. 21, 2009. SB 5439 was introduced in the Senate on Jan. 22, 2009. HB 1445 was passed by the House on March 6, 2009, and passed by Senate on April 8, 2009. HB 1445 was signed into law on May 18, 2009.

Washington House Bill 1616 — This bill amends state pension laws to include domestic partners.

Status: This bill was introduced in the House of Representatives on Jan. 26, 2009. It was passed by the House on March 6, 2009, and then it was passed by the Senate on April 23, 2009. The bill was signed into law on May 18, 2009.

Washington House Bill 1727/Senate Bill

5688 — These bills establish that under state law, registered domestic partners shall be treated the same as married spouses with regard to any privilege, immunity, right, benefit or responsibility granted or imposed by statute.

Status: HB 1727 was introduced in the House on Jan. 28, 2009, but was superseded by SB

5688. SB 5688 was introduced on Jan. 28, 2009, and passed by the Senate on March 10, 2009. SB 5688 was passed by the House on April 15, 2009, and signed into law on May 18, 2009.

Wisconsin Assembly Bill 75 — This bill established domestic partnerships for same-sex and opposite-sex couples. The measure was part of the state's annual budget bill.

Status: AB 75 was enacted on June 29, 2009.

Other Relationship-Recognition Bills: **ACTIVE**

California Assembly Bill 849 — This bill would expand current state family and medical leave to allow an employee to also take leave to care for a seriously ill grandparent, sibling, grandchild or domestic partner.

Status: AB 849 was introduced on Feb. 26, 2009. The bill has been held by the Committee on Labor and Employment since May 28, 2009.

Delaware House Bill 10 — This bill would entitle the same-sex partner of a state of Delaware employee or pensioner to the same health insurance, pension and other employee benefits that are provided to spouses of state employees and pensioners.

Status: This bill was introduced on March 10, 2009. On April 1, 2009, it was favorably reported out of the House Administration Committee and assigned to the House Appropriations Committee. There has been no further action on this bill.

Hawaii House Bill 444/Senate Bill 458 —

This bill would extend the same rights, benefits, protections and responsibilities of spouses in a marriage to partners in a civil union.

Status: HB 444 was introduced on Jan. 26, 2009. It passed three votes in the House, the final one on Feb. 12, 2009. The Senate received the bill on Feb. 13, 2009. It passed two readings in the Senate and on May 11, 2009, the bill was carried over to the 2010 regular session.

Illinois House Bill 2234 — This bill would legalize same-sex civil unions.

Status: This bill was introduced on Feb. 17, 2009. On Feb. 18, 2009, it was referred to the Rules Committee following the first reading of the bill. On Feb. 23, 2009, it was referred to the Committee on Youth and Family and it was re-referred to the Rules Committee on May 31, 2009. There has been no further action on this bill.

Illinois Senate Bill 245 — This bill would amend the Downstate Teacher and the Chicago Teacher Articles of the Illinois Pension Code to allow a domestic partner to qualify as a surviving spouse for purposes of survivor and death benefits.

Status: This bill was introduced on Feb. 4, 2009, and referred to the Committee on Assignments following the first reading. It was assigned to the Committee on Pensions and Investments and re-referred to the Committee on Assignments on March 13, 2009. There has been no further action on this bill.

Minnesota House Bill 454/Senate Bill 341 — These bills would allow the domestic partner of a deceased person to control the disposition of the deceased person's remains.

Status: HB 454 was introduced in the House on Feb. 2, 2009. HB 454 was passed by the House Healthcare and Human Services Policy and Oversight committee on March 23, 2009, and by the House Civil Justice committee on March 30, 2009. SB 341 was introduced on Jan. 29, 2009, and passed by the Senate on May 4, 2009. SB 341 was substituted for HB 454 on May 5, 2009. SB 341 is still active.

Minnesota House Bill 999 — This bill would provide for civil unions and substitute civil union contracts for marriage for purposes of Minnesota law.

Status: This bill was introduced on Feb. 19, 2009. This bill is still active.

Minnesota House Bill 1219/Senate Bill 1153 — These bills would extend health insurance benefits to the domestic partners of state employees to the extent that those benefits are provided to the spouses of state employees.

Status: HB 1219 was introduced in the House on March 2, 2009. HB 1219 passed by the

House Healthcare and Human Services Policy and Oversight Committee on March 23, 2009, and by the House Finance committee on May 12, 2009. SB 1153 was introduced in the Senate on March 5, 2009. SB 1153 was passed by the Senate State and Local Government Operations and Oversight Committee on March 30, 2009, and by the Senate Finance Committee on May 4, 2009. These bills are still active.

Minnesota House Bill 1494/Senate Bill

1321 — These bills would allow domestic partners to pursue wrongful death claims.

Status: HB 1494 was introduced in the House on March 9, 2009, and passed by the House Civil Justice Committee on March 30, 2009. SB 1321 was introduced in the Senate on March 9, 2009. These bills are still active.

New Hampshire House Bill 147 — This bill would recognize out-of-state same-sex civil unions as civil unions in New Hampshire, but not recognize out-of-state same-sex marriages at all.

Status: This bill was introduced on Jan. 7, 2009, and passed by a House committee March 19, 2009. This bill is still active.

New Hampshire House Bill 164 — This bill would amend an exception to a violation of the repayment schedule for a work force incentive loan by including the inability to secure employment because of the care required by a disabled civil union partner.

Status: This bill was introduced on Jan. 7, 2009. It is still active.

New Hampshire House Bill 329 — This bill would amend existing insurance laws to include civil union partners.

Status: This bill was introduced on Jan. 8, 2009. This bill is still active.

New Jersey Assembly Bill 3143/Senate

Bill 2591 — These bills would provide paid health insurance to the survivors of members of the Police and Firemen's Retirement System, including domestic partners.

Status: AB 3143 was introduced in the Assembly on Sept. 22, 2008. SB 2591 was introduced in the Senate on Feb. 26, 2009. These bills are still active.

New Jersey Assembly Bill 3620/Senate Bill 2530 — These bills would amend laws concerning the control of funerals and disposition of remains to give civil union partners first priority.

Status: AB 3620 was introduced Jan. 13, 2009, and passed by the Assembly June 25, 2009. SB 2530 was introduced in the Senate Feb. 2, 2009. These bills are still active.

New Jersey Assembly Bill 3653/Senate Bill 1261 — This bill would provide prospectively that if a retiree was married to, or in a domestic partnership with, a person for at least 25 years and the marriage or partnership ended subsequent to retirement, that person, if not remarried or in a new domestic partnership, will be deemed the retiree's widow or widower and will be entitled to a Police and Firemen's Retirement System pension.

Status: AB 3653 was introduced on Jan. 15, 2009. SB 1261 was introduced Feb. 21, 2009. These bills are still active.

New York Assembly Bill 2128/Senate Bill 5196 — This bill would amend disability benefits law to include domestic partners in certain provisions.

Status: AB 2128 was introduced in the Assembly on Jan. 15, 2009. SB 5196 was introduced in the Senate April 27, 2009. This bill is still active.

New York Assembly Bill 2368/Senate Bill 960 — This bill would require family health insurance providers to offer coverage for the domestic partner of an insured person.

Status: AB 2368 was introduced on Jan. 15, 2009, and passed by the Assembly on June 15, 2009. SB 960 was introduced in the Senate on Jan. 22, 2009. This bill is still active.

New York Assembly Bill 2560 — This bill would amend labor laws to allow employees to utilize accrued and available sick leave to provide care to immediate family, household members or domestic partners.

Status: This bill was introduced on Jan. 20, 2009. It is still active.

New York Assembly Bill 2563/Senate Bill 6177 — This bill would require that employers who extend funeral or bereavement leave to an employee

for the death of a spouse, child, parent or other relative shall not deny the same leave for the death of an employee's same-sex committed partner.

Status: AB 2563 was introduced on Jan. 20, 2009, and passed by the Assembly on May 6, 2009. SB 6177 was introduced in the Senate on Sept. 18, 2009. This bill is still active.

New York Assembly Bill 3372/Senate Bill 2278 — This bill would require that patient hospital admissions forms allow patients to designate a domestic partner with the same visitation privileges as a next-of-kin.

Status: AB 3372 was introduced in the Assembly on Jan. 27, 2009. SB 2278 was introduced in the Senate on Feb. 17, 2009. This bill is still active.

New York Assembly Bill 3452 — This bill would allow credit unions to offer membership to domestic partners of persons eligible for membership.

Status: This bill was introduced on Jan. 27, 2009, and reported by the Assembly Banks committee May 19, 2009. This bill is still active.

New York Assembly Bill 4089/Senate Bill 1422 — This bill would expand crime victims' compensation to the domestic partners of victims.

Status: AB 4089 was introduced on Jan. 30, 2009, and passed by the Assembly on April 27, 2009. SB 1422 was introduced in the Senate on Jan. 30, 2009, and passed by the Senate Crime and Correction committee on Feb. 23, 2009. This bill is still active.

New York Assembly Bill 5165 — This bill would amend existing municipal and retirement laws to provide accidental death benefits to domestic partners and the children of domestic partners.

Status: This bill was introduced on Feb. 10, 2009. This bill is still active.

New York Assembly Bill 6290/Senate Bill 2870 — This bill would exempt contributions made by an employer to an accident or health plan for the benefit of an employee's domestic partner from federal gross income for tax purposes.

Status: AB 6290 was introduced in the Assembly on Feb. 27, 2009. SB 2870 was introduced on March 5, 2009. This bill is still active.

New York Assembly Bill 7729/Senate Bill 3164

— This bill would establish procedures by which domestic partners and other family members or surrogates of an incapacitated patient can make healthcare decisions on behalf of the incapacitated patient.

Status: AB 7729 was introduced on April 22, 2009, and reported by the Assembly Health committee on May 12, 2009. SB 3164 was introduced on March 12, 2009, and passed by the Senate on July 16, 2009. This bill is still active.

New York Assembly Bill 8344/Senate Bill 614

— This bill would extend benefits of the variable supplements fund to all New York City police officers, firefighters, housing police, transit police and registered domestic partners.

Status: AB 8344 was introduced in the Assembly on May 15, 2009. SB 614 was introduced in the Senate on Jan. 8, 2009. This bill is still active.

New York Assembly Bill 8742/Senate Bill 5791

— This bill would provide workers' compensation benefits for adoption and family leave, including leave to care for a domestic partner.

Status: AB 8742 was introduced in the Assembly on June 5, 2009. SB 5791 was introduced in the Senate on June 5, 2009. This bill is still active.

New York Senate Bill 1926 — This bill would establish procedures by which domestic partners and other family members or surrogates of an incapacitated patient can make healthcare decisions on behalf of the incapacitated patient.

Status: This bill was introduced on Feb. 10, 2009. This bill is still active.

New York Senate Bill 4074 — This bill would provide workers' compensation benefits for adoption and family leave, including leave to care for a domestic partner.

Status: This bill was introduced on April 9, 2009. This bill is still active.

New York Senate Bill 4611 — This bill would provide paid health insurance to the survivors of members of the Police and Firemen's Retirement System, including domestic partners.

Status: This bill was introduced on April 24, 2009. This bill is still active.

Rhode Island Senate Bill 135 — This bill would allow same-sex couples to enter into reciprocal beneficiary arrangements. The arrangements would govern healthcare decisions, visitation and inheritance.

Status: SB135 was referred to the Senate Judiciary Committee on Jan. 29, 2009. It was scheduled for hearing/consideration on April 7, 2009. No action has occurred since then.

South Carolina Senate Bill 42 — This bill would legalize civil unions with the same benefits, protections, rights and responsibilities of civil marriage.

Status: This bill was introduced on Jan. 13, 2009. This bill is still active.

Washington House Bill 1609/Senate Bill 5679

— These bills would amend state family and medical leave law to include domestic partners in the definition of "family member."

Status: HB 1609 was introduced in the House on Jan. 26, 2009. SB 5679 was introduced in the Senate on Jan. 28, 2009. These bills are still active.

Washington House Bill 1980 — This bill would repeal all provisions legalizing domestic partnerships and would nullify all domestic partnerships entered into before the effective date of the bill.

Status: This bill was introduced on Feb. 4, 2009. This bill is still active.

Other Relationship-Recognition Bills: DEAD

Arkansas House Bill 2176 — This bill would have prohibited a county or municipality from creating a domestic partnership registry or other certification process that recognizes a domestic partnership relationship not recognized by the Arkansas state constitution. Existing laws in violation of this law would have been declared void.

Status: This bill was introduced on March 9, 2009. The bill was withdrawn by its sponsor on

April 9, 2009. The bill formally died when the Legislature adjourned on May 1, 2009.

Connecticut House Bill 6032 — This bill would have provided that unmarried couples with children who have lived together for more than five years have the same legal rights under state law as married couples.

Status: This bill was introduced on Jan. 26, 2009, and referred to Joint Committee on the Judiciary. The bill died when the Legislature adjourned on June 3, 2009.

Florida House Bill 1067 — This bill would have provided for domestic partnerships.

Status: This bill was introduced on March 3, 2009. It was referred to the Committee on Civil Justice & Courts Policy, the Criminal & Civil Justice Policy Council, the Committee on Government Operations Appropriations and the Full Appropriations Council on General Government & Healthcare. On May 2, 2009, it was indefinitely postponed and withdrawn from consideration. The bill died in the Committee on Civil Justice & Courts Policy.

Florida Senate Bill 232 — This bill would have set forth fees and costs to be applied when petitioning for a dissolution of a domestic partnership or registering a domestic partnership, respectively, and would make state tax laws applicable to domestic partnerships.

Status: This bill was pre-filed for the 2010 session on Oct. 5, 2009. There was no further action.

Florida Senate Bill 1642 — This bill would have required two individuals who wish enter into a domestic partnership to complete and file a Declaration of Domestic Partnership with the clerk of the circuit court.

Status: This bill was introduced on March 3, 2009. It was referred to the Committee on Health Regulation, the Committee on Criminal Justice, the Committee on the Judiciary, the Committee on Finance and Tax and the Policy & Steering Committee on Ways and Means. On May 2, 2009, it was indefinitely postponed and withdrawn from consideration. The bill died in the Committee on Health Regulation.

Idaho Senate Bill 1118 — This bill would have provided coverage under specified healthcare policies to unmarried domestic partners.

Status: This bill was introduced on Feb. 16, 2009. The first reading occurred on the same date. A report on the bill was printed on Feb. 17, 2009. The bill died upon the Senate's adjournment on May 8, 2009.

Maine Legislative Document 1118 — This bill would have provided that domestic partners have the same protections and responsibilities under law as spouses.

Status: This bill was recommended by the House Committee on Judiciary on March 25, 2009. The bill died when the Senate placed it in the Legislative Files on May 12, 2009.

Maryland House Bill 902 — This bill would have extended family and medical leave to an eligible employee with respect to the employee's brother, sister, grandparent, grandchild or domestic partner and the son or daughter of the eligible employee's domestic partner.

Status: This bill was introduced on Feb. 12, 2009, and died upon adjournment on April 13, 2009.

Maryland House Bill 1296 — This bill would have expanded upon current paid leave policy and includes a person's domestic partner in the definition of "immediate family member" for purposes of authorized paid leave.

Status: This bill was introduced on Feb. 13, 2009. The House Economic Matters Committee issued an unfavorable report on March 10, 2009. The bill was withdrawn on March 10, 2009.

Montana House Bill 590 — This bill would have created a domestic partner registry, provided procedures for establishing and terminating domestic partnerships, and defined the benefits and responsibilities of domestic partnerships.

Status: This bill was introduced on Feb. 12, 2009. It failed to pass in the House State Administration Committee March 5, 2009. The bill died upon adjournment on April 28, 2009.

New Hampshire House Bill 634 — This bill would have authorized civil unions between a man

and a woman.

Status: This bill was introduced on Jan. 8, 2009. The House voted the bill Inexpedient to Legislate on March 24, 2009, and in light of this, HB 436 is effectively dead.

New Hampshire House Bill 684 — This bill would have established that a man and a woman can enter into a civil union and would eliminate prohibitions on same-sex civil unions. This bill would also have established that no person shall be a party to both a civil union and a marriage, unless the parties to the marriage are legally separated.

Status: This bill was introduced Jan. 8, 2009. The House voted it Inexpedient to Legislate on March 24, 2009, and in light of this, HB 436 is effectively dead.

New Jersey Assembly Bill 2080 — This bill would have extended temporary disability insurance to provide family leave benefits for workers caring for sick family members (including domestic partners), newborns and newly adopted children.

Status: This bill was introduced Feb. 7, 2009, and withdrawn March 6, 2009.

New Mexico House Bill 21/Senate Bill 12 — These bills would have legalized domestic partnerships.

Status: HB 21 was introduced in the House of Representatives on Jan. 21, 2009, and died upon adjournment on March 21, 2009. SB 12 was introduced in the Senate on Jan. 20, 2009, and passed by the Senate Judiciary Committee on Jan. 22, 2009. A floor substitute was voted down by the Senate on Feb. 22, 2009, and SB 12 died upon adjournment on March 21, 2009.

New Mexico Senate Bill 428 — This bill would have amended the meaning of “dependent” under state health insurance law to include domestic partners.

Status: This bill was introduced on Jan. 29, 2009, and died upon adjournment March 21, 2009.

New Mexico Senate Bill 439 — This bill would have required insurance providers to offer healthcare coverage for domestic partners.

Status: This bill was introduced on Feb. 2, 2009, and passed by the Senate Judiciary Committee on Feb. 17, 2009. The bill died upon adjournment on March 21, 2009.

Oregon Senate Bill 346 — This bill would have amended certain provisions of the state’s domestic partnerships law to allow domestic partners to change their surnames.

Status: This bill was introduced on Jan. 19, 2009. It died upon adjournment on June 29, 2009.

Texas House Bill 353 — This bill would have added domestic partners to the priority list of individuals who may be consulted by health services providers when a patient is incapacitated, and would have given authority to domestic partners to consult on the decision to end life-sustaining treatment.

Status: This bill was introduced on Dec. 1, 2008. It died upon adjournment on June 1, 2009.

Utah House Joint Resolution 2 — This bill would have repealed language in the state constitution prohibiting any domestic union other than a marriage from being recognized or given the same or substantially the same legal effect as a marriage.

Status: This bill was introduced on Jan. 27, 2009. It died upon adjournment on March 12, 2009.

Utah Senate Bill 32 — This bill would have expanded the definition of “heirs” to include a wrongful death designee, with qualifications similar to those of a domestic partnership.

Status: This bill was introduced on Jan. 5, 2009. It died upon adjournment on March 12, 2009.

Virginia House Bill 1726 — This bill would have allowed group life insurance coverage to be extended to insure any class of persons as may mutually be agreed upon by the insurer and the group policyholder.

Status: This bill was introduced on Jan. 6, 2009. It died upon adjournment on April 8, 2009.

Anti-Discrimination Bills: PASSED

California Senate Joint Resolution 9 — This resolution urges Congress and the president to adopt the Military Readiness Enhancement Act of 2009, and to repeal “Don’t Ask, Don’t Tell.”

Status: This resolution was introduced on May 28, 2009 and adopted by the Senate on Aug. 24, 2009. It was referred to the Assembly Committee on the Judiciary on Aug. 27, 2009, and there has been no further action.

California Assembly House Resolution 20 — This resolution urges Congress to pass and the president to sign the Employment Non-Discrimination Act of 2009.

Status: This resolution was introduced on Aug. 19, 2009, and adopted on Sept. 12, 2009.

Colorado Senate Bill 110 — This bill expands remedies available under Colorado’s non-discrimination law.

Status: This bill was introduced on Jan. 26, 2009. It passed both the House and the Senate and was signed by Gov. Bill Ritter on May 11, 2009.

Delaware House Bill 5/Senate Bill 121

— This bill would add sexual orientation to the list of prohibited discriminatory practices in housing, employment, public works contracting, public accommodations and insurance.

Status: This bill was introduced on March 10, 2009, in the House and on June 4, 2009, in the Senate. Despite many attempts at poison-pill amendments, the legislation passed both the Senate and House on June 24, 2009. On July 2, 2009, Gov. Jack Markell signed the legislation.

Illinois House Bill 2547 — This bill limits the jurisdiction of the Department of Human Rights under the Illinois Human Rights Act, with respect to places of public accommodation, to severe or pervasive harassment of an individual when the covered entity fails to take corrective action to stop the severe or pervasive harassment.

Status: This bill was introduced on Feb. 20, 2009, and following the first reading was referred to the Rules Committee. It was later

assigned to the Committee on the Judiciary I - Civil Law. On April 2, 2009, it passed the House and was sent to the Senate. It was later assigned to the Executive Committee. On May 14, 2009, the bill passed the Senate. On May 22, 2009, the House and Senate both passed a conference report on the bill. On June 18, 2009, the bill was sent to Gov. Pat Quinn, who sent the bill back to the Legislature through an amendatory veto on Aug. 18, 2009. The House voted to override the veto on Oct. 14, 2009, and the Senate voted to override the veto on Oct. 30, 2009. The legislation became public law 96-0814 with an effective date of Jan. 1, 2010.

Iowa HSB 73/SB 137 — This bill defines wage discrimination against any employee because of the age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion or disability of the employee as an unfair employment practice under the Iowa Civil Rights Act.

Status: This bill was introduced in the House on Jan. 22, 2009, and then in the Senate on Feb. 10, 2009. The Senate passed the bill on Feb. 16, 2009, and the House passed it on March 18, 2009. An amendment was offered on April 7, 2009, which was accepted and passed by both chambers the same day. The governor signed the bill into law on April 28, 2009.

Maryland House Bill 51 — This bill revises and recodifies anti-discrimination statutes, including prohibitions on discriminating on the basis of sexual orientation in employment, housing and public accommodations.

Status: This bill was introduced Jan. 15, 2009, and passed by the House on Feb. 20, 2009. The bill was passed by the Senate on April 6, 2009, and signed into law on April 14, 2009.

Nevada Senate Bill 207 — This bill makes it unlawful to discriminate on the basis of sexual orientation in places of public accommodation.

Status: This bill was introduced on March 11, 2009, and passed by the Senate on April 8, 2009. The bill was passed by the Assembly on May 15, 2009, and signed into law on May 22, 2009.

Nevada Senate Concurrent Resolution 25

— This resolution declares April 22, 2009, to be “Equality Day” in Nevada and expresses the commitment of the Legislature to work cooperatively toward equality for all Nevadans.

Status: This resolution was introduced and adopted by the Senate on April 22, 2009. It was adopted by the Assembly on April 23, 2009.

Anti-Discrimination Bills: ACTIVE**California Assembly Joint Resolution 13**

— This resolution would request that the president encourage and the U.S. Department of Health and Human Services adopt new policies to repeal the current donor suitability and deferral policies of the U.S. Food and Drug Administration regarding the donation of blood and blood products by gay, bisexual, transgender and heterosexual males.

Status: This resolution was introduced on April 2, 2009. The resolution was adopted by the Assembly on Sept. 8, 2009 and sent to the Senate. It was referred the Senate Rules Committee on Sept. 9, 2009 and there has been no further action.

Kansas SB 169 — This bill would amend the Kansas Act against Discrimination to prohibit discrimination on the basis of sexual orientation and gender identity in employment, housing and public accommodations.

Status: This bill was introduced on Feb. 2, 2009. The bill passed the Federal and State Affairs Committee on March 19, 2009. It is still active.

Massachusetts House Bill 1711 — This bill would repeal a state law reading that, “Whoever commits any unnatural and lascivious act with another person shall be punished by a fine of not less than one hundred nor more than one thousand dollars or by imprisonment in the state prison for not more than five years or in jail or the house of correction for not more than two and one half years.”

Status: This bill was introduced on Jan. 20, 2009. This bill is still active.

Massachusetts House Bill 17281/Senate Bill 1687

— This bill would expand existing anti-discrimination and hate crimes laws to include gender identity as a protected class.

Status: This bill was introduced on Jan. 20, 2009. This bill is still active.

Massachusetts House Bill 3399 — This bill would provide state veterans benefits to those service members discharged under “Don’t Ask, Don’t Tell.”

Status: This bill was introduced on Jan. 20, 2009. This bill is still active.

Massachusetts Senate Bill 699 — This bill would create causes of action for workplace bullying, mobbing and harassment without regard to protected class status.

Status: This bill was introduced on Jan. 20, 2009. This bill is still active.

Michigan House Bill 4131 — This bill would amend the Elliot Larsen Civil Rights Act to include sexual orientation and gender identity as protected statuses.

Status: This bill was introduced on Feb. 5, 2009, and passed by the House Judiciary Committee on Nov. 4, 2009. This bill is still active.

New Hampshire House Bill 381 — This bill would prohibit preferential treatment or discrimination on the basis of sexual orientation in recruiting, hiring, promotion or admission by state agencies, the university system, the community college system and the post-secondary education commission.

Status: This bill was introduced on Jan. 8, 2009, and passed by House committee on March 17, 2009. It is still active.

New Jersey Assembly Bill 2292 — This bill would amend the state’s Law Against Discrimination to make it unlawful to discriminate on the basis of familial status.

Status: This bill was introduced on Feb. 26, 2008, and passed by the Assembly Judiciary committee on Nov. 13, 2008. This bill is still active.

New Jersey Senate Bill 2334 — This bill would create a New Jersey Children’s Bill of Rights, which includes the right “to be free from discrimina-

tion or harassment on the basis of gender, race, ethnicity, religion, national origin, disability or sexual orientation.”

Status: This bill was introduced Oct. 27, 2008. This bill is still active.

New York Assembly Bill 257/Senate Bill

2367 — This bill would require mortgage lenders and brokers to provide consumers with a mortgage bill of rights pamphlet, which includes the right to a credit decision not based on the race, color, national origin, religion, sex, familial status, sexual orientation, disability or whether any income is from public assistance.

Status: AB 257 was introduced in the Assembly on Jan. 7, 2009, and passed on May 6, 2009. SB 2367 was introduced in the Senate on Feb. 19, 2009. SB 2367 was reported by the Senate Banks Committee on May 6, 2009, and by the Senate Codes committee on May 19, 2009. This bill is still active.

New York Assembly Bill 2211 — This bill would require that jurors be instructed, “Do not let bias, sympathy, prejudice or public opinion influence your decision.”

Status: This bill was introduced on Jan. 15, 2009. It is still active.

New York Assembly Bill 2371 — This bill would provide for notice of illegal restrictive covenant language in documents, including language that discriminates on the basis of sexual orientation or marital status, to be recorded.

Status: This bill was introduced on Jan. 15, 2009. It is still active.

New York Assembly Bill 3645 — This bill would direct the Office of Children and Family Services to establish policies and procedures providing all children in its facilities an environment free of harassment and discrimination on the basis of actual or perceived race, national origin, ethnic group, religion, disability, sexual orientation, gender or sex.

Status: This bill was introduced on Jan. 27, 2009, and passed by the Assembly on May 4, 2009. This bill is still active.

New York Assembly Bill 5362/Senate Bill

1933 — This bill would provide for notice of illegal restrictive covenant language in documents, including that language which discriminates on the basis of sexual orientation or marital status, to be recorded.

Status: AB 5362 was introduced in the Assembly on Feb. 13, 2009. SB 1933 was introduced in the Senate on Feb. 10, 2009. This bill is still active.

New York Assembly Bill 5416/Assembly

Bill 6141 — This bill would prohibit assisted living residences that receive medical assistance payments from discriminating on the basis of sexual orientation.

Status: This bill was introduced Feb. 13, 2009. This bill is still active.

New York Assembly Bill 5710/Senate Bill

2406 — This bill would prohibit discrimination on the basis of gender identity or expression.

Status: AB 5710 was introduced on Feb. 19, 2009, and passed by the Assembly on April 21, 2009. SB 2406 was introduced in the Senate on Feb. 19, 2009. This bill is still active.

New York Assembly Bill 7020/Senate Bill

3932 — This bill would prohibit any professional sporting competition or event sponsored by an organization or sports governing body that excludes players or teams on the basis of race, religion, sex, sexual orientation, ethnicity or national origin.

Status: AB 7020 was introduced on March 18, 2009, and reported by the Assembly Arts and Sports Development committee on May 13, 2009. SB 3932 was introduced in the Senate on April 6, 2009. This bill is still active.

New York Assembly Bill 8432/Senate Bill

4407 — This bill would institute a policy of equal treatment of people of all races, cultures, religions, incomes, education levels and sexual preference in the development and enforcement of environmental laws.

Status: AB 8432 was introduced on May 20, 2009, and reported by the Assembly Environmental Conservation committee on June 2, 2009. SB 4407 was introduced April 22, 2009, and reported by the Senate Environmental Conservation committee on July 16, 2009. This bill is still active.

New York Assembly Bill 9044 — This bill would require the instruction, “Do not let bias, sympathy, prejudice, or public opinion influence your decision,” to be given to jurors.

Status: This bill was introduced on June 22, 2009. This bill is still active.

New York Senate Bill 324 — This bill would authorize punitive damages where a case of discrimination has been established under the Human Rights Law.

Status: This bill was introduced on Jan. 7, 2009. This bill is still active.

New York Senate Bill 1128 — This bill would create a civil action for individuals who have been denied the exercise or enjoyment of rights under state and federal laws because of discrimination, including on the basis of sexual orientation.

Status: This bill was introduced on Jan. 26, 2009. This bill is still active.

North Carolina House Bill 1049 — This bill would amend the state’s equal employment opportunity law to include sexual orientation and gender identity.

Status: This bill was introduced on April 2, 2009. It is still active.

Ohio House Bill 176 — This bill would amend state anti-discrimination laws to include sexual orientation and gender identity or expression.

Status: This bill was introduced on May 12, 2009, and passed by the House on Sept. 15, 2009. This bill is still active.

Oklahoma House Resolution 1059 — This resolution would express support for the “Don’t Ask, Don’t Tell” law and urge Congress to defeat any effort to repeal it.

Status: This resolution was introduced on May 14, 2009. This resolution is still active.

Pennsylvania House Bill 280/Senate Bill 280 — This bill would amend anti-discrimination laws to include discrimination on the basis of familial or marital status.

Status: The House bill was introduced on Feb. 27, 2009, and the Senate bill was introduced on March 6, 2009. Both bills are still active.

Pennsylvania House Bill 300 — This bill would amend anti-discrimination laws to include discrimination on the basis of sexual orientation and gender identity or expression.

Status: This bill was introduced on March 5, 2009, and passed by the House State Government Committee on March 11, 2009. The bill was recommitted to the House Appropriations Committee on March 11, 2009. It is still active.

Pennsylvania Senate Bill 602 — This bill would proclaim March 13 “Acceptance Day” and calls upon the citizens and residents of the state, especially parents, to reflect on the importance of accepting persons regardless of their sexual orientation.

Status: This bill was introduced on March 12, 2009. It is still active.

South Carolina Senate Bill 39 — This bill would amend anti-discrimination laws regarding sleeping establishments and places of public accommodation to include discrimination on the basis of sexual orientation and gender identity or expression.

Status: This bill was introduced on Jan. 13, 2009. This bill is still active.

South Carolina Senate Bill 73 — This bill would prohibit discrimination in employment on the basis of sexual orientation and gender identity or expression.

Status: This bill was introduced on Jan. 13, 2009. This bill is still active.

South Carolina Senate Bill 75 — This bill would amend state fair housing laws to prohibit discrimination on the basis of sexual orientation and gender identity or expression.

Status: This bill was introduced on Jan. 13, 2009. This bill is still active.

South Carolina Senate Bill 76 — This bill would require healthcare facilities to allow a patient to designate an individual as an authorized visitor regardless of the blood or legal relationship of the patient to the individual, and would amend anti-discrimination laws to include discrimination on the basis of sexual orientation and gender identity or expression.

Status: This bill was introduced on Jan. 13, 2009. This bill is still active.

Tennessee House Bill 1188/Senate Bill 1306

— These bills would prohibit school districts from discriminating against students on the basis of religious viewpoint, allow students to express a religious viewpoint, allow a student to express his religious beliefs in class and homework assignments, and allow students to organize and participate in religious student gatherings to the same extent as secular extracurricular groups.

Status: HB 1188 was introduced in the House on Feb. 12, 2009. SB 1306 was introduced in the Senate on Feb. 12, 2009. These bills are still active.

Anti-Discrimination Bills: DEAD

Arizona House Bill 2455 — This bill would have amended the existing employment, housing and public accommodations non-discrimination statutes to include sexual orientation, gender identity, age, marital status and disability.

Status: This bill was introduced on Feb. 11, 2009. The bill died when the Legislature adjourned on July 1, 2009.

Connecticut Senate Bill 900 — This bill would have prohibited any golf country club, yacht or boat club, tennis club or swim, pool or beach club from discriminating in membership, including on the basis of sexual orientation.

Status: This bill was introduced on Feb. 11, 2009, and referred to Joint Committee on the Judiciary. The bill died when the Legislature adjourned on June 3, 2009.

Connecticut House Bill 6452 — This bill would have amended state human rights law to include unlawful discrimination on the basis of gender identity.

Status: This bill was introduced on Feb. 11, 2009, and referred to Joint Committee on the Judiciary. A public hearing on the bill was held on March 13, 2009. The bill died when the Legislature adjourned on June 3, 2009.

Florida House Bill 397/Senate Bill 2012

— This bill would have amended the Florida Civil Rights Act of 1992 to include sexual orientation, gender identity or expression, pregnancy, familial

status and marital status as impermissible grounds for discrimination.

Status: This bill was introduced on March 3, 2009, in the House and on March 5, 2009, in the Senate. It was referred in the Senate to the Committee on Commerce, the Committee on Community Affairs, the Committee on the Judiciary and the Committee on Criminal and Civil Justice Appropriations. On May 2, 2009, it was indefinitely postponed and withdrawn from consideration in the House and Senate. The bill died in the Committee on Commerce in the Senate.

Indiana House Bill 1250 — This bill would have amended anti-discrimination statutes to include prohibiting discrimination based on sexual orientation, gender identity, national origin, age, disability and ancestry.

Status: This bill was introduced on Jan. 12, 2009, and referred to the Committee on Public Policy. The bill died on April 29, 2009, when the House adjourned.

Kentucky House Bill 72/Senate Bill 95

— This bill would have amended anti-discrimination statutes to include sexual orientation and gender identity.

Status: This bill was introduced on Jan. 6, 2009, in the House and on Feb. 9, 2009, in the Senate. It was sent to the House Judiciary committee on Jan. 7, 2009, and to the Senate Judiciary Committee on Feb. 11, 2009. The bills died on March 26, 2009, when the Legislature adjourned.

Maryland House Bill 474/Senate Bill 566

— These bills would have amended anti-discrimination statutes to include discrimination on the basis of gender identity.

Status: HB 474 was introduced in the House on Feb. 4, 2009. SB 566 was introduced in the Senate on Feb. 6, 2009. The bills died upon adjournment April 13, 2009.

Mississippi House Bill 351 — This bill would have created a Civil Rights Division in the Office of the Attorney General to investigate and prosecute civil rights violations.

Status: This bill was introduced on Jan. 8, 2009, and died in committee on Feb. 3, 2009.

Missouri House Bill 701/Senate Bill 109

— These bills would have prohibited discrimination based upon a person's sexual orientation (defined to include gender expression) in employment, housing and public accommodations.

Status: HB 701 was introduced in the House on Jan. 12, 2009. SB 109 was introduced in the Senate on Jan. 7, 2009. Both bills died upon adjournment on May 15, 2009.

Missouri House Concurrent Resolution 52/Senate Concurrent Resolution 25

— These resolutions would have urged Congress to repeal "Don't Ask Don't Tell" and replace it with a policy of non-discrimination.

Status: HCR 52 was introduced in the House on April 1, 2009. SCR 25 was introduced in the Senate on March 12, 2009. Both resolutions died upon adjournment on May 15, 2009.

Montana House Bill 252 — This bill would have amended anti-discrimination statutes to include sexual orientation and gender identity as protected classes.

Status: This bill was introduced on Jan. 14, 2009. It failed to pass in the House Judiciary committee on Feb. 17, 2009. The bill died upon adjournment on April 28, 2009.

Montana House Legislative Request LC 2097/Senate Bill 494

— This bill would have created a cause of action and remedies for an abusive work environment claim without regard to a protected class, and would have provided for employer liability for third-party acts in some circumstances.

Status: The request for legislation in the House died upon adjournment on April 28, 2009, and the bill is still in the drafting process. SB 494 was introduced in the Senate on Feb. 18, 2009. It was tabled by the Senate Business, Labor, and Economic Affairs committee on Feb. 20, 2009, and died upon adjournment on April 28, 2009.

Nevada Assembly Bill 43 — This bill would have declared it to be the public policy of the state that no one should be discriminated against in employment and in places of public accommodation on the basis of sexual orientation.

Status: This bill was introduced on Dec. 6, 2008, and died pursuant to rule on April 11, 2009.

Nevada Assembly Bill 166 — This bill would have provided that it is an unlawful employment practice to subject an employee to an abusive work environment, and provided for employer liability in some circumstances.

Status: This bill was introduced on Feb. 13, 2009, and died pursuant to rule on April 11, 2009.

Nevada Assembly Bill 184 — This bill would have made it an unlawful employment practice to discriminate against an employee on the basis of the employee's gender identity or expression. This bill would also have allowed a person to apply for and receive a new driver's license reflecting the gender identity of the person.

Status: This bill was introduced on Feb. 17, 2009, and died pursuant to rule on April 11, 2009.

New Hampshire House Bill 415 — This bill would have amended anti-discrimination laws to define and include gender identity and expression.

Status: This bill was introduced Jan. 8, 2009, and passed by the House on March 26, 2009. The bill was voted down by the Senate on April 29, 2009.

New Jersey Assembly Bill 1898 — This bill would have made it an unlawful employment practice to subject an employee to a hostile work environment, defined as one where an employee is subjected to abusive conduct on the basis of race, creed, color, national origin, ancestry, age, marital status, civil union status, domestic partnership status, sexual orientation, genetic information, sex, gender identity or expression, disability or atypical hereditary cellular or blood trait, liability for service in the Armed Forces or the nationality of the employee.

Status: This bill was introduced on Jan. 28, 2008, and withdrawn on Sept. 22, 2008.

New Mexico Senate Bill 568 — This bill would have required the Human Rights Commission to report a substantiated complaint of unlawful discriminatory practice by law enforcement.

Status: This bill was introduced on Feb. 12, 2009, and passed by the Senate on March 10, 2009. The bill died upon adjournment on March 21, 2009.

North Carolina House Bill 721/Senate Bill 395 — This bill would have amended the city of Carrboro's charter to allow it to adopt ordinances prohibiting discrimination based on familial status, handicap, sexual orientation, gender identity and gender expression.

Status: This bill was introduced on March 19, 2009. Subsequent editions of the bill gutted all references to sexual orientation, gender identity and gender expression. Although the bill was enacted on June 16, 2009, SB 395 remains alive and still contains sexual orientation and gender identity provisions.

North Dakota Senate Bill 2278 — This bill would have amended state policy prohibiting discrimination to include discrimination on the basis of sexual orientation.

Status: This bill was introduced in the Senate on Jan. 19, 2009, and passed on Feb. 18, 2009. The House Human Services Committee amended and passed the bill on March 24, 2009, but the House voted it down on April 3, 2009.

Oregon Senate Bill 727 — This bill would have created a private cause of action for an abusive work environment without regard to statuses currently protected under anti-discrimination laws.

Status: This bill was introduced on March 4, 2009. It died upon adjournment on June 29, 2009.

Texas House Bill 197/Senate Bill 2216 — These bills would have prohibited insurance providers from refusing to insure an individual on the basis of sexual orientation and gender identity or expression.

Status: HB 197 was introduced in the House on Nov. 12, 2008. SB 2216 was introduced in the Senate on March 13, 2009. Both bills died upon adjournment on June 1, 2009.

Texas House Bill 538 — This bill would have prohibited employment discrimination on the basis of sexual orientation and gender identity or expression.

Status: This bill was introduced on Jan. 12, 2009. It died upon adjournment on June 1, 2009.

Texas House Bill 2215 — This bill would have prohibited discrimination in housing on the basis of

sexual orientation and gender identity or expression.

Status: This bill was introduced on March 3, 2009, and died upon adjournment on June 1, 2009.

Texas House Bill 3026 — This bill would have amended laws governing the content of health education programs to reflect the repeal of the offense of homosexual conduct.

Status: This bill was introduced on March 10, 2009, and died upon adjournment on June 1, 2009.

Utah House Bill 267 — This bill would have prohibited discrimination in housing and employment on the basis of sexual orientation and gender identity or expression. This bill would also have prohibited restrictive covenants related to sexual orientation and gender expression or identity.

Status: This bill was introduced on Jan. 26, 2009. It died upon adjournment on March 12, 2009.

Virginia House Bill 1933 — This bill would have included sexual orientation as a prohibited form of discrimination in a county with the urban county executive form of government.

Status: This bill was introduced on Jan. 13, 2009. It died upon adjournment on April 8, 2009.

Virginia House Bill 2385 — This bill would have prohibited discrimination in public employment on the basis of sexual orientation.

Status: This bill was introduced on Jan. 14, 2009. It died upon adjournment on April 8, 2009.

Virginia House Bill 2668 — This bill would have prohibited discrimination in housing on the basis of sexual orientation.

Status: This bill was introduced on Jan. 23, 2009. It died upon adjournment on April 8, 2009.

Virginia Senate Bill 1247 — This bill would have added sexual orientation to the definition of unlawful discriminatory practice in the Virginia Human Rights Act.

Status: This bill was introduced on Jan. 14,

2009. It died upon adjournment on April 8, 2009.

West Virginia House Bill 2454/House Bill 2925/Senate Bill 238 — These bills would have added sexual orientation to the categories covered by the Human Rights Act, which prohibits discrimination in housing and employment.

Status: HB 2454 was introduced in the House of Representatives on Feb. 16, 2009. HB 2925 was introduced in the House of Representatives on March 3, 2009. SB 238 was introduced in the Senate on Feb. 12, 2009, and passed on March 13, 2009. All bills died upon adjournment on May 31, 2009.

West Virginia House Bill 2954/Senate Bill 134 — This bill would have added sexual orientation to the categories covered by the Human Rights Act, which prohibits discrimination in housing and employment, and defined sexual orientation as encompassing gender identity.

Status: HB 2954 was introduced in the House of Representatives on March 5, 2009. SB 134 was introduced in the Senate on Feb. 11, 2009. Both bills died upon adjournment on May 31, 2009.

Wyoming House Bill 203 — This bill would have amended state anti-discrimination laws to prohibit discrimination on the basis of sexual orientation.

Status: This bill was introduced on Jan. 19, 2009. It passed by House committee on Feb. 2, 2009, and then died upon adjournment on March 5, 2009.

Hate Crimes Bills: **PASSED**

California Assembly House Resolution 16/Senate Resolution 23 — These resolutions urge the president to sign into law the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act.

Status: HR 16 was introduced on May 13, 2009, and adopted on June 25, 2009. SR 23 was introduced on May 27, 2009, and adopted on July 16, 2009.

New Mexico House Bill 428 — This bill prohibits law enforcement from engaging in bias-based

profiling, including profiling on the basis of sexual orientation.

Status: This bill was introduced on Jan. 29, 2009. It was passed by the House on March 6, 2009, and passed by the Senate on March 22, 2009. The bill was signed into law on April 7, 2009.

New York Assembly Resolution 458 — This resolution urges the New York state congressional delegation to help provide for the establishment of a national hate crimes hotline.

Status: This resolution was introduced on April 22, 2009, and adopted on May 11, 2009.

New York Senate Resolution 817 — This resolution urges the New York state congressional delegation to help provide for the establishment of a national hate crimes hot line.

Status: This resolution was introduced and adopted on March 24, 2009.

Oregon House Joint Memorial 22 — This resolution urges Congress to pass the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act.

Status: This resolution was introduced on April 29, 2009, and adopted by the House on June 3, 2009.

Hate Crimes Bills: **ACTIVE**

Georgia House Bill 111/Senate Bill 234 — This bill would provide for enhanced sentences for crimes which target a victim due to the victim's race, religion, gender, gender identity, sexual orientation or national origin.

Status: This bill was introduced in the House on Jan. 16, 2009. The first reading was on Jan. 16, 2009, and the second reading was on Jan. 26, 2009. In the Senate, the bill was introduced on March 4, 2009. On March 4, 2009, the bill was read and referred to committee. There has been no further action on this bill in either chamber.

Massachusetts House Bill 1728/Senate Bill 1687 — These bills would amend the definition of

hate crimes, including those committed because of an individual's sexual orientation or gender identity, and amend provisions for the enforcement and punishment of hate crimes.

Status: These bills were introduced on Jan. 20, 2009. These bills are still active.

Michigan House Bill 4835 — This bill would provide for enhanced sentences for bias-motivated crimes.

Status: This bill was introduced on April 28, 2009, and passed by the House on May 20, 2009. This bill is still active.

Michigan House Bill 4836/Senate Bill 497 — These bills would define bias-motivated crimes, including those because of an individual's sexual orientation or gender identity, and would provide for sentencing guidelines for bias-motivated crimes.

Status: HB 4836 was introduced on April 28, 2009, and passed by the House on May 20, 2009. SB 497 was introduced in the Senate on April 30, 2009. These bills are still active.

New Jersey Assembly Bill 683 — This bill would upgrade the criminal degree of falsely incriminating another person if the person knowingly gives false information with the purpose to implicate another because of race, color, religion, sexual orientation or ethnicity.

Status: This bill was introduced on Jan. 8, 2008. This bill is still active.

New Jersey Assembly Bill 4084/Senate Bill 2946 — This bill would upgrade falsely incriminating another person from a crime of the fourth degree to a crime of the third degree if the person knowingly gives false information with the purpose to implicate another because of race, color, religion, sexual orientation or ethnicity.

Status: AB 4084 was introduced on June 15, 2009. SB 2946 was introduced on June 18, 2009. These bills are still active.

New York Assembly Bill 529/Senate Bill 5923 — This bill would establish a civil remedy for victims of bias-related violence or intimidation.

Status: AB 529 was introduced on Jan. 7, 2009, and passed by the Assembly on April 27, 2009. SB 5923 was introduced in the Senate on June

18, 2009, and referred to the Senate Rules Committee on June 18, 2009. This bill is still active.

New York Assembly Bill 644 — This bill would provide to the Commissioner of the Division of Human Rights the power to investigate incidents apparently motivated by racial or other bias and, where appropriate, recommend prosecution to the attorney general or to the appropriate district attorney.

Status: This bill was introduced on Jan. 7, 2009. It is still active.

New York Assembly Bill 1450 — This bill would define a bias-related crime as the commission of a designated act that demonstrates a prejudice based on the race, color, religion, national origin, age, ethnicity, disability, gender or sexual orientation of the victim. This bill would also deny the granting of youthful offender status for any offender committing such a crime.

Status: This bill was introduced on Jan. 7, 2009. It is still active.

New York Assembly Bill 1886 — This bill would provide for enhanced monetary penalties for the crimes of aggravated harassment in the first or second degrees or for discrimination, including on the basis of sexual orientation.

Status: This bill was introduced on Jan. 14, 2009. It was reported by the Assembly Governmental Operations Committee and referred to the Assembly Codes Committee on May 5, 2009. It is still active.

New York Senate Bill 2044 — This bill would establish a civil remedy for victims of bias-related violence or intimidation.

Status: This bill was introduced on Feb. 11, 2009. This bill is still active.

New York Assembly Bill 3261/Senate Bill 1985 — This bill would require all public and private schools in the state to institute a course of instruction in the awareness of hate crimes.

Status: AB 3261 was introduced in the Assembly on Jan. 23, 2009. SB 1985 was introduced in the Senate on Feb. 10, 2009. This bill is still active.

New York Assembly Bill 4191 — This bill would require school districts to immediately report bias-related offenses to law enforcement agencies.

Status: This bill was introduced on Jan. 30, 2009. This bill is still active.

New York Assembly Bill 4785/Senate Bill 2527 — This bill would require colleges to educate their campus communities on bias-related crimes.

Status: AB 4785 was introduced in the Assembly on Feb. 6, 2009. SB 2527 was introduced in the Senate on Feb. 23, 2009. This bill is still active.

New York Assembly Bill 8590 — This bill would establish that commonly known slurs or biased language, including those used to describe a victim's sexual orientation, during the commission of specified offenses will be treated as presumptive evidence of a hate crime.

Status: This bill was introduced on May 29, 2009. This bill is still active.

New York Assembly Bill 9220 — This bill would authorize the issuance of protective orders in cases involving hate crimes and the imposition of additional sentencing conditions.

Status: This bill was introduced on Oct. 28, 2009. This bill is still active.

New York Senate Bill 218 — This bill would create a 13-member bias-related crime classification review panel.

Status: This bill was introduced on Jan. 7, 2009. This bill is still active.

New York Senate Bill 831 — This bill would define a bias-related crime as the commission of a designated act that demonstrates a prejudice based on the race, color, religion, national origin, age, ethnicity, disability, gender or sexual orientation of the victim. This bill would also deny the granting of youthful offender status for any offender committing such a crime.

Status: This bill was introduced on Jan. 18, 2009. This bill is still active.

New York Senate Bill 881 — This bill would provide that where multiple criminal offenses are committed as part of a common plan and where there is a hate crime element present, such offenses

are punishable with regard to the cumulative damage caused by the multiple offenses.

Status: This bill was introduced on Jan. 21, 2009. This bill is still active.

New York Senate Bill 972 — This bill would establish the crime of bias-related criminal mischief where property is defaced with derogatory references to race, creed, religion, color, sexual orientation or national origin.

Status: This bill was introduced on Jan. 22, 2009. This bill is still active.

New York Senate Bill 1141 — This bill would create a 20-member governor's advisory council on bias-related violence.

Status: This bill was introduced on Jan. 26, 2009. This bill is still active.

New York Senate Bill 1302 — This bill would require police agencies to report bias crimes to the Division of Criminal Justice Services.

Status: This bill was introduced on Jan. 28, 2009. This bill is still active.

New York Senate Bill 3304 — This bill would provide that bias-related graffiti constitutes the crime of aggravated harassment in the first degree.

Status: This bill was introduced on March 16, 2009. This bill is still active.

New York Senate Bill 3305 — This bill would provide that bias-related graffiti constitutes a Class E felony.

Status: This bill was introduced on March 16, 2009. This bill is still active.

North Carolina House Bill 207 — This bill would expand the scope of the Ethnic Intimidation Act to include animosity on the basis of sexual orientation.

Status: This bill was introduced on Feb. 17, 2009. It is still active.

Oklahoma House Bill 1456 — This bill would amend anti-harassment and intimidation laws to include sexual orientation and would require the Oklahoma State Bureau of Investigation to develop a toll-free telephone number for the reporting of harassment and intimidation crimes.

Status: This bill was introduced on Feb. 2, 2009. It is still active.

Oklahoma Senate Bill 785 — This bill would amend anti-harassment and intimidation laws to include sexual orientation.

Status: This bill was introduced on Feb. 2, 2009. It is still active.

Pennsylvania House Bill 59 — This bill would establish the Prevention of Hate Activity Fund to aid the Human Relations Commission in combating hate crimes.

Status: This bill was introduced on Jan. 26, 2009. It is still active.

Pennsylvania House Bill 745/Senate Bill 395 — This bill would establish that intimidation on the basis of actual or perceived sexual orientation and gender identity or expression constitutes the crime of ethnic intimidation.

Status: HB 745 was introduced in the House of Representatives on March 5, 2009. SB 395 was introduced in the Senate on Feb. 20, 2009. HB 745 was passed by the House Judiciary Committee on Nov. 17, 2009, then recommitted to the House Appropriations Committee on Nov. 18, 2009. These bills are still active.

South Carolina House Bill 3169/Senate Bill 41 — These bills would provide penalties for a person convicted of a crime with the intent to assault, intimidate or threaten a person because of his race, religion, color, sex, age, national origin or sexual orientation.

Status: Both bills were introduced on Jan. 13, 2009. The bills are still active.

Tennessee House Bill 335/Senate Bill 253 — These bills would make intentionally selecting the victim of a crime based on the victim's gender identity or expression an advisory enhancement factor for sentencing.

Status: HB 335 was introduced in the House on Feb. 4, 2009 and passed by the House Criminal Practice and Procedure Subcommittee on April 22, 2009. SB 253 was introduced on Feb. 5, 2009. These bills are still active.

Hate Crimes Bills: DEAD

Alabama House Bill 533 — This bill would have amended existing hate crimes laws to cover crimes motivated by the victim's sexual orientation.

Status: This bill was introduced on Feb. 17, 2009. On April 23, 2009, the bill passed the House of Representatives. On May 7, 2009, the bill passed the Senate Judiciary Committee. There was no further action, and the bill died when the Legislature adjourned on May 19, 2009.

Maryland House Bill 562/Senate Bill 731 — These bills would have allowed a person who is the victim of a hate crime to bring a civil action against the person or persons who committed the act.

Status: HB 562 was introduced in the House on Feb. 6, 2009. SB 731 was introduced in the Senate on Feb. 6, 2009. The bills died upon adjournment on April 13, 2009.

Montana Senate Bill 223 — This bill would have amended hate crimes law to include sexual orientation and gender expression.

Status: This bill was introduced on Jan. 14, 2009. It was tabled by the Senate Judiciary Committee on Jan. 28, 2009, and died upon adjournment on April 28, 2009.

New Jersey Assembly Bill 133 — This bill would have established a Commission on Bullying and amended hate crimes laws to include gender identity or expression.

Status: This bill was introduced on Jan. 8, 2008, and withdrawn on Jan. 28, 2008.

South Dakota Senate Bill 156 — This bill would have amended state hate crimes laws to include those crimes committed with the intent to intimidate or harass an individual or group because of the individual or group's sexual orientation and gender identity or expression.

Status: This bill was introduced on Jan. 29, 2009. It was passed by the Judiciary Committee on Feb. 10, 2009, but failed to pass the full Senate on Feb. 12, 2009. The bill died upon adjournment on March 30, 2009.

Texas House Bill 616 — This bill would have established a commission to study the effectiveness of the James Byrd, Jr. Hate Crimes Act.

Status: This bill was introduced on Jan. 14, 2009. It died upon adjournment on June 1, 2009.

Texas House Bill 824 — This bill would have allowed courts to require minors found guilty of committing hate crimes to attend education programs or perform community service. This bill would also have allowed prosecutors to access the sealed records of minors found guilty of committing hate crimes.

Status: This bill was introduced on Jan. 27, 2009. It was passed by the House on April 2, 2009, but it died upon adjournment June 1, 2009.

Texas House Bill 2966 — This bill would have added sexual preference and gender identity or expression to the state's bias crime classifications.

Status: This bill was introduced on March 10, 2009, and died upon adjournment on June 1, 2009.

Texas House Bill 3209 — This bill would have required an individual who has been found guilty of committing a bias crime to attend an education program as a condition of sentencing.

Status: This bill was introduced on March 10, 2009, and died upon adjournment on June 1, 2009.

Parenting Bills: PASSED

California Assembly Bill 941 — This bill changes existing law requiring that, in a step-parent adoption, the prospective adoptive parent and the child proposed to be adopted appear before the court. This bill would allow counsel to appear instead if it is impossible or impracticable for the prospective adoptive parent to make an appearance.

Status: This bill was introduced on Feb. 26, 2009. It passed both the Assembly and the Senate and was approved by Gov. Arnold Schwarzenegger and chaptered by the secretary

of state (Chapter 492, Statutes of 2009) on Oct. 11, 2009.

Delaware Senate Bill 84 — This bill establishes “de facto” parent status in Delaware by allowing a family court to weigh evidence of a person's assumption of parental responsibilities and relationship with a child in determining the maternity and/or paternity of that child.

Status: This bill was introduced on April 30, 2009. It passed the Senate on May 14, 2009, and the House on June 24, 2009. On July 6, 2009, Gov. Jack Markell signed the legislation.

District of Columbia Bill 66 — This bill permits the domestic partner of a mother to be included on a birth certificate as a parent to the child, would provide that a child born to parents in a domestic partnership be treated as a child born in wedlock, would presume that domestic partner of a woman who bears a child is a parent of the child, and would modify the rules for the preparation and filing of a birth certificate to include consent to parent through artificial insemination.

Status: This bill was introduced on Jan. 1, 2009. The City Council voted to approve the legislation on May 5, 2009, and Mayor Adrian Fenty signed the legislation on May 20, 2009. Congress did not act on the legislation, and it became effective on July 18, 2009.

Parenting Bills: ACTIVE

Colorado House Bill 1286 — This bill would update Colorado statutes on establishing legal parentage of children to reflect modern reproductive technologies and genetic testing.

Status: This bill was introduced on Feb. 16, 2009. It was referred to the House Committee on the Judiciary on March 9, 2009, and consideration of the bill was postponed indefinitely.

Connecticut House Bill 5851 — This bill would formally authorize state and local courts to make a finding of intended parentage in the absence of a genetic relationship between the child and

intended parent (pursuant to a gestational carrier agreement), and provide that the intended parents be named as the parents of the child on a replacement birth certificate.

Status: This bill was introduced on Jan. 23, 2009, and referred to Joint Committee on the Judiciary. The bill died when the Legislature adjourned on June 3, 2009.

Florida House Bill 3/Senate Bill 102 — This bill would repeal the prohibition of adoption by lesbian and gay individuals.

Status: This bill was pre-filed for the 2010 session on May 28, 2009, in the House and on Oct. 5, 2009, in the Senate. In the House, it was referred on Oct. 1, 2009, to the Criminal & Civil Justice Policy Council, the Policy Council and the Health & Family Services Policy Council. There has been no further action on this bill.

Georgia Senate Bill 204 — This bill would define the rights of genetic and adoptive parents in embryo adoptions, apply established adoption procedures to embryo adoption and establish a legal status of children placed for adoption as embryos.

Status: This bill was introduced on Feb. 25, 2009. On Feb. 25, 2009 the bill was read and referred to committee. There has been no further action on this bill.

Illinois House Bill 1082 — This bill would allow an insured intended parent to provide maternity coverage for a gestational surrogate as a dependent throughout the duration of the expected pregnancy and for eight weeks after the birth of the child.

Status: This bill was introduced on Feb. 11, 2009. On the same date, the bill was read and referred to the Rules Committee. It was later assigned to the Insurance Committee and, on March 13, 2009, it was re-referred to the Rules Committee. There has been no further action on this bill.

Michigan House Bill 4131 — This bill would allow two unmarried persons to adopt and would allow second-parent adoptions to proceed.

Status: This bill was introduced on Feb. 4, 2009, and passed by the House Judiciary Committee on April 22, 2009. This bill is still active.

Michigan House Bill 5133/Senate Bill 649

— These bills would require that any physician of a health facility providing in vitro fertilization services obtain the written and informed consent of the individual seeking the services.

Status: HB 5133 was introduced in the House on June 23, 2009. SB 649 was introduced in the Senate on June 18, 2009. These bills are still active.

Minnesota House Bill 1228/Senate Bill 369

— This bill would update existing tax and probate laws to reflect child-parent relationships established through assisted reproduction, including gestational carriers.

Status: HB 1228 was introduced in the House on March 2, 2009. SB 369 was introduced in the Senate on Feb. 2, 2009. These bills are still active.

Minnesota House Bill 1951 — This bill would require physicians and health services providers to obtain the written, informed consent of individuals seeking in vitro fertilization therapy.

Status: This bill was introduced on March 19, 2009. This bill is still active.

New Jersey Assembly Bill 809 — This bill would update parentage laws and establish that a child born to parents who are not married to each other has the same rights under the law as a child born to parents who are married to each other.

Status: This bill was introduced on Jan. 8, 2008. This bill is still active.

New York Assembly Bill 1006 — This bill would prevent a judge from considering a parent's decision to undergo gender reassignment when making a determination in a child custody case, and would prevent the judge from requiring the parent to refrain from undergoing such gender reassignment as a condition of custody.

Status: This bill was introduced on Jan. 7, 2009. It is still active.

New York Assembly Bill 2761/Senate Bill 4531 — This bill would provide for advanced written consent and directives for the transfer, use and disposition of gametes or embryos preserved in the course of assisted reproductive technology.

Status: AB 2761 was introduced on Jan. 21, 2009, and passed by the Assembly on March 16, 2009. SB 4531 was introduced in the Senate on April 24, 2009. This bill is still active.

New York Assembly Bill 5652/Senate Bill 1523 — This bill would allow two unmarried persons to adopt a child together.

Status: AB 5652 was introduced in the Assembly on Feb. 17, 2009. SB 1523 was introduced in the Senate on Feb. 2, 2009. This bill is still active.

New York Assembly Bill 6991 — This bill would provide that a donor in medically assisted reproduction be treated as if they were not the natural father or mother of the child conceived.

Status: This bill was introduced on March 18, 2009. This bill is still active.

North Carolina House Bill 510 — This bill would establish laws regulating the use and validity of gestational surrogacy agreements.

Status: This bill was introduced on March 5, 2009. It is still active.

Oklahoma House Bill 1904 — This bill would establish laws regulating the use and validity of gestational surrogacy agreements.

Status: This bill was introduced on Feb. 2, 2009. It is still active.

Tennessee House Bill 605/Senate Bill 78 — This bill would prohibit an individual who is cohabitating in a sexual relationship outside of a marriage recognized in the state from adopting a minor.

Status: This bill was introduced on Feb. 10, 2009. This bill is still active.

Tennessee House Bill 2159/Senate Bill 2136 — This bill would provide that a child born as the result of the transfer of a donated embryo would be deemed an “adopted person” without any court action required and would be afforded all legal rights and protections of any person who is adopted under current law.

Status: This bill was introduced on Feb. 26, 2009. This bill is still active.

Vermont House Bill 181 — This bill would allow a birth certificate to be a legal presumption of parentage if the name of the alleged parent is listed on the birth certificate as a parent to the child.

Status: This bill was introduced on Feb. 10, 2009. This bill is still active.

Parenting Bills: DEAD

Florida House Bill 413/Senate Bill 500 — This bill would have repealed the prohibition of adoption by lesbian and gay individuals.

Status: This bill was introduced on March 3, 2009, in both the House and the Senate. It was referred in the House to the Committee on Civil Justice & Courts Policy, the Committee on Healthcare Services Policy, the Criminal & Civil Justice Policy Council and the Policy Council. It was referred in the Senate to the Committee on Children, Families, and Elder Affairs, and the Committee on the Judiciary. On May 2, 2009, consideration of the bill was indefinitely postponed and withdrawn from consideration in both the House and the Senate. It died in the House in the Committee on Civil Justice & Courts Policy. It died in the Senate in the Committee on Children, Families, and Elder Affairs.

Florida Senate Bill 460 — This bill would have allowed adoption by gay and lesbian individuals if certain eligibility criteria are satisfied, including that the child’s parents are deceased and that the person petitioning to adopt has legal guardianship over the child.

Status: This bill was introduced on March 3, 2009, and referred to the Committee on Children, Families, and Elder Affairs, and the Committee on the Judiciary. On May 2, 2009 consideration of the bill was indefinitely postponed and withdrawn from consideration. It died in the Committee on Children, Families, and Elder Affairs.

Kentucky Senate Bill 68 — This bill would have prohibited the fostering or adoption of a child by an applicant who is cohabiting with a sexual partner outside of a marriage that is recognized in Kentucky. Currently, only marriages between opposite-sex couples are recognized by the Kentucky Constitution.

Status: This bill was introduced on Feb. 5, 2009, and was sent to the Judiciary Committee on Feb. 9, 2009. The Judiciary Committee responded favorably to the bill on March 3, 2009. The bill died on March 26, 2009, when the Senate adjourned.

Louisiana House Bill 60 — This bill would have limited the Registrar of Vital Record's ability to promulgate new birth certificates to out-of-state adoptive parents only when the adoptive parent is a single parent or the adoptive parents are a married couple, consistent with Louisiana law. This law was in response to Louisiana's refusal to issue a new birth certificate listing two fathers to a gay couple from New York who adopted a child born in Louisiana.

Status: This bill was introduced in the House and referred to the Committee on Health and Welfare on April 27, 2009. The Committee reported favorably on May 5, 2009, and the House passed the bill on May 12, 2009. The Senate received the bill on May 13, 2009, and immediately referred it to the Committee on Judiciary. The committee reported favorably on June 3, 2009. On June 4, 2009, the bill was referred to the Legislative Bureau. The bill died on June 25, 2009, when the Senate adjourned.

Louisiana Senate Bill 122 — This bill would have authorized de facto custodian and interested third-party custody and visitation proceedings under limited circumstances.

Status: This bill was introduced on April 27, 2009, and immediately referred to the Committee on Judiciary. The bill died on June 25, 2009, when the Senate adjourned.

Mississippi Senate Bill 2448 — This bill would have prohibited adoption by unmarried adults who are cohabitating outside of marriage and recognition of out-of-state adoptions by same-sex couples. This bill would also have prohibited the enforcement of child support judgments "respecting a relationship otherwise prohibited by the laws of this state."

Status: This bill was introduced on Jan. 12, 2009, and died in committee on Feb. 3, 2009.

Utah House Bill 288 — This bill would have established that it is generally in the best interest of a child to be adopted by a person or persons who are

in a legally valid and binding marriage, and would have prohibited adoption by a person who is cohabiting in a relationship that is not a legally valid and binding marriage under the laws of the Utah.

Status: This bill was introduced on Jan. 30, 2009. It died upon adjournment on March 12, 2009.

Schools-Related Bills: PASSED

Alabama House Bill 216 — This bill establishes the Student Harassment Prevention Act which, among other things, prohibits any student from subjecting another student to harassment, intimidation, violence or threats of violence on school property, on a school bus or at any school-sponsored function. The bill does not include enumerated categories, but "harassment" is defined to include acts "that are reasonably perceived as motivated by any characteristic of a student, or by the association of a student with an individual who has a particular characteristic, if the characteristic falls into one of the categories of personal characteristics contained in the model policy adopted by the department [of education] or a local board [of education]." The Department of Education is required to develop a model policy prohibiting harassment, violence and threats of violence. Local boards of education are required to establish a policy in compliance with the act.

Status: This bill was introduced on Feb. 3, 2009. On March 5, 2009, the bill passed the House of Representatives. On May 7, 2009, the bill passed the Senate. On May 20, 2009, Gov. Bob Riley signed the bill, which became effective on Oct. 1, 2009.

California Assembly Bill 572 — This bill requires that the governor proclaim May 22 of each year as Harvey Milk Day, and designates that date as having special significance in public schools and other educational institutions.

Status: This bill was introduced on Feb. 27, 2009. It passed both the Assembly and the Senate and was approved by Gov. Arnold Schwarzenegger and chaptered by the secretary of state (Chapter 626, Statutes of 2009) on Oct. 11, 2009.

Nevada Senate Bill 163 — This bill amends education statutes to define bullying and cyberbullying, and requires school districts to develop and implement policies to prevent bullying and cyberbullying.

Status: This bill was introduced on March 2, 2009, and passed by the Senate on March 26, 2009. The bill was amended and passed by the Assembly on May 13, 2009, and the Senate concurred on May 18, 2009. The bill was signed into law on May 22, 2009.

New Jersey Assembly Bill 2655/Senate Bill 1809 — This bill requires law enforcement agencies to inform school principals of certain crimes committed by students, including those intended to intimidate an individual or group because of race, color, religion, sexual orientation or ethnicity.

Status: AB 2655 was introduced on May 12, 2009, and passed by the Assembly on Sept. 25, 2009. SB 1809 was introduced in the Senate on May 15, 2009, and substituted by AB 2655 on May 21, 2009. AB 2655 was passed by the Senate on May 21, 2009, and passed again by the Assembly on June 25, 2009. AB 2655 was signed into law on Nov. 20, 2009.

North Carolina House Bill 88 — This bill requires that school districts provide sexual education in grades 7 to 9, emphasizing that “a mutually faithful monogamous heterosexual relationship in the context of marriage is the best lifelong means of avoiding sexually transmitted diseases.”

Status: This bill was filed in the House of Representatives on Feb. 5, 2009, and passed April 16, 2009. The Senate amended and passed the bill on June 23, 2009. The House concurred and passed the Senate version on June 25, 2009. This bill was signed into law on June 30, 2009.

North Carolina Senate Bill 526 — This bill requires schools to develop and implement policies against bullying. Bullying/harassment includes behavior motivated by sexual orientation and gender identity.

Status: SB 526 passed the Senate by a margin of 26 to 22 on May 6, 2009, and passed the House by a margin of 63 to 51 on June 23, 2009. It was enacted on June 30, 2009.

Oregon House Bill 2509 — This bill updates the requirement for school districts to provide human sexuality education courses in all public elementary and secondary schools to include medically accurate information.

Status: This bill was introduced on Feb. 3, 2009. It was passed by the House on March 11, 2009, and passed by the Senate on May 18, 2009. This bill was signed into law on June 2, 2009.

Oregon House Bill 2599 — This bill requires that school districts adopt a policy prohibiting harassment, intimidation, bullying and cyberbullying.

Status: This bill was introduced on Feb. 10, 2009, and passed by the House on March 25, 2009. It was passed by the Senate on May 27, 2009, and signed into law June 12, 2009.

Texas Senate Bill 283 — This bill requires that parents be provided written notice of a school district’s sexual education program and given the option to remove their child from the class.

Status: This bill was introduced on Nov. 12, 2008, and passed by the Senate April 9, 2009. The bill was amended and passed by the House on May 21, 2009, and the Senate concurred on May 29, 2009. The bill was signed into law on June 19, 2009.

Virginia House Bill 1624 — This bill requires the Board of Education to include cyberbullying in its model policies for codes of student conduct standards for school board policies.

Status: This bill was introduced Dec. 2, 2008. It was passed by the House on Feb. 9, 2009, and then it was passed by Senate on Feb. 23, 2009. The bill was signed into law on March 27, 2009.

Virginia House Bill 1746/Senate Bill 827

— These bills require family life education curricula to address the value, benefits, challenges and responsibilities of marriage for men, women, children and communities.

Status: HB 1746 was introduced in the House of Representatives on Jan. 7, 2009. It was passed by the House on Feb. 5, 2009, and passed by the Senate on Feb. 23, 2009. SB 827

was introduced in the Senate on Dec. 15, 2008, and passed by the Senate on Feb. 9, 2009, then passed by the House on Feb. 20, 2009. It was signed into law on March 27, 2009.

Virginia House Bill 1980 — This bill affords parents the right to review all family life education materials and allows parents to remove a child from the program.

Status: This bill was introduced on Jan. 13, 2009. It was passed by the House on Feb. 2, 2009, and passed by the Senate on Feb. 23, 2009. It was signed into law on March 27, 2009.

Wyoming House Bill 223 — This bill requires school districts to develop and implement policies prohibiting harassment, intimidation and bullying.

Status: This bill was introduced Jan. 20, 2009. It was passed by House on Feb. 6, 2009, and then passed by Senate on Feb. 20, 2009. The governor signed the bill into law on March 2, 2009.

Schools-Related Bills: ACTIVE

California Assembly Concurrent

Resolution 82 — This bill would encourage public education institutions to designate themselves as “Discrimination-Free Zones.” Specifically, the bill encourages schools to enact meaningful procedures to address acts of discrimination, to notify parents and the surrounding community of existing policies and procedures that encourage tolerance, and to create a climate that supports tolerance.

Status: This resolution was introduced on June 16, 2009. The resolution was adopted by the Assembly on July 13, 2009, and sent to the Senate. It was referred the Senate Committee on Education on Aug. 19, 2009, and there has been no further action.

Florida House Bill 169 — This bill would require any school receiving state funding and offering programs regarding family planning, pregnancy or sexually transmitted infections, including HIV/AIDS, to provide factual and medically accurate information that is appropriate for use with students of any race, gender, sexual orientation and ethnic and cultural background.

Status: This bill was pre-filed for the 2010 session on Oct. 1, 2009. It was referred on Oct. 23, 2009, to the Committee on PreK-12 Policy, the Committee on Healthcare Services Policy, the Committee on PreK-12 Appropriations and the Education Policy Council. There has been no further action on this bill.

Georgia House Bill 33 — This bill would require schools to create a limited public forum for student speakers to discuss religious topics and would allow students to discuss their religious beliefs in class assignments.

Status: This bill was pre-filed on Dec. 18, 2008. The first reading was on Jan. 15, 2009, and the second reading was on Jan. 16, 2009. There has been no further action on this bill.

Georgia House Bill 668 — This bill would authorize school boards to reassign known bullies to other schools to separate them from their victims and provides for the immediate notification of law enforcement when a student physically assaults another student.

Status: This bill was introduced on March 5, 2009. The first reading was on March 5, 2009, and the second reading was on March 9, 2009. There has been no further action on this bill.

Hawaii House Bill 329/Senate Bill 778 — This bill would require the state to reject all federal funding for mandated abstinence-only-until-marriage programs.

Status: This bill was introduced on Jan. 26, 2009, in both the House and Senate. The bill will be carried over to the 2010 regular legislative session.

Hawaii House Bill 330/Senate Bill 777 — This bill would require any recipient of state funding for sexuality health education programs to provide comprehensive, medically accurate information.

Status: This bill was introduced on Jan. 26, 2009, in both the House and the Senate. The bill will be carried over to the 2010 regular legislative session.

Hawaii House Bill 278/Senate Bill 792 — This bill would require the Hawaii Department of Education to adopt rules prohibiting school bullying

and cyberbullying.

Status: This bill was introduced on Jan. 23, 2009 in both the House and Senate. The bill will be carried over to the 2010 regular legislative session.

Iowa House Bill 732 — This bill would, in part, provide that the appointment of Department of Education professional staff must be made without reference to sexual orientation or gender identity.

Status: This bill was introduced on March 16, 2009, and referred to the Education Committee on April 14, 2009. The bill is still active.

Kansas HB 2184 — This bill would require that all schools provide a comprehensive course on human sexuality that emphasizes abstinence and provides factual, age-appropriate information.

Status: This bill was introduced on Feb. 2, 2009. The House held a hearing on the issues on Feb. 4, 2009. The bill is still active.

Massachusetts House Bill 376 — This bill would require school districts to establish a policy creating a limited public forum for students to express religious views at school events, in class and homework assignments and through extracurricular groups.

Status: This bill was introduced Jan. 20, 2009. This bill is still active.

Massachusetts House Bill 403 — This bill would allow parents to view health curriculum materials and opt to remove their children from the class.

Status: This bill was introduced Jan. 20, 2009. This bill is still active.

Massachusetts House Bill 421/House Bill 437/House Bill 472 — These bills would require parental consent for student attendance in sexual education classes in public schools.

Status: These bills were introduced Jan. 20, 2009. These bills are still active.

Massachusetts House Bill 428/House Bill 524/Senate Bill 209/Senate Bill 228/Senate Bill 242/Senate Bill 243/Senate Bill 290 — These bills would define bullying and create prevention and enforcement mechanisms for schools dealing with student bullying.

Status: These bills were introduced Jan. 20, 2009. These bills are still active.

Massachusetts House Bill 455 — This bill would amend bullying prevention provisions by defining and including cyberbullying.

Status: This bill was introduced Jan. 20, 2009. This bill is still active.

Massachusetts House Bill 483/Senate Bill 233 — These bills would define bullying and cyberbullying, and create prevention and enforcement mechanisms for schools dealing with student bullying and cyberbullying.

Status: These bills were introduced Jan. 20, 2009. These bills are still active.

Massachusetts House Bill 485 — This bill would amend parental notification provisions to require that each school district implement a policy notifying parents of sexual education classes and offer parents the opportunity to enroll their children through written notification.

Status: This bill was introduced Jan. 20, 2009. This bill is still active.

Massachusetts House Bill 3434/Senate Bill 218 — This bill would require that sexual education classes provide age-appropriate and medically accurate information. This bill would also require schools to notify parents and allow them to excuse their child from attending sexual education classes.

Status: These bills were introduced Jan. 20, 2009. These bills are still active.

Massachusetts Senate Bill 281 — This bill would require each school district to adopt a policy for the prevention of and response to acts of hatred or intolerance.

Status: This bill was introduced Jan. 20, 2009. This bill is still active.

Massachusetts Senate Bill 1553 — This bill would provide for the automatic suspension or expulsion of students above the age of 10 who have committed an act of molestation, rape or sexual assault upon another student. The bill would also determine the procedure through which students accused of such acts are provided a hearing.

Status: This bill was introduced Jan. 20, 2009. This bill is still active.

Michigan House Bill 4580/House Bill 4792/House Bill 5093/Senate Bill 159/Senate Bill 275 — These bills would define bullying and require school districts to develop policies for the prevention and punishment of bullying.

Status: HB 4580 was introduced in the House on March 12, 2009. HB 4792 was introduced in the House on April 2, 2009. HB 5093 was introduced in the House on June 16, 2009. SB 159 was introduced in the Senate on Jan. 29, 2009. SB 275 was introduced in the Senate on Feb. 19, 2009. These bills are still active.

Michigan House Bill 5163/Senate Bill 663 — These bills would require that sexual education classes provide age-appropriate, medically accurate and objective information.

Status: HB 5163 was introduced on June 25, 2009, and passed by the House Judiciary committee on Sept. 9, 2009. SB 663 was introduced in the Senate on June 25, 2009. These bills are still active.

Michigan House Resolution 115 — This resolution would urge the Michigan attorney general to investigate the case of Julea Ward, a counseling graduate student who was dismissed from her program after she referred a homosexual client to another counselor because she found his behavior morally unacceptable, as a possible instance of religious discrimination.

Status: This resolution was introduced June 25, 2009. This resolution is still active.

Minnesota House Bill 550/House Bill 906/Senate Bill 273/Senate Bill 965 — These bills would create a “Responsible Family Life and Sexuality Education Program” that emphasizes abstinence while also providing information on contraceptives.

Status: HB 550 was introduced in the House on Feb. 5, 2009, and passed by the House Healthcare and Human Services Policy and Oversight committee on Feb. 16, 2009. HB 906 was introduced in the House on Feb. 16, 2009. SB 273 was introduced in the Senate on Jan. 26, 2009, and passed by the Senate Health, Housing, and Family Security committee on Jan. 26, 2009. Senate Bill 965 was introduced in the Senate on Feb. 26, 2009. These bills are still active.

Minnesota House Bill 679/Senate Bill 1076 — This bill would require that schools notify the parent or parents of a student who bullies another student.

Status: HB 679 was introduced in the House on Feb. 9, 2009. SB 1076 was introduced in the Senate on March 2, 2009. These bills are still active.

Montana House Resolution 2 — This resolution would commend the efforts of Montana’s public school districts to develop and implement anti-bullying programs.

Status: This resolution was introduced on Jan. 31, 2009, and adopted by the House on March 3, 2009.

Nebraska Legislative Resolution 194 — This bill would establish an interim study to determine effective, age-appropriate sexual education curriculum.

Status: This resolution was introduced on May 18, 2009. This resolution is still active.

New Jersey Assembly Bill 253 — This bill would excuse students with conflicts of conscience from certain public school class requirements, such as sexual education classes.

Status: This bill was introduced on Jan. 8, 2008. This bill is still active.

New Jersey Assembly Bill 794 — This bill would require each board of education to offer comprehensive family life education, and would repeal the requirement that such programs stress abstinence.

Status: This bill was introduced on Jan. 8, 2008. This bill is still active.

New Jersey Assembly Bill 4071 — This bill would establish a pilot program in the Department of Education to reduce bullying in public schools.

Status: This bill was introduced on June 11, 2009. This bill is still active.

New Jersey Senate Bill 458 — This bill would establish a safe schools and communities violence prevention and response plan.

Status: This bill was introduced on Jan. 8, 2008. This bill is still active.

New Jersey Senate Bill 1194 — This bill would excuse a public school student from required health, family life education or sexual education classes which are in conflict with the student's conscience or sincerely held moral or religious beliefs.

Status: This bill was introduced on Feb. 21, 2008. This bill is still active.

New York Assembly Bill 1806/Senate

Bill 3836 — This bill would establish an age-appropriate sex education grant program through the Department of Health.

Status: AB 1806 was introduced in the Assembly on Jan. 12, 2009, and passed on June 17, 2009. SB 3836 was introduced in the Senate on April 2, 2009, and referred to the Senate Health committee on April 2, 2009. This bill is still active.

New York Assembly Bill 1871/Senate Bill

3994 — This bill would provide for reporting of bias-related incidents on state university campuses by university police officers to college and university personnel.

Status: AB 1871 was introduced in the Assembly on Jan. 12, 2009. SB 3994 was introduced in the Senate on April 7, 2009. This bill is still active.

New York Assembly Bill 3661/Senate Bill

1987 — This bill would direct the commissioner of education to establish policies and procedures affording all students in public schools an environment free of harassment and discrimination.

Status: AB 3661 was introduced on Jan. 28, 2009, and passed by the Assembly on April 7, 2009. SB 1987 was introduced in the Senate on Feb. 10, 2009. This bill is still active.

New York Assembly Bill 4028 — This bill would prohibit bullying and cyberbullying on school property and would require schools to provide instruction to discourage bullying and cyberbullying.

Status: This bill was introduced on Jan. 29, 2009. This bill is still active.

New York Assembly Bill 5544 — This bill would direct the Commissioner of Education to promulgate rules and regulations prohibiting the harassment, intimidation and bullying of students.

Status: This bill was introduced on Feb. 13, 2009. This bill is still active.

New York Assembly Bill 6250 — This bill would require schools to develop policies to prohibit harassment, intimidation or bullying.

Status: This bill was introduced on Feb. 26, 2009. This bill is still active.

New York Assembly Bill 6499 — This bill would prohibit bullying and cyberbullying on school property and would require schools to provide instruction to discourage bullying and cyberbullying.

Status: This bill was introduced on March 6, 2009. This bill is still active.

New York Senate Bill 1253 — This bill would prohibit bullying on school property and would establish punishment procedures for those students found guilty of bullying.

Status: This bill was introduced on Jan. 28, 2009. This bill is still active.

New York Senate Bill 1295 — This bill would require that comprehensive, medically accurate and age-appropriate sex education be taught in all public schools.

Status: This bill was introduced on Jan. 28, 2009. This bill is still active.

New York Senate Bill 4633 — This bill would require that comprehensive, medically accurate and age-appropriate sex education be taught in all secondary public schools.

Status: This bill was introduced on April 27, 2009. This bill is still active.

New York Senate Bill 6099 — This bill would require that school anti-harassment policies be enforced in compliance with the regulations promulgated by the New York City Department of Education.

Status: This bill was introduced on July 24, 2009. This bill is still active.

North Carolina House Bill 776 — This bill would define and prohibit bullying at public schools and would set forth procedures for enforcing anti-bullying policies.

Status: This bill was introduced on March 24, 2009. It is still active.

North Carolina Senate Bill 221 — This bill would provide for abstinence-until-marriage and comprehensive sexuality education programs in public school grades seven through nine.

Status: This bill was introduced on Feb. 18, 2009. It is still active.

**Ohio House Bill 293/House Bill 316/
Senate Bill 55/Senate Bill 59/Senate Bill**

176 — These bills would establish new requirements for comprehensive sex-education programs, including that it not focus exclusively on abstinence and that materials be inclusive of all students regardless of sexual orientation or gender identity.

Status: HB 293 was introduced on Sept. 30, 2009. HB 316 was introduced on Oct. 16, 2009. SB 55 was introduced on Feb. 17, 2009. SB 59 was introduced on March 3, 2009. SB 176 was introduced on Sept. 29, 2009. These bills are still active.

Ohio Senate Bill 126 — This bill would require the Board of Education to develop policies prohibiting cyberbullying on school grounds and would prohibit school administrators from knowingly failing to report to law enforcement authorities stalking or cyberbullying and harassment.

Status: This bill was introduced on May 5, 2009. It is still active.

Oklahoma House Bill 1348 — This bill would require that school boards provide medically accurate sexual education.

Status: This bill was introduced on Feb. 2, 2009. It is still active.

Oklahoma House Bill 1758 — This bill would require schools that do not sufficiently address bullying to adopt uniform dress codes until performance has improved.

Status: This bill was introduced on Feb. 2, 2009. It is still active.

Pennsylvania House Bill 137 — This bill would create an Office for Safe Schools to combat school violence and bullying.

Status: This bill was introduced on Jan. 30, 2009. It is still active.

Pennsylvania House Bill 308/House Bill

556 — These bills would provide for safe schools advocates in certain school districts. HB 556 would further establish and make appropriations for a Safe Schools Advocate Grant Program.

Status: HB 308 was introduced on Feb. 9, 2009. HB 556 was introduced on Feb. 23, 2009. These bills are still active.

Pennsylvania House Bill 1162 — This bill would require parental notification for abstinence-only-until-marriage programs or instruction.

Status: This bill was introduced on April 30, 2009. It is still active.

Pennsylvania House Bill 1163 — This bill would provide for comprehensive, medically accurate sexual education that is appropriate for students of all sexual orientations and gender identities.

Status: This bill was introduced on April 23, 2009. It is still active.

Pennsylvania House Bill 1241 — This bill would provide guidelines for school crisis plans addressing school violence and bullying.

Status: This bill was introduced on April 8, 2009. It is still active.

**South Carolina House Bill 3858/Senate
Bill 134** — These bills would prohibit school

districts from discriminating against students on the basis of religious viewpoints, allow students to express religious viewpoints, allow a student to express his religious beliefs in class and homework assignments, and allow students to organize and participate in religious student gatherings to the same extent as secular extracurricular groups.

Status: HB 3858 was introduced in the House of Representatives on April 1, 2009. SB 134 was introduced in the Senate on Jan. 31, 2009. Both bills are still active.

Tennessee House Bill 812/Senate Bill 1234

— These bills would require parents to request students attend family life courses and would provide an exemption and alternative classes for those students who do not wish to attend.

Status: HB 812 was introduced in the House on Feb. 11, 2009. SB 1234 was introduced in the Senate on Feb. 12, 2009. These bills are still active.

Tennessee House Bill 821/Senate Bill 1250

— These bills would prohibit public schools from providing any instruction or materials discussing sexual orientation other than heterosexuality in grades K-8.

Status: HB 821 was introduced in the House on Feb. 11, 2009. SB 1250 was introduced in the Senate on Feb. 12, 2009. These bills are still active.

Washington House Bill 1643 — This bill would require regional universities to adopt policies prohibiting the harassment, intimidation or bullying of any student or staff member.

Status: This bill was introduced on Jan. 26, 2009. This bill is still active.

Washington House Bill 2015 — This bill would establish guidelines for the expansion of tools, information and strategies used to combat harassment, intimidation and bullying of students.

Status: This bill was introduced on Feb. 6, 2009. This bill is still active.

Wisconsin Assembly Bill 458/Senate Bill 324

— This bill would provide guidelines for human growth and development curricula, and would allow parents to review curriculum materials and opt to remove their child from the program.

Status: Both bills were introduced on Sept. 30, 2009. AB 458 was passed by the Assembly on Nov. 5, 2009. Both bills are still active.

Wisconsin Senate Bill 154 — This bill would require the Department of Public Instruction to develop model anti-bullying policies for school districts to adopt, and would designate Wednesday of the fourth week in September as Bullying Awareness Day.

Status: This bill was introduced on April 6, 2009. It was passed by Senate on Oct. 20, 2009. This bill is still active.

Wisconsin Senate Bill 202 — This bill would require the Department of Public Instruction to develop model anti-bullying policies for school districts to adopt, and would designate Wednesday of the fourth week in September as Bullying Awareness Day.

Status: This bill was introduced on May 14, 2009. This bill is still active.

Schools-Related Bills: DEAD

Alabama House Bill 442 — This bill sought to require local boards of education to establish policies for public schools grade K-12 prohibiting harassment, intimidation or bullying.

Status: This bill was introduced on Feb. 10, 2009. The bill died when the Legislature adjourned on May 19, 2009. Note that similar legislation, House Bill 216, passed and was signed into law (see above).

Alabama House Bill 550 — This bill sought to require principals of public schools, grades 6-12, to notify the parents of students receiving abstinence-only education that the children are not receiving information regarding prevention of sexually transmitted diseases, HIV/AIDS or pregnancy prevention.

Status: This bill was introduced on Feb. 17, 2009. The bill died when the Legislature adjourned on May 19, 2009.

Arizona House Bill 2298 — This bill sought to amend the “School Safety and Liability Limitation Act” to specifically “protect pupils from harassment, intimidation or bullying based on a pupil’s actual or perceived race, color, national origin, sex, disability, sexual orientation, gender identity, gender expression, religion or any other characteristic determined by the governing board.”

Status: This bill was introduced on Jan. 20, 2009. The bill died when the Legislature adjourned on July 1, 2009.

California Assembly Bill 974 — This bill would have allowed students to “express their beliefs about religion in homework, artwork and other written and oral assignments free from discrimination based on the religious content of their submissions.” A student’s religious beliefs could have included his or her feelings on homosexuality. The bill also would have required that schools open their facilities to religious extracurricular activities to the extent that such facilities are available to secular groups.

Status: This bill was introduced on Feb. 26, 2009. On April 14, 2009, the bill died when the Committee on the Judiciary failed to pass the bill.

Connecticut Senate Bill 1056 — This bill would have reaffirmed students' First Amendment speech rights by prohibiting schools from censoring or punishing the speech of a student unless, in part, the speech is intended to ridicule, harass, humiliate, or intimidate another student.

Status: This bill was referred to the Joint Committee on Judiciary Committee on Feb. 25, 2009. The bill died June 3, 2009, upon Senate adjournment.

Florida House Bill 19/Senate Bill 268 — This bill would have eliminated the requirement that schools teach abstinence before marriage as the "expected standard" in human sexuality classes.

Status: This bill was introduced on March 3, 2009, in both the House and the Senate. In the House, it was referred to the PreK-12 Policy Committee, Healthcare Services Policy Committee, the Education Policy Council and the Policy Council. In the Senate it was referred to the Committee on Education Pre-K-12 and the Committee on Health Regulation. On May 2, 2009, consideration of the bill was indefinitely postponed and withdrawn from consideration in both the House and the Senate. It died in the Committee on PreK-12 Policy in the House and the Committee on Education Pre-K-12 in the Senate.

Florida House Bill 265/Senate Bill 220 — This bill would have required any school receiving state funding and offering programs regarding family planning, pregnancy or sexually transmitted infections, including HIV/AIDS, to provide factual and medically accurate information that is appropriate for use with students of any race, gender, sexual orientation and ethnic and cultural background.

Status: This bill was introduced on March 3, 2009, in both the House and the Senate. In the House, it was referred to the Committee on PreK-12 Policy, the Education Policy Council; the Committee on PreK-12 Appropriations and the Full Appropriations Council on Education & Economic Development. In the Senate, it was referred to the Committee on Education Pre-K-12, the Committee on Children, Families, and Elder Affairs, the Committee on Health Regulation and the Committee on Education Pre-K-12 Appropriations. On May

2, 2009, it was indefinitely postponed and withdrawn from consideration in both the House and the Senate. The bill died in the House Committee on PreK-12 Policy and the Senate Committee on Education Pre-K-12.

Hawaii House Concurrent Resolution 3/ House Resolution 7 — This resolution would have encouraged the U.S. Congress to pass the Military Readiness Enhancement Act of 2009, and repeal "Don't Ask, Don't Tell."

Status: These resolutions were offered on Jan. 22, 2009. Both resolutions died upon the House's adjournment on May 8, 2009.

Indiana House Bill 1093 — This bill would have required that schools providing instruction on human sexuality supply information that is factual, medically accurate and age appropriate.

Status: This bill was introduced on Jan. 13, 2009, and referred to the Committee on Education. The bill died on April 29, 2009, when the House adjourned.

Indiana House Bill 1317 — This bill would have required a principal to send notice to parents if the school is providing abstinence-only human sexuality courses and allows a parent to remove the parent's child from the course.

Status: This bill was introduced on Jan. 13, 2009, and referred to the Committee on Education. The bill died on April 29, 2009, when the House adjourned.

Kentucky House Bill 8 — This bill would have permitted students to express religious viewpoints in school assignments, organize extracurricular religious groups to the same extent that students are permitted to organize other student activities and groups, and would have required each board of education to adopt a policy creating a limited public forum for student speakers at all school events at which a student is to publicly speak.

Status: This bill was introduced on Jan. 1, 2009. It was referred to the Education committee on Jan. 7, 2009. The bill died on March 26, 2009, when the House adjourned.

Kentucky House Bill 384/Senate Bill 97 — This bill would have required schools and other

state funded sources of human sexuality education to develop science-based, age-appropriate and medically accurate standards and content.

Status: This bill was introduced on Feb. 9, 2009, in the Senate and on Feb. 10, 2009, in the House, and sent to the Senate and House Education Committees on Feb. 11, 2009. The bills died on March 26, 2009, when the Legislature adjourned.

Maryland House Bill 936 — This bill would have allowed students to express religious viewpoints in class and homework assignments, required schools to allow religious extracurricular groups to the extent that nonreligious extracurricular groups are allowed, and required schools to adopt a policy creating a limited public forum for students wishing to express their religious viewpoints.

Status: This bill was introduced on Feb. 12, 2009, and died upon adjournment on April 13, 2009.

Minnesota House Bill 1198/Senate Bill 971 — These bills would have required school districts to adopt model policies that prohibit harassment, bullying, intimidation and violence based on characteristics including actual or perceived sexual orientation, gender identity or expression, or on the basis of association with a person or group with one or more of these actual or perceived characteristics.

Status: HB 1198 was introduced on March 2, 2009, and passed by the House K-12 Education Policy and Oversight committee on April 6, 2009. SB 971 was introduced on Feb. 26, 2009, and passed by the Senate on April 16, 2009. SB 971 was substituted for HB 1198 on April 20, 2009. SB 971 was amended and passed by the House on May 18, 2009, and the Senate concurred on May 18, 2009. SB 971 was vetoed on May 23, 2009.

Mississippi House Bill 159/House Bill 330/House Bill 360/House Bill 1603/Senate Bill 2054/Senate Bill 2055/Senate Bill 2074/Senate Bill 3076 — These bills would have required school districts to establish a limited public forum for student speakers to express religious viewpoints at school events, allow students to express their religious beliefs in homework and class assignments, and authorize students to organize religious

groups or clubs to the same extent that students are permitted to organize other extracurricular groups.

Status: HB 159 was introduced in the House on Jan. 6, 2009; HB 330 was introduced on Jan. 7, 2009; HB 360 was introduced on Jan. 8, 2009; and HB 1603 was introduced on Jan. 19, 2009. SB 2054, SB 2055, and SB 2074 were introduced in the Senate on Jan. 6, 2009; SB 3076 was introduced on Jan. 19, 2009. The bills died in committee on Feb. 3, 2009.

Mississippi House Bill 234/Senate Bill 2784 — These bills would have required the State Board of Education and the State Board of Health to establish a comprehensive sex education pilot program.

Status: HB 234 was introduced on Jan. 6, 2009, and passed by the House on Feb. 12, 2009. SB 2784 was introduced in the the Senate on Jan. 19, 2009. Both bills died in Senate committee on Feb. 3, 2009.

Mississippi House Bill 808 — This bill would have required that comprehensive, age-appropriate sex education be taught in grades K through 12, with an emphasis on abstinence.

Status: This bill was introduced on Jan. 19, 2009, and died in committee on Feb. 3, 2009.

Mississippi Senate Bill 2290/Senate Bill 2762 — This bill would have required that all sex education programs provide medically and scientifically accurate information.

Status: SB 2290 was introduced on Jan. 6, 2009. SB 2762 was introduced on Jan. 19, 2009. Both bills died in committee on Feb. 3, 2009.

Missouri House Bill 518/Senate Bill 132 — This bill would have required school districts to implement an anti-bullying policy that addresses the prevention and punishment of bullying in schools.

Status: HB 518 was introduced in the House on Jan. 29, 2009. SB 132 was introduced in the Senate on Jan. 7, 2008. Both bills died upon adjournment on May 15, 2009.

Missouri House Bill 999/Senate Bill 316/Senate Bill 329 — These bills would have altered existing laws on sexual education programs to pro-

vide more comprehensive information on contraception.

Status: HB 999 was introduced in the House on March 10, 2009. SB 316 and SB 329 were introduced in the Senate on Feb. 5, 2009. All the bills died upon adjournment on May 15, 2009.

Missouri Senate Bill 55/Senate Bill 79 — These bills would have amended the definition of bullying to include cyberbullying.

Status: Both SB 55 and SB 79 were introduced on Jan. 7, 2009, and passed by the Senate on Feb. 25, 2009. SB 55 was passed by the House Elementary and Secondary Education committee on April 24, 2009; by the House Rules committee on April 28, 2009; and by the House Fiscal Review committee on April 30, 2009. SB 79 was passed by the House Elementary and Secondary Education committee on April 29, 2009, and by the House Rules committee on May 11, 2009. Both bills died upon adjournment on May 15, 2009.

Missouri Senate Joint Resolution 12 — This resolution would have put a measure on the ballot about whether public school students may engage in private and voluntary prayer or other religious expression, individually or in groups, and express their religious beliefs in class and homework assignments.

Status: This resolution was introduced on Jan. 21, 2009, and passed by the Senate General Laws committee on March 26, 2009. The resolution died upon adjournment on May 15, 2009.

Montana House Bill 596 — This bill would have directed the Montana Department of Public Health and Human Services to establish a teen pregnancy prevention and sexually transmitted infection and disease prevention program, with emphasis on age-appropriate, factual information regarding sexuality and contraception.

Status: This bill was introduced on Feb. 12, 2009. It failed to pass in the House Human Services committee on Feb. 20, 2009. The bill died upon adjournment on April 28, 2009.

Nevada Assembly Bill 5 — This bill would have amended education statutes to define bullying and require school districts to develop and implement policies to prevent bullying.

Status: This bill was introduced on Nov. 20, 2008, and died pursuant to rule on April 11, 2009.

New Mexico House Joint Memorial 31

— This resolution would have requested that the Children, Youth and Families Department, the Public Education Department and the Department of Health study the incidence and effect of bullying in the state's schools.

Status: This resolution was introduced on Feb. 2, 2009, and passed by the House on Feb. 12, 2009. The resolution was passed by the Senate Rules committee on Feb. 12, 2009, and passed by the Senate Judiciary committee on March 13, 2009. The bill died upon adjournment on March 21, 2009.

South Dakota House Bill 1279 — This bill would have required each school district to develop and implement a policy prohibiting bullying and harassment.

Status: This bill was introduced on Feb. 3, 2009, and died upon adjournment on March 30, 2009.

Texas House Bill 18 — This bill would have established an anti-bullying hot line.

Status: This bill was introduced on Nov. 11, 2008. It died upon adjournment on June 1, 2009.

Texas House Bill 484 — This bill would have established reporting requirements for school districts on the number of incidences of bullying.

Status: This bill was introduced on Jan. 6, 2009. It died upon adjournment on June 1, 2009.

Texas House Bill 540 — This bill would have allowed schools to remove a student from class for bullying and place that student in an alternative education program.

Status: This bill was introduced on Jan. 12, 2009. It died upon adjournment on June 1, 2009.

Texas House Bill 741/Senate 515 — These bills would have required public school health education curricula to provide age-appropriate and medically accurate information.

Status: HB 741 was introduced in the House on Jan. 22, 2009. SB 515 was introduced in the Senate on Jan. 23, 2009. Both bills died upon adjournment on June 1, 2009.

Texas House Bill 936 — This bill would have required school districts to implement policies prohibiting harassment.

Status: This bill was introduced on Jan. 30, 2009. It died upon adjournment on June 1, 2009.

Texas House Bill 1323 — This bill would have amended anti-bullying law to include cyberbullying, and would have allowed parents to request the transfer of the bullying student or the victim to another school.

Status: This bill was introduced on Feb. 17, 2009. It died upon adjournment on June 1, 2009.

Texas House Bill 1371 — This bill would have prohibited the acceptance of federal funds designated for abstinence-only programs.

Status: This bill was introduced on Feb. 17, 2009. It died upon adjournment on June 1, 2009.

Texas House Bill 1567/Senate Bill 1076

— These bills would have required that sexual education programs that emphasize abstinence also provide medically accurate information on methods of contraception.

Status: HB 1567 was introduced in the House on Feb. 20, 2009. SB 1076 was introduced in the Senate on Feb. 23, 2009. Both bills died upon adjournment on June 1, 2009.

Texas House Bill 3746 — This bill would have prohibited school district employees from harassing or discriminating against other employees or students on the basis of sexual orientation and gender identity or expression.

Status: This bill was introduced on March 12, 2009, and died upon adjournment on June 1, 2009.

Texas Senate Bill 29 — This bill would have amended anti-bullying laws to include cyberbullying.

Status: This bill was introduced on Nov. 10, 2008, and died upon adjournment on June 1, 2009.

Texas Senate Bill 1725 — This bill would have provided additional guidelines and requirements for school district anti-bullying policies.

Status: This bill was introduced on March 10, 2009, and died upon adjournment on June 1, 2009.

Utah House Bill 189 — This bill would have required that sexual education programs provide medically accurate, age-appropriate information.

Status: This bill was introduced on Feb. 6, 2009. It died upon adjournment March 12, 2009.

Virginia House Bill 1789 — This bill would have required family life education instruction to be both medically accurate and age-appropriate.

Status: This bill was introduced on Jan. 9, 2009. It died upon adjournment on April 8, 2009.

West Virginia Senate Bill 576 — This bill would have prohibited school districts from discriminating against students on the basis of religious viewpoint, allowed students to express religious viewpoints, allowed a student to express his religious beliefs in class and homework assignments, and allowed students to organize and participate in religious student gatherings to the same extent as secular extracurricular groups.

Status: This bill was introduced on March 13, 2009. It died upon adjournment on May 31, 2009.

Wyoming House Bill 122 — This bill would have required school districts to develop and implement policies prohibiting harassment, intimidation, and bullying.

Status: This bill was introduced on Jan. 13, 2009 and died upon adjournment on March 5, 2009.

Health & Safety Bills: PASSED

Louisiana House Bill 517 — This bill allows persons employed by healthcare providers to decline to perform health services that violate his or her conscience, provided that access to healthcare is not compromised.

Status: This bill was introduced in the House

and referred to the Committee on Civil Law and Procedure on April 27, 2009. The Committee reported the bill with amendments on May 11, 2009. Receiving a majority vote in the House on May 19, 2009, the bill passed. It was then received in the Senate on May 20, 2009 where it was immediately referred to the Committee on Health and Welfare. The Committee reported the bill with amendments on June 10, 2009. On June 22, 2009 the Senate passed the bill with amendments and returned it to the House. The House passed the Senate amendments on June 23, 2009. The bill was signed by the governor on July 7, 2009.

Health & Safety Bills: ACTIVE

District of Columbia Bill 135 — This bill would require the mayor to develop a comprehensive HIV/AIDS prevention plan, including a provision for HIV/AIDS testing of all individuals over the age of 14 in all medical examinations in D.C., and programs directed at especially vulnerable demographics.

Status: This bill was introduced on Feb. 3, 2009. On Feb. 5, 2009, it was referred to the Committee on Health. There has been no further action on this bill.

Hawaii Senate Bill 257 — This bill would establish rights of conscience for healthcare providers, institutions and payers who do not want to participate, provide, or pay for medical services that violate their conscience, including abortions, artificial birth control, artificial insemination, assisted reproduction, human cloning, euthanasia, human embryonic stem cell research, fetal experimentation, physician-assisted suicide and sterilization.

Status: This bill was introduced on Jan. 23, 2009. It passed a first reading on Jan. 26, 2009, and was then referred to the Committee on Health and the Committee on Judiciary and Government Operations. On May 11, 2009, it was carried over to 2010 Regular Session.

Massachusetts House Bill 2174 — This bill would direct the Department of Health to establish a program of community based health and sexuality

education services provided by comprehensive family planning agencies.

Status: This bill was introduced on Jan. 20, 2009. This bill is still active.

Massachusetts House Bill 3805 — This bill would direct the Department of Health to work with local agencies to improve the delivery of accessible and appropriate services to lesbian, gay, bisexual and transgender elders and caregivers.

Status: This bill was introduced on Jan. 20, 2009. This bill is still active.

New York Assembly Bill 3956/Senate Bill 1385 — This bill would require the State Office for the Aging to report on the delivery of services to and needs of underserved populations, including populations based on sexual orientation and gender identity.

Status: AB 3956 was introduced on Jan. 29, 2009, and passed by the Assembly on May 11, 2009. SB 1385 was introduced in the Senate on Jan. 29, 2009. This bill is still active.

North Carolina House Bill 100 — This bill would conform state law to comply with *Lawrence v. Texas* by decriminalizing sodomy.

Status: HB 100 was referred to the Committee on Rules, Calendar, and Operations of the House on Feb. 11, 2009.

Tennessee House Bill 334/Senate Bill 252 — These bills would require the amendment of birth certificates upon receipt of a sworn statement from a licensed medical professional that an individual's gender has changed.

Status: HB334 was introduced in the House on Feb. 4, 2009. SB 252 was introduced in the Senate on Feb. 5, 2009. These bills are still active.

Tennessee House Bill 931/Senate Bill 1070 — These bills would require the amendment of birth certificates upon receipt of a sworn statement from a licensed medical professional that an individual's gender has changed.

Status: HB 931 was introduced in the House on Feb. 11, 2009. SB 1070 was introduced in the Senate on Feb. 12, 2009. These bills are still active.

Tennessee House Bill 1706/Senate Bill

1426 — This bill would allow healthcare providers to refuse to participate in a healthcare service that violates the conscience of the healthcare provider.

Status: This bill was introduced on Feb. 19, 2009. This bill is still active.

Washington House Bill 1687 — This bill would provide for a healthcare provider right of conscience.

Status: This bill was introduced on Jan. 27, 2009. This bill is still active.

Health & Safety Bills: DEAD

California Assembly Bill 382 — This bill would have required the Department of Corrections and Rehabilitation to classify inmates and wards in order to prevent sexual violence and to promote safety. This bill sought to add the sexual orientation and gender identity of the inmate or ward to the list of specific risk factors to be considered when making classifications.

Status: This bill was introduced on Feb. 23, 2009. It passed both the Assembly and Senate, but was vetoed by the governor on Oct. 11, 2009.

Montana House Legislative Request LC

1843 — This request for a bill would have established that all private pharmaceutical providers enjoy a “freedom of conscience” and cannot be forced to provide those services that violate its conscience.

Status: This request died, still in the drafting process, upon adjournment on April 28, 2009.

Other Bills: PASSED**California Assembly House Resolution 17**

— This resolution proclaims June 2009 as Lesbian, Gay, Bisexual, and Transgender (LGBT) Pride Month and encourages the people of California to work to help advance the cause of equality for LGBT people.

Status: This resolution was introduced on May 18, 2009, and adopted on June 22, 2009.

Other Bills: ACTIVE**New York Assembly Bill 3956/Senate Bill**

1385 — This bill would require the State Office for the Aging to report on the delivery of services to and needs of underserved populations, including populations based on sexual orientation and gender identity.

Status: AB 3956 was introduced on Jan. 29, 2009, and passed by the Assembly on May 11, 2009. SB 1385 was introduced in the Senate on Jan. 29, 2009. This bill is still active.

Other Bills: DEAD

Louisiana House Bill 340 — This bill would amend the state constitution to provide for a guarantee of freedom of religion. The amendment would read in part that, “No person acting under color of law shall burden the free exercise of religion, even if the burden results from a rule of general applicability, unless the government proves that it has a compelling governmental interest.”

Status: This bill was introduced in the House and referred to the Committee on Civil Law and Procedure on April 27, 2009. The Committee reported the bill with amendments on May 11, 2009. Receiving a two-thirds majority vote in the House on May 18, 2009, the bill passed. It was then received in the Senate on May 19, 2009, where it was immediately referred to the Committee on Judiciary. The committee reported favorably on June 2, 2009. On June 10, 2009, the Senate passed the bill with amendments and returned it to the House. The House failed to pass the Senate amendments by a two-thirds vote on June 18, 2009, thus rejecting them. The bill died on June 25, 2009, when the Legislature adjourned.

New Mexico House Bill 744 — This bill would have helped fund a gay, lesbian, bisexual and transgender film festival.

Status: This bill was introduced on Feb. 12, 2009, and passed by the House Consumer & Public Affairs committee on March 1, 2009. The bill died upon adjournment on March 21, 2009.



About the Author

Sarah Warbelow is the state legislative director for the Human Rights Campaign. Warbelow, who joined the organization in 2008, works with state and local legislators and lesbian, gay, bisexual, and transgender advocacy organizations in pursuing their LGBT-related legislative priorities. She is a member of HRC's field department.

Warbelow holds bachelor's degrees in social relations and women's studies from James Madison College at Michigan State University, and a master's in public policy and a Juris Doctor from the University of Michigan. She is an affiliated professor at The George Washington University and at the Georgetown Public Policy Institute, where she teaches courses in civil rights law and policy.

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