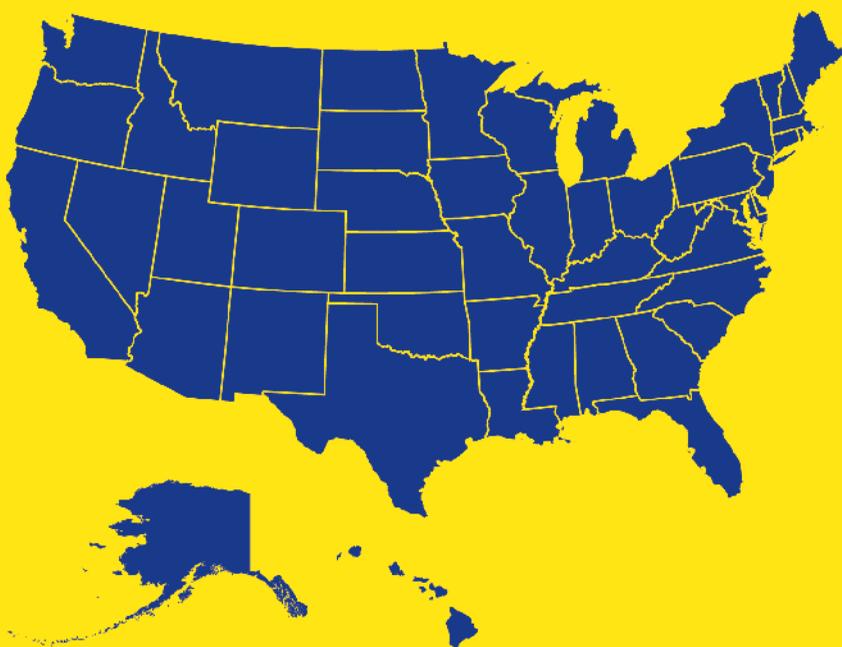




HUMAN  
RIGHTS  
CAMPAIGN  
FOUNDATION



# Equality from **State** to **State** **2010**

A Review of State Legislation in 2010 Affecting  
the Lesbian, Gay, Bisexual and Transgender Community,  
and a Look Ahead to 2011

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# Introduction

*December 2010*

Dear Readers,

2010 was a year of highs and lows on the road to full lesbian, gay, bisexual and transgender equality at the state level. Developments in states across the nation were decidedly positive, even as we suffered setbacks that remind us of the need to sustain and expand our efforts. The November election results give us pause, and in some cases may require us to protect the important rights and protections we have gained in recent years. However, the fact that this year's dramatic election results were seen as a referendum on the state of the economy, and not on our community, gives cause for hope for the direction of the country.

As is often the case, we found common ground with many people over the need to provide safety and education for our children. The tragic wave of suicides by our young people due to anti-LGBT bullying at school and online brought home to many Americans the challenges faced by LGBT youth and the need to protect them in an educational environment. Across the nation, states passed anti-bullying legislation, including Wisconsin, Mississippi, Washington, Georgia, Illinois, Massachusetts, New Hampshire, New York, New Jersey and Louisiana. Only South Carolina passed legislation that could have a negative impact on LGBT students. We must continue to push to ensure that all children have a safe educational environment and a chance to see that it does indeed get better.

State legislatures were less active than last year, where we saw marriage equality enacted in several states, but there were still important advances in relationship recognition across the country. Most significantly, the Illinois Legislature passed civil union legislation. While not full relationship recognition, this is an important step toward full equality in the heartland. Maryland's attorney general also issued an opinion ordering his state to recognize same-sex marriages performed in other jurisdictions, and the governor has promised to sign marriage equality legislation into law. New York and Colorado also made small extensions to their relationship protections. Sadly, New Jersey legislators defeated a



marriage equality bill, and civil union bills in Hawaii and New Mexico were also defeated. Defense is still an important part of our skill set, and anti-equality measures in West Virginia, Indiana and Pennsylvania were successfully quashed. After the recent elections, our opponents have promised to put forward amendments banning marriage equality in several states, and we must act aggressively to counter these efforts should they arise.

Cities across the country expanded protections for LGBT people, even as the governor of Virginia reminded us of our vulnerability when he rescinded basic workplace protections for LGBT state employees. Progress was also made on extending hate crimes protections and extending further protections to LGBT families. Most significantly, Florida's notorious ban on lesbian and gay adoption was ruled unconstitutional and was not appealed by the state.

As we examine the results of this tumultuous year, we should be proud of our accomplishments and the progress we have made improving the lives of LGBT Americans. Special thanks go to the state and local LGBT advocacy organizations that worked tirelessly to make these victories a reality, and to the many everyday Americans who want simply to make their cities and states better places to live, work and raise families. At the same time, much remains to be done, and 2011 has many challenges in store for all of us. Thank you for all that you do, and we will need your help and support to continue this work going forward.

Sincerely,

A handwritten signature in black ink, reading "Joe Solmonese". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Joe Solmonese  
President, Human Rights Campaign Foundation

# Summary of State Developments in 2010





Increased awareness of the vulnerability of LGBT students spurs legislative action across the country, yet a wave of conservative legislators elected in November creates a new set of challenges in most states.



Even before the suicides of several teens that made national headlines in the fall, a number of states were quietly reacting to earlier tragedies close to home. Bills addressing bullying, harassment and discrimination faced by students made more progress than any other legislation with a direct impact on the lives of LGBT people. Most legislation aimed at limiting the rights of LGBT people was held at bay, but there has been a clear backlash to the positive movement from 2009. >>

## Marriage

Marriage equality took effect in both New Hampshire and the District of Columbia, while several state legislatures battled back proposals to amend state constitutions to prohibit same-sex couples from marrying. The Maryland attorney general issued an advisory opinion allowing the state to recognize out-of-jurisdiction same-sex marriages. In this election year, most states shied away from marriage legislation.

- **New Hampshire** – After passage of a marriage equality law in 2009, couples were able to begin obtaining marriage licenses 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.
- **District of Columbia** – Although marriage equality was signed into law by Mayor Adrian Fenty in December of 2009, the legislation did not go into effect until March 3, 2010, when Congress' mandatory review period expired.
- **Maryland** – On Feb. 24, 2010, Maryland Attorney General Doug Gansler issued an advisory opinion stating that same-sex couples legally married in another jurisdiction were entitled to have their marriages recognized by Maryland law. Gov. Martin O'Malley instructed state agencies to comply with the attorney general's opinion.
- **Iowa** – On April 3, 2009, the Iowa Supreme Court ruled unanimously in favor of marriage equality in *Varnum v. Brien*. During the November 2010 elections, opponents of marriage equality targeted the three justices who were up for a retention vote and succeeded in unseating all three.
- **California** – Both the Senate and Assembly passed a bill that would have clarified that clergy of any denomination are not required to solemnize a marriage contrary to the tenets of his or her faith, and would have clarified the definition of civil marriage. The bill was vetoed by Gov. Arnold Schwarzenegger on Sept. 30, 2010.
- **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*. At the very beginning of 2010, New Jersey legislators were unable to whip enough votes in support of legalizing marriages for same-sex couples. As Gov. Chris Christie's term began in mid-January 2010, New Jersey advocates turned back to the courts to seek redress from discrimination in marriage.
- **Other states** – Marriage equality legislation has been introduced in a number of states but has not progressed. In 2010, marriage equality legislation was on the table in Illinois, Maryland, New York, Minnesota, Pennsylvania, Rhode Island and other states. Meanwhile, advocates in states such as Indiana, North Carolina and West Virginia were able to keep discriminatory constitutional amendments at bay. Grassroots organizers in Oregon have set a 2012 target date for repealing the state's constitutional amendment banning same-sex marriage.

# Key State Legislative Developments in 2010

## Relationship Recognition

Governors played an instrumental part in both moving relationship recognition forward and in stymieing progress. The legislatures in both Illinois and Hawaii passed civil union bills, but Hawaii's governor vetoed the legislation. Colorado and New York added to the number of benefits available to same-sex couples.

- **Hawaii** – On April 29, 2010, Gov. Linda Lingle vetoed a bill that would have created civil unions, extending to same-sex couples all of the rights, benefits, protections and responsibilities that accompany marriage at the state level.
- **Illinois** – As the 2009–2010 legislative session drew to a close, the Illinois House and Senate passed a civil unions bill for both same-sex and opposite-sex couples. Gov. Pat Quinn is expected to sign the bill in early January 2011, and the law would take effect July 1, 2011.
- **Colorado** – On June 7, 2010, Gov. Bill Ritter signed legislation further protecting statutorily defined “designated beneficiaries,” by allowing the designated beneficiary to receive all or part of an intestate estate.
- **New York** – On Aug. 18, 2010, Gov. David Paterson signed into law legislation that requires employers who extend funeral or bereavement leave to employees for the death of a relative to allow employees to take leave for the death of a same-sex partner.
- **Minnesota** – On May 15, 2010, Gov. Tim Pawlenty vetoed a bill that would have allowed domestic partners to make funeral arrangements upon the death of a partner.

## Anti-Discrimination

At the state level, little progress was made in prohibiting discrimination in employment, housing and public accommodations. Several states continue to struggle with amending existing anti-discrimination laws to include gender identity. However, local governments provided a true bright spot. Upon taking office, Houston Mayor Annise Parker issued an executive order prohibiting discrimination on the basis of both sexual orientation and gender identity in public employment. In Utah, advocates worked with local governments, resulting in five cities/counties passing comprehensive anti-discrimination ordinances. From Missoula, Mont., to Leon County, Fla., local governments took action to protect LGBT residents. Bowling Green, Ohio, residents successfully retained two non-discrimination ordinances at the ballot in November.

- **Virginia** – After taking office in January 2010, Gov. Bob McDonnell rescinded an executive order issued by his predecessor protecting state employees from discrimination on the basis of sexual orientation. The new executive order, issued Feb. 5, 2010, omitted sexual orientation, and though the governor later pledged that his office would not tolerate discrimination of any sort, the Virginia attorney general sent a legal opinion to the state's

## Key State Legislative Developments in 2010

public higher-education institutions' presidents and board members indicating that they should rescind non-discrimination policies with sexual orientation and gender identity.

- **Illinois** – On Jan. 15, 2010, Gov. Pat Quinn signed into law a bill prohibiting cemeteries from denying burial space to any person because of race, creed, marital status, sex, national origin, sexual orientation or color.

### Hate Crimes

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

- **New York** – On July 30, 2010, Gov. David Paterson signed into law legislation establishing a civil remedy for victims of bias-related violence or intimidation.
- **Oklahoma** – State Senator Steve Russell gutted a bill and replaced the original text with an amendment to make federal prosecution of Oklahoma hate crimes more difficult for federal prosecutors. The amendment would have required that incident reports collected by local law enforcement during the investigation of a possible hate crime be destroyed if local prosecutors are unable to secure a conviction. In addition, it would have required law enforcement agencies to refuse to provide the federal government access to hate crimes records. The bill passed the House but died in the Senate. An early version of the bill incorrectly cited the federal hate crimes prevention provision on race rather than the intended target of sexual orientation and gender identity.
- **Rhode Island** – On June 22, 2010, Gov. Donald Carcieri vetoed a bill that would have added gender identity to the state's hate crimes monitoring law to conform with the federal hate crimes law.

### Parenting

A new law in New York secured 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. Courts in two states struck down discriminatory laws that had made it nearly impossible for gay and lesbian parents to adopt.

- **Florida** – The state's 1977 law prohibiting adoption by "homosexuals" was found unconstitutional by a district court. The decision was not appealed by the state and is now binding on all trial-level courts.
- **New York** – On Sept. 17, 2010, Gov. David Paterson signed into law a bill allowing two unmarried people to adopt a child together.

# Key State Legislative Developments in 2010

- **Arkansas** – A 2009 law banning unmarried couples from becoming foster or adoptive parents was found unconstitutional by a state trial court. The case has been appealed to the state supreme court and a decision will likely be issued in 2011.
- **Other states** – Bills restricting or prohibiting LGB people from adopting were defeated in Mississippi, Tennessee, Arizona and Kentucky.

## Schools

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

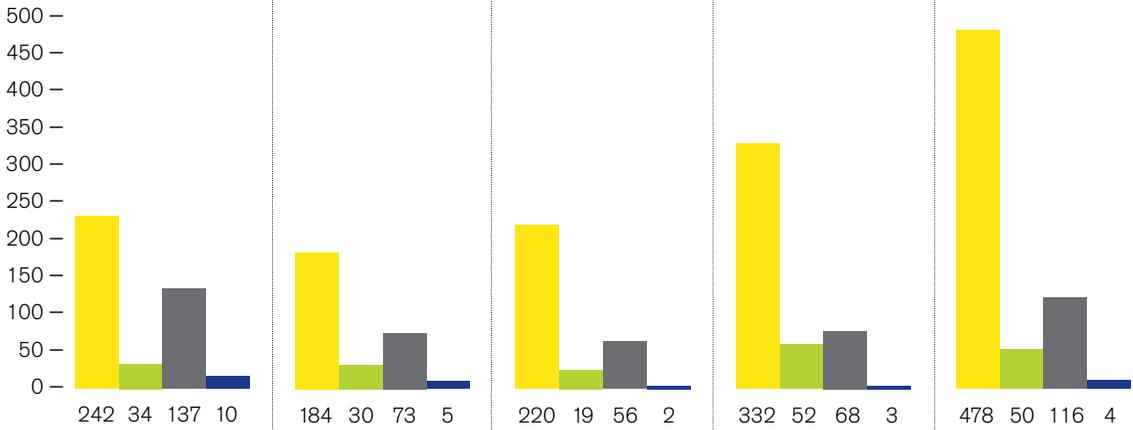
- **Illinois** – On June 28, 2010, Gov. Pat Quinn signed into law an extension to the state's existing anti-bullying statute, which, in part, created enumerated classes, including both sexual orientation and gender identity.
- **New York** – On Sept. 9, 2010, Gov. David Paterson signed into law the Dignity for All Students Act, which is the first law in the state to explicitly protect individuals on the basis of gender identity.
- **Massachusetts** – On May 3, 2010, Gov. Deval Patrick signed into law a comprehensive anti-bullying bill with some of the strongest mandates in the country. It does not, however, include enumerated classes.
- **New Jersey** – At the end of 2010, both chambers of the New Jersey legislature nearly unanimously passed an anti-bullying bill of rights, which is expected to be signed into law by Gov. Chris Christie in early 2011. Once it takes effect, this law will be the most comprehensive in the nation, requiring an anti-bullying specialist in every school, extending coverage to bullying that occurs off school grounds that carries into schools and incorporating public universities into select provisions.
- **South Carolina** – On May 28, 2010, Gov. Mark Sanford signed into law the Religious View Points Non-Discrimination Act. While religion is a critical category for coverage in anti-discrimination and anti-bullying laws, this particular bill is set so broadly as to potentially provide students free rein to bully and discriminate against LGBT students.
- **Other states** – Wisconsin, Washington, Georgia and New Hampshire all strengthened their existing anti-bullying laws. Louisiana and Missouri passed laws prohibiting cyberbullying.

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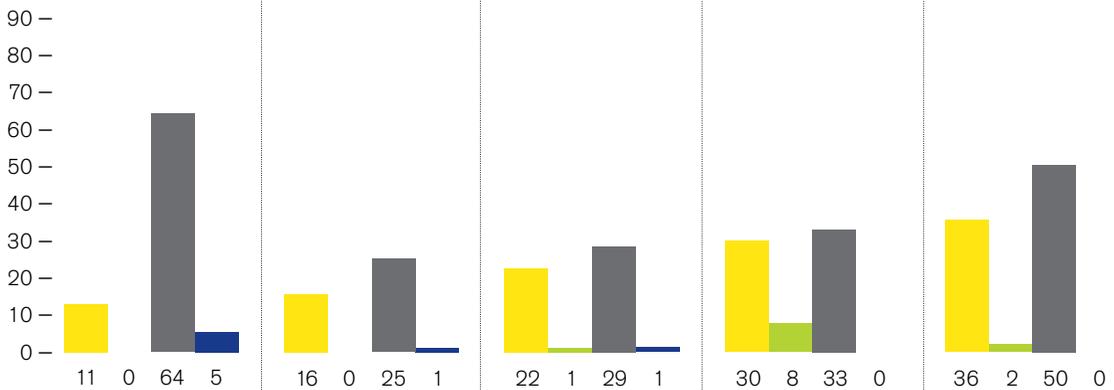
*For a complete summary and final status of all the state legislation introduced and passed that affected LGBT people in 2010, please see page 24.*

# Comparative Legislation at a glance

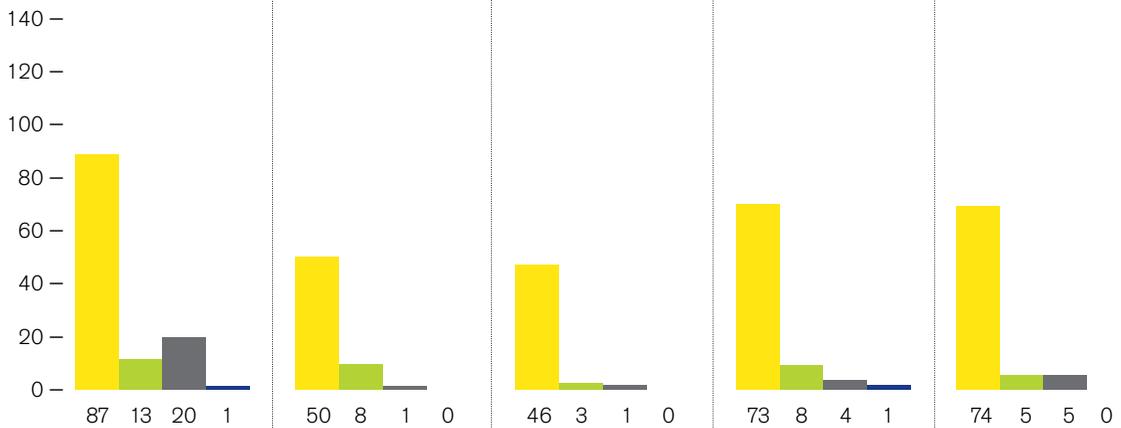
## Overall LGBT Bills



## Marriage Bills



## Anti-Discrimination Bills



2006

2007

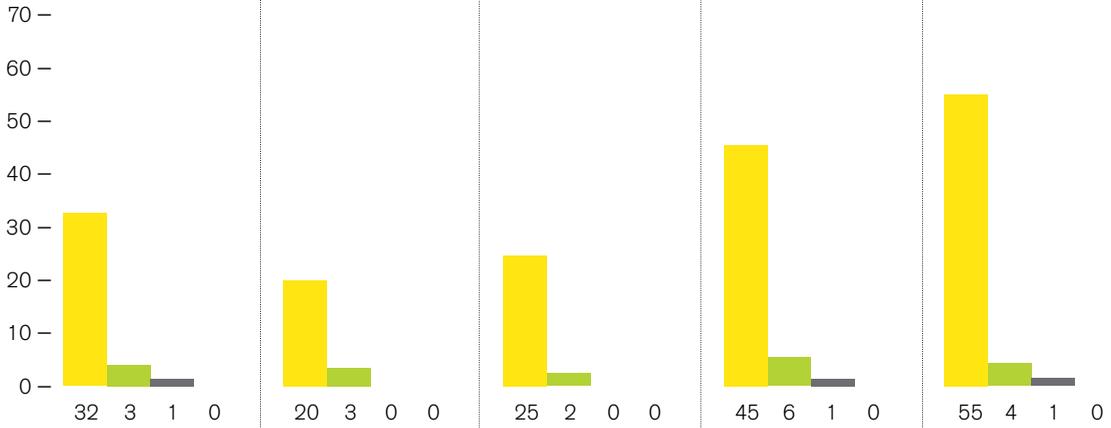
2008

2009

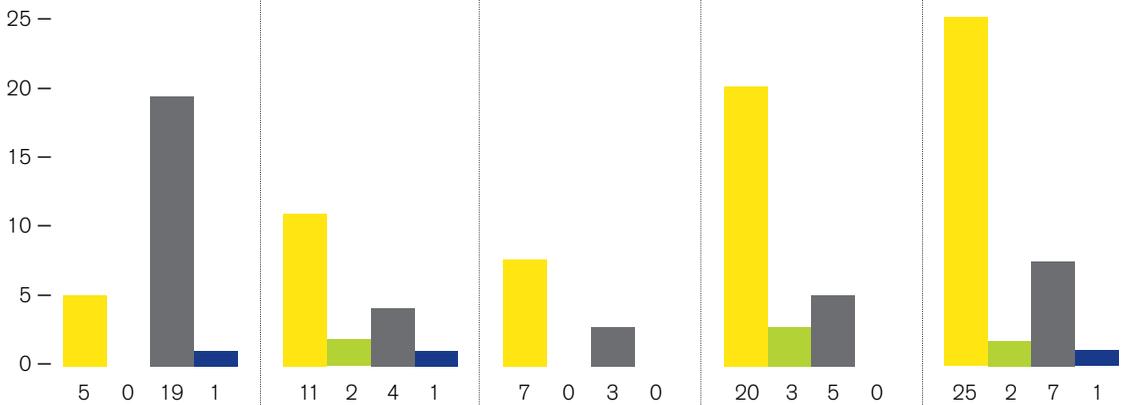
2010

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

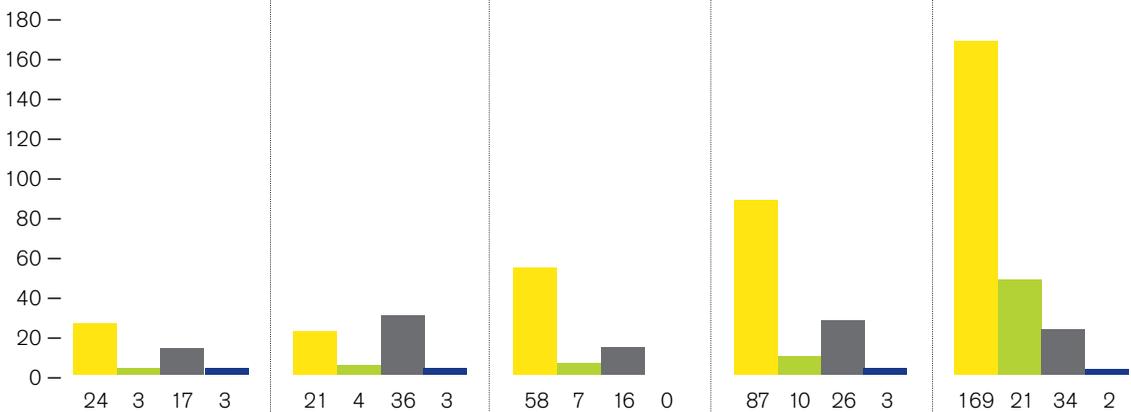
### Hate Crimes Bills



### Parenting Bills



### Schools-Related Bills



2006

2007

2008

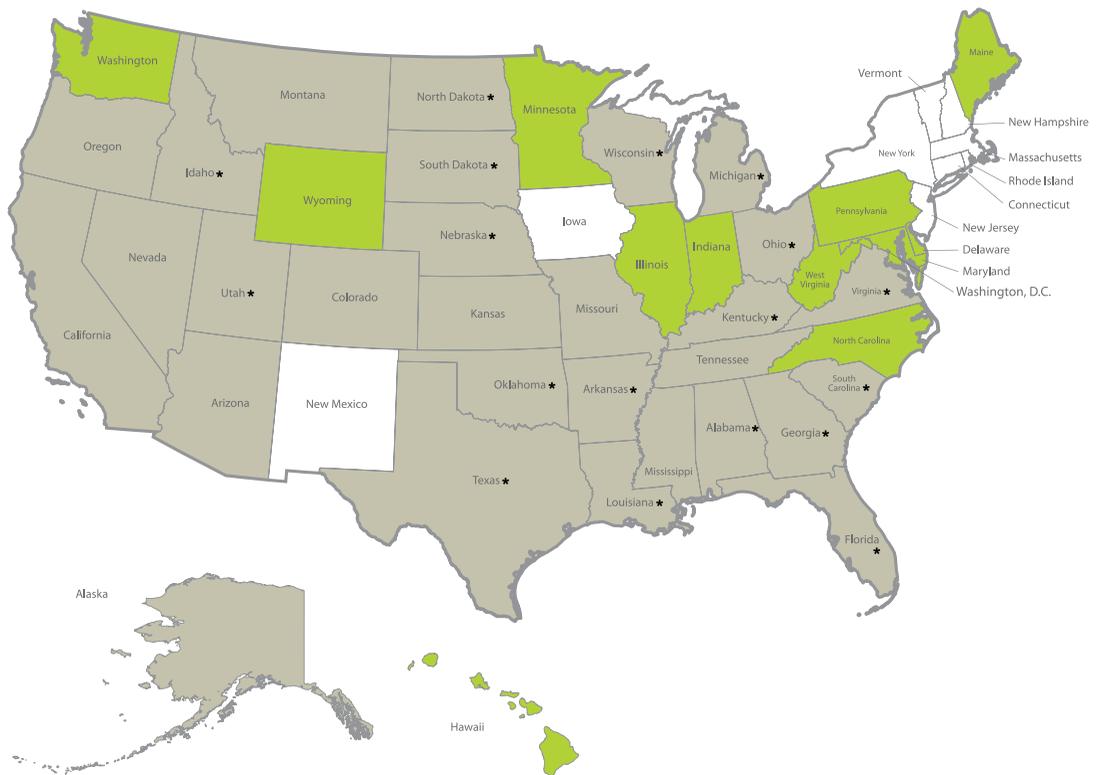
2009

2010

# Current State Legislation Maps



# Statewide Marriage Prohibitions



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

- **States with constitutional amendments restricting marriage to one man and one woman. (29 states)** Alabama (2006), Alaska (1998), Arizona (2008), Arkansas (2004), California (2008), Colorado, Florida (2008), Georgia (2004), Kansas (2005), Idaho (2006), Kentucky (2004), Louisiana (2004), Michigan (2004), Mississippi (2004), Missouri (2004), Montana (2004), Nebraska (2000), Nevada (2002), North Dakota (2004), Ohio (2004), Oklahoma (2004), Oregon (2004), South Carolina (2006), South Dakota (2006), Tennessee (2006), Texas (2005), Utah (2004), Virginia (2006) and Wisconsin (2006)

- **States with laws restricting marriage to one man and one woman. (12 states)**

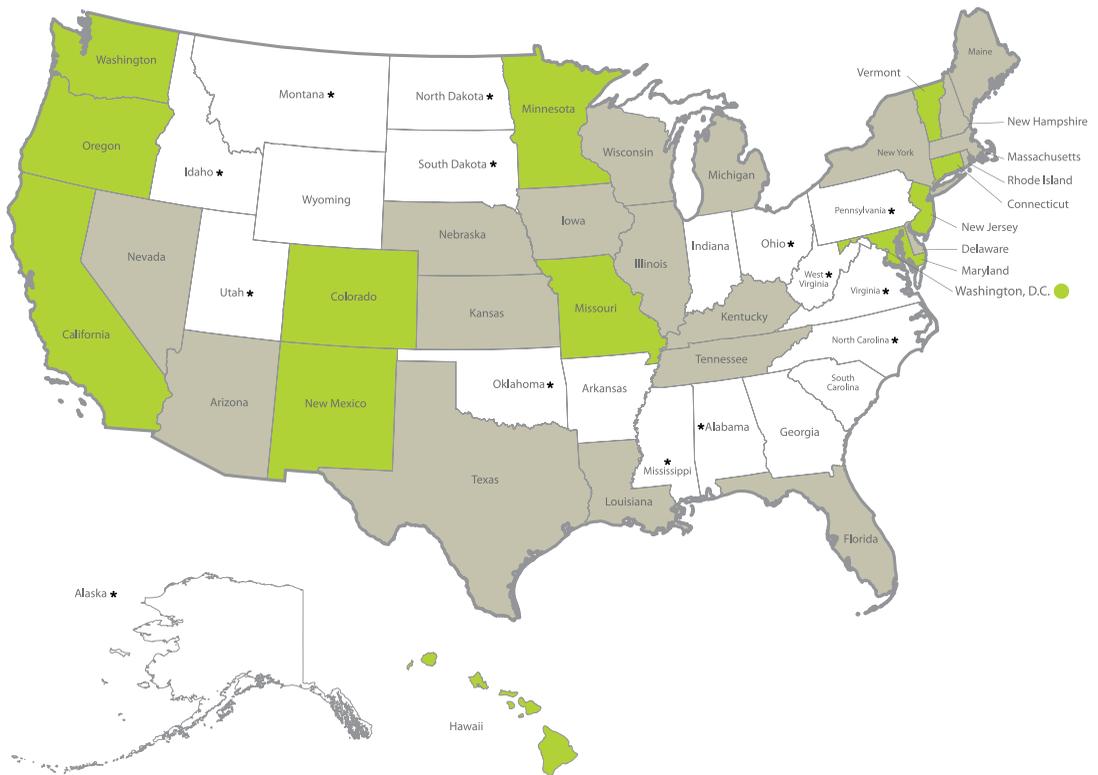
**In addition to those listed above:** Delaware, Hawaii, Illinois, Indiana, Maine, Maryland, Minnesota, North Carolina, Pennsylvania, Washington, West Virginia and Wyoming

**\* Broader Consequences: States where the law or amendment has language that does, or may, affect other legal relationships, such as civil unions or domestic partnerships.**

**(18 states)** Alabama, Arkansas, Florida, Georgia, Kentucky, Idaho, Louisiana, Michigan, Nebraska, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Texas, Utah, Virginia and Wisconsin.



# State Hate Crime Laws



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

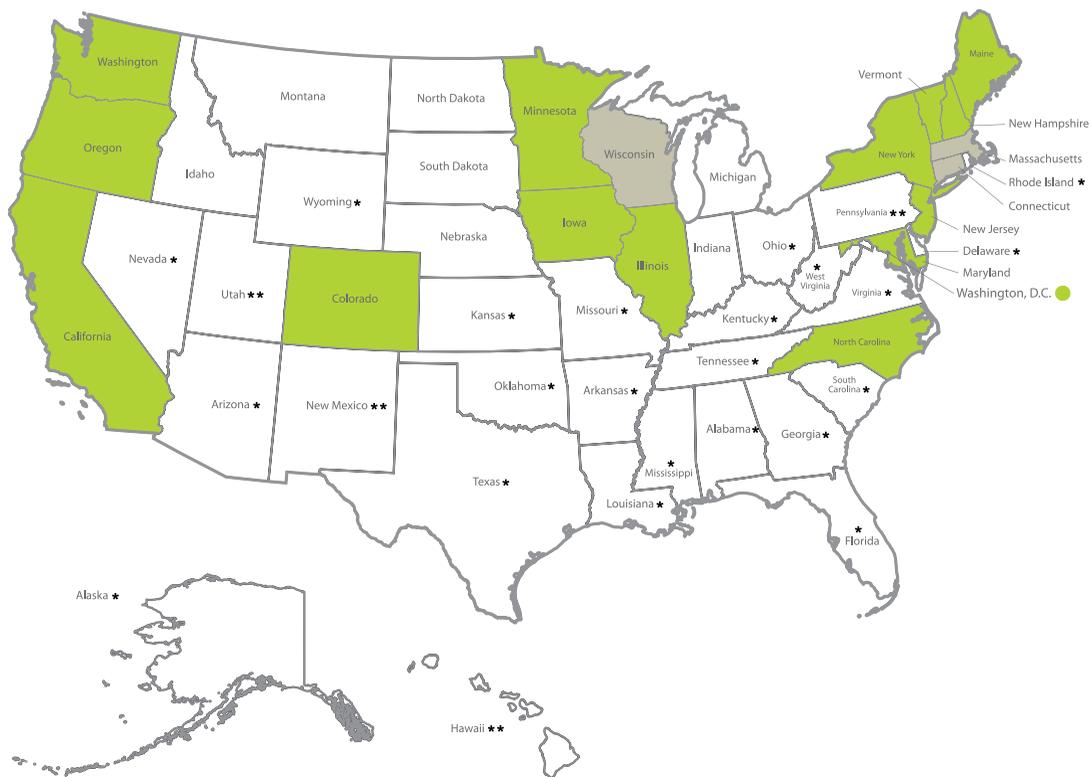
● **States that have a law that addresses hate or bias crimes based on sexual orientation and gender identity (12 states and the District of Columbia)** California (1999), Colorado (2005), Connecticut (2004), District of Columbia (1989), Hawaii (2003), Maryland (2005), Minnesota (1993), Missouri (2001), New Jersey (2002, 2008), New Mexico (2003), Oregon (2001, 2008), Washington (1993, 2009) and Vermont (2001)

● **States that have a law that addresses hate or bias crimes based on sexual orientation (31 states and the District of Columbia)**  
**In addition to the states above:** Arizona (2003), Delaware (2001), Florida (2001), Illinois (2001), Iowa (2002), Kansas (2002), Kentucky (2001), Louisiana (2002), Maine (2001), Massachusetts (2002), Michigan (*data collection only*, 2002), Nebraska (2002), Nevada (2001), New Hampshire (2002), New York (2002), Rhode Island (2001), Tennessee (2001), Texas (2002) and Wisconsin (2002)

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



# Statewide School Laws & Policies



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

- **States with law that addresses discrimination, harassment and/or bullying of students based on sexual orientation and gender identity (14 states and the District of Columbia)** California (2002), Colorado (2008), District of Columbia (2001), Illinois (2010), Iowa (2007), Maine (2005), Maryland (2008), Minnesota (1993), New Hampshire (2010), New Jersey (2002), New York (2010), North Carolina (2009), Vermont (2001,2007), Washington (2002,2009) and Oregon (2007)

- **States with law that addresses discrimination, harassment and/or bullying of students based on sexual orientation (17 states and the District of Columbia) in addition to the states above:** Connecticut (2001), Massachusetts (2002) and Wisconsin (2001)

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

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



# OUT LOOK

for 2011



Results from the 2010 elections have changed the political landscape in surprising and, in many instances, troubling ways. Yet another year of a sour economy drove a wave of conservatives into legislatures across the country, signaling a likely increase in the number of anti-LGBT bills.

These legislative shifts will likely further polarize the states, allowing progressive winners such as California and Maryland to pass bold, positive bills while states like New Hampshire, Pennsylvania and North Carolina will be challenged to hold on to the status quo.

Marriage and relationship recognition may be the theme of 2011. Maryland, New York and Rhode Island are poised to advance marriage equality bills. Hawaii, after electing a progressive governor, will overcome 2010's disappointing veto of civil unions. Delaware will make its first push for civil unions, with a good chance of success on the first try. A case filed by the American Civil Liberties Union will also be percolating through the Montana state court system, which could result in civil unions for same-sex couples in that state.

Unfortunately, there will be a dark side to the theme as well. New Hampshire will have to fight tooth and nail to hang on to marriage equality now that Republicans have a veto-proof majority. Iowa State Sen. Michael Gronstal will come under considerable pressure for his vow to block any attempt to amend the state constitution to limit marriage to opposite-sex couples. States such as Indiana, Pennsylvania and North Carolina are at risk for having their state constitutions amended to enshrine discrimination as well.

Complicating the landscape even further are three federal cases on marriage equality, all of which are likely to receive a ruling from the federal circuit courts during 2011–2012 legislative sessions. *Perry v. Schwarzenegger*, which has been heard by the 9th Circuit Court of Appeals, challenges the constitutionality of California's Proposition 8 and advances the argument that marriage is a fundamental right in which same-sex couples are constitutionally entitled to participate. The 1st Circuit Court of Appeals will decide two cases out of Massachusetts. *Gill v. Office of Personnel Management*, filed by Gay & Lesbian Advocates & Defenders, challenges the Defense

of Marriage Act Section 3, which prohibits the federal government from extending federal benefits to legally married same-sex couples. *Commonwealth of Massachusetts v. Department of Health and Human Services*, brought by the state attorney general, similarly challenges DOMA Section 3. The outcomes in these cases could affect the willingness of state legislatures to advance relationship recognition legislation. Several other cases will be percolating through the federal district courts and through the state courts during 2011 that could impact the marriage equality landscape in subsequent years.

In addition to relationship recognition, several states will make a strong push for bills ending discrimination in employment and public accommodations. After the Mormon Church backed off its opposition to non-discrimination bills, Utah is on the brink of passing a statewide employment non-discrimination act. Maryland, Massachusetts and New York are all in the challenging position of needing to add gender identity to their non-discrimination laws. While their respective bills failed to gain traction in 2010, a fresh start in 2011 may lead to victory.

Parenting bills are likely to bring some of the toughest challenges in 2011—none of them good. Narrowly defeated bills limiting or eradicating the rights of LGBT people to adopt will crop up again in states like Tennessee and Arizona. And after a successful court case, Florida will begin to see movement toward attempts to amend the state constitution to put the adoption ban back in place.

2011 looks to be year of incredible highs and potentially a few lows. We are committed to working with our friends in state advocacy organizations across the country to rise to the challenge and bring real change.

## 2010 State Bills Introduced or Carried Over From 2009

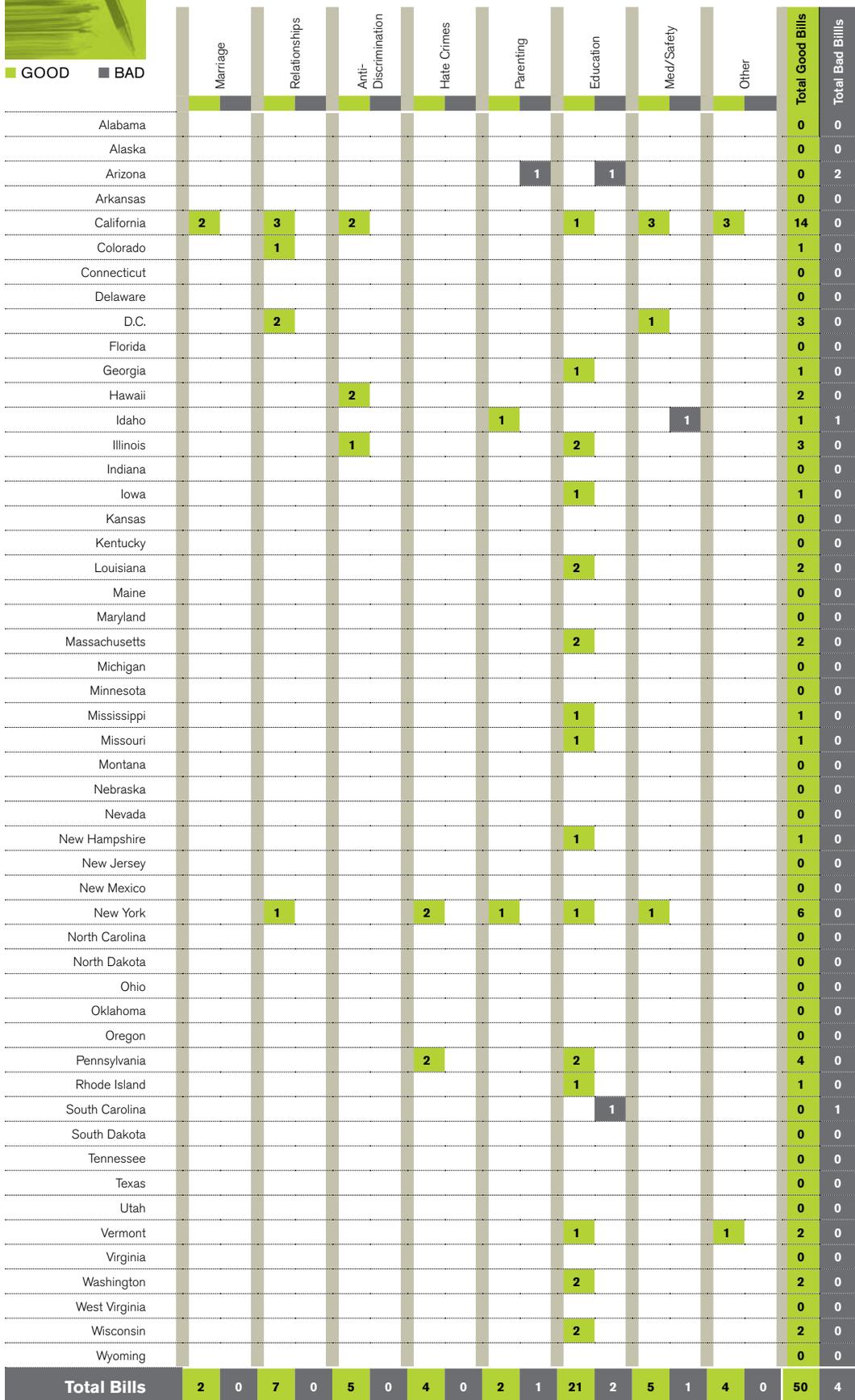
	Marriage		Relationships		Anti-Discrimination		Hate Crimes		Parenting		Education		Med/Safety		Other		Total Good Bills	Total Bad Bills
	GOOD	BAD	GOOD	BAD	GOOD	BAD	GOOD	BAD	GOOD	BAD	GOOD	BAD	GOOD	BAD	GOOD	BAD		
Alabama		1		1			2						1	4			3	6
Alaska																	0	0
Arizona			3	1		1				3	1	1					4	6
Arkansas																	0	0
California	4		5		5						2	1	4		4		24	1
Colorado			1		1							1					2	1
Connecticut																	0	0
Delaware			1														1	0
D.C.			2								2		2				6	0
Florida			2		4		2		2		2						12	0
Georgia							2				6	1	1				9	1
Hawaii	2	3	6		5						11	2		1			24	6
Idaho									2					1			2	1
Illinois	1	2	8		1	1	1		1		3		1				16	3
Indiana		3									1		1				2	3
Iowa	3	5			3				1		6	1	1				14	6
Kansas					2							1					2	1
Kentucky	1		3		2						2	1					8	1
Louisiana									3	1	4					1	7	2
Maine																	0	0
Maryland	3	7			3				3		1		1				11	7
Massachusetts	1				2		2		1		16	5	4				26	5
Michigan					1	1	2		1		14		2				20	1
Minnesota	9	6	9						2		10		6				36	6
Mississippi			1		3					1	7	5					11	6
Missouri		1			4	1					7	2	2				13	4
Montana																	0	0
Nebraska											2						2	0
Nevada																	0	0
New Hampshire		2									2	1			2		2	5
New Jersey		1	2	1	2		3				6	2					13	4
New Mexico	1	3	2														3	3
New York	4		13		18		17		4		24		12				92	0
North Carolina		4			2		1				1						4	4
North Dakota																	0	0
Ohio	1				1						7						9	0
Oklahoma			1			1	5				2					1	8	2
Oregon																	0	0
Pennsylvania	1	1			3		6				6	1					16	2
Rhode Island	2	3	2				2				6	1					12	4
South Carolina			1		3		3					2	1				8	2
South Dakota					1												1	0
Tennessee		1					1		1	2	5	6	4	2			11	11
Texas																	0	0
Utah			3				1	1		1							4	1
Vermont			1						1		3				1		6	0
Virginia	1				3		1				1						6	0
Washington	2	1	2	1	1		1		2		5		2	1			15	3
West Virginia		6			2											2	2	8
Wisconsin			1		1		4				4						10	0
Wyoming					1												1	0
<b>Total Bills</b>	<b>36</b>	<b>50</b>	<b>69</b>	<b>4</b>	<b>74</b>	<b>5</b>	<b>55</b>	<b>1</b>	<b>25</b>	<b>7</b>	<b>169</b>	<b>34</b>	<b>45</b>	<b>9</b>	<b>5</b>	<b>6</b>	<b>478</b>	<b>116</b>

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





## 2010 State Bills Passed



**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 2010



**PASSED**

**ACTIVE**

**DEAD**

## Index

**26 Marriage-Related Bills:** Passed  
**35 Other Relationship-Recognition Bills:** Passed  
**44 Anti-Discrimination Bills:** Passed  
**55 Hate Crimes Bills:** Passed  
**62 Parenting Bills:** Passed  
**67 Schools-Related Bills:** Passed  
**92 Health & Safety Bills:** Passed  
**100 Other Bills:** Passed

**26 Marriage-Related Bills:** Active  
**36 Other Relationship-Recognition Bills:** Active  
**44 Anti-Discrimination Bills:** Active  
**55 Hate Crimes Bills:** Active  
**62 Parenting Bills:** Active  
**71 Schools-Related Bills:** Active  
**93 Health & Safety Bills:** Active

**27 Marriage-Related Bills:** Dead  
**38 Other Relationship-Recognition Bills:** Dead  
**47 Anti-Discrimination Bills:** Dead  
**58 Hate Crimes Bills:** Dead  
**63 Parenting Bills:** Dead  
**78 Schools-Related Bills:** Dead  
**96 Health & Safety Bills:** Dead  
**101 Other Bills:** Dead

## Marriage-Related Bills

### California Assembly Joint Resolution 19

This resolution calls upon Congress and the president to repeal the discriminatory Defense of Marriage Act.

**STATUS:** This bill was introduced on May 18, 2009. It passed the Assembly on Aug. 31, 2009, and the Senate on Aug. 23, 2010. It was enrolled and filed with the secretary of state on Sept. 7, 2010.

### California Assembly Joint Resolution 29

This resolution asks the Internal Revenue Service to issue a new memorandum with respect to the federal income tax treatment of property rights of registered domestic partners and same-sex spouses.

**STATUS:** This bill was introduced on Jan. 21, 2010. It was adopted by the Assembly on April 22, 2010, and by the Senate on June 28, 2010. It was enrolled and filed with the secretary of state on Aug. 23, 2010.

### Illinois House Bill 178

This bill would legalize same-sex marriage.

**STATUS:** This bill was introduced on Jan. 14, 2009, and was referred to the Rules Committee.

### Illinois House Joint Resolution Constitutional Amendment 2

This resolution would propose to amend the Illinois Constitution to read, "To secure and preserve the benefits of marriage for our society and for future generations of children, only a union of one man and one woman shall be valid or recognized as a marriage in this State. This State and its political subdivisions shall not create or recognize a legal status similar to that of marriage."

**STATUS:** This resolution was introduced in the House on Jan. 14, 2010, and was referred to the Rules Committee. It was tabled pursuant to the rules on May 2, 2010.

### Illinois Senate Joint Resolution Constitutional Amendment 95

This resolution would propose to amend the Illinois Constitution to provide that a marriage can only be between one man and one woman. In addition, it would provide that civil unions, domestic partnerships or other similar same-sex relationships shall not be valid or recognized in Illinois.

**STATUS:** This resolution was introduced on Feb. 10, 2010. It was assigned to the Executive Subcommittee on Constitutional Amendments on March 24, 2010.

### Massachusetts House Bill 1708

This bill would guarantee that any person otherwise eligible to marry may marry any other eligible person, regardless of gender.

**STATUS:** This bill was introduced in the House on Jan. 20, 2009, and was referred by the House with Senate concurrence to the Joint Committee on the Judiciary. The House issued a study order on May 19, 2010.

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

This resolution would propose an amendment to the state constitution, reading, "Only the union of one man and one woman shall be valid or recognized as a marriage in the State of New Jersey."

**STATUS:** SCR 11 was introduced on Jan. 10, 2010, and ACR 14 was introduced on Jan. 12, 2010. The resolutions were referred to their respective judiciary committees.

## Marriage-Related Bills

### New York Assembly Bill 7732/Senate Bill 4401

These bills would legalize same-sex marriage.

**STATUS:** AB 7732 was introduced on April 22, 2009. It passed the Assembly on May 12, 2009, then died in the Senate on Jan. 6, 2010. It was returned to the Assembly. SB 4401 was introduced on April 22, 2009, and was referred to the Judiciary Committee. It was re-referred on Jan. 6, 2010.

### New York Assembly Bill 11479

This bill would amend the tax law and the administrative code of the city of New York in relation to allowing recognition of marriages performed outside New York state.

**STATUS:** This bill was introduced on June 16, 2010, and passed the Ways and Means Committee on June 30, 2010, and the Rules Committee on July 1, 2010.

### New York Senate Resolution 5723

This resolution would acknowledge the rights of married same-sex couples to Social Security benefits.

**STATUS:** This resolution was introduced on June 1, 2010, and was referred to the Finance Committee.

### Ohio House Joint Resolution 7

This bill would propose a constitutional amendment to repeal the state's Defense of Marriage Amendment.

**STATUS:** This bill was introduced on Nov. 11, 2009.

## DEAD

### Alabama Senate Resolution 39

This resolution would have requested the U.S. Congress to convene a constitutional convention to propose a Marriage Protection Amendment, reading, "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:** This resolution was introduced and adopted by the Senate on Feb. 2, 2010. It was sent to the House the same day and was referred to the Committee on Rules. It died upon adjournment on April 22, 2010.

### California House Resolution 5

This resolution would have formally opposed Proposition 8 as an improper revision to the California Constitution.

**STATUS:** This resolution was introduced on Dec. 2, 2008, and passed the Committee on Judiciary on Feb. 17, 2009. It was adopted by the Assembly on March 2, 2009. It died upon adjournment on Nov. 30, 2010.

### California Senate Bill 906

This bill would have added "established pursuant to a State of California marriage license issued by the county clerk" to the definition of civil marriage. In addition, the bill would have specified that no priest, minister, rabbi or authorized person of any religious denomination would be required to solemnize a marriage that is contrary to the tenets of his or her faith. The bill would have stated that any refusal to solemnize a marriage under that provision shall not affect the tax-exempt status of any entity.

**STATUS:** This bill was introduced on Jan. 27, 2010, and passed the Senate on May 27, 2010. It passed the Assembly on Aug. 19, 2010, but was vetoed by the governor on Sept. 30, 2010.

## Marriage-Related Bills

### Hawaii House Bill 309

This bill would have recognized lawful same-sex marriages performed in other countries.

**STATUS:** This bill was introduced on Jan. 26, 2009, and was referred to the Judiciary Committee. It died upon adjournment on April 29, 2010.

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### Hawaii House Bill 878

This bill would have repealed language that defines marriage as being limited to a relationship between a man and a woman and instead defines the relationship as being between two persons.

**STATUS:** This bill was introduced on Jan. 28, 2009, and was referred to the Judiciary Committee. It died upon adjournment on April 29, 2010.

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### Hawaii House Bill 1933

This bill would have proposed an amendment to the state constitution, reading, "A valid marriage shall be only between a man and a woman as husband and wife."

**STATUS:** This bill was introduced on Jan. 20, 2010, and was referred to the Judiciary and Finance committees. It died upon adjournment on April 29, 2010.

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### Hawaii Senate Bill 2796/Senate Bill 2886

These bills would have proposed an amendment to the state constitution to repeal the requirement that the Legislature define marriage and "reserve" marriage to opposite-sex couples.

**STATUS:** SB 2796 was introduced on Jan. 25, 2010, and SB 2886 was introduced on Jan. 27, 2010. They were referred to the Committee on Judiciary and Government Operations. Both bills died upon adjournment on April 29, 2010.

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### Indiana House Joint Resolution 5/House Joint Resolution 7

These resolutions would have proposed an amendment to the Indiana Constitution to provide that "only marriage between one man and one woman shall be valid or recognized as a marriage in Indiana." It would also have provided that "a legal status identical or substantially similar to that of marriage for unmarried individuals shall not be valid or recognized."

**STATUS:** HJR 5 was introduced on Jan. 7, 2010, and HJR 7 was introduced on Jan. 13, 2010. The resolutions died upon adjournment on March 13, 2010.

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### Indiana Senate Joint Resolution 13

This resolution would have proposed an amendment to the Indiana Constitution to provide that "only marriage between one man and one woman shall be valid or recognized as a marriage in Indiana." It would also have provided that "a legal status identical or substantially similar to that of marriage for unmarried individuals shall not be valid or recognized."

**STATUS:** This bill was introduced on Jan. 11, 2010. It passed the Senate on Jan. 28, 2010, but died upon adjournment on March 13, 2010.

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### Iowa House Joint Resolution 6

This resolution would have sought to amend the state constitution to define marriage as between a man and a woman, and prohibit the recognition of same-sex marriage.

**STATUS:** This resolution was introduced on March 13, 2009. A motion to invoke rule 60, allowing for a vote, failed on Feb. 9, 2010. The resolution died upon adjournment on March 30, 2010.

## Marriage-Related Bills

### Iowa House Joint Resolution 2001

This resolution would have sought to amend the state constitution to define marriage as between a man and a woman, and prohibit the recognition of same-sex marriage.

**STATUS:** This resolution was introduced Jan. 12, 2010, and was referred to the State Government Committee. It died upon adjournment on March 30, 2010.

### Iowa House Study Bill 705/Senate Study Bill 3200

These bills would have amended the Iowa tax codes to define marital status based on Iowa law rather than on federal law.

**STATUS:** These bills were introduced by the Senate Ways and Means Committee on Feb. 4, 2010, and the House Ways and Means Committee on Feb. 8, 2010. Both bills died upon adjournment on March 30, 2010.

### Iowa Senate Bill 353

This bill would have legalized same-sex marriage. Please note that this bill was introduced before the Iowa Supreme Court issued its ruling in *Varnum v. Brien*.

**STATUS:** This bill was introduced on March 5, 2009. It died upon adjournment on March 30, 2010.

### Iowa Senate Bill 2203

This bill would exempt religious organizations and non-profits run by religious organizations from solemnizing, celebrating or promoting marriages if to do so would cause the organization to violate the sincerely held religious beliefs to which the organization subscribes.

**STATUS:** This bill was introduced on Feb. 8, 2010, and was referred to the Judiciary Committee. It died upon adjournment on March 30, 2010.

### Iowa Senate Joint Resolution 2001

This resolution would have proposed an amendment to the Iowa Constitution specifying marriage between one man and one woman as the only legal union that is valid or recognized in the state.

**STATUS:** This resolution was introduced on Jan. 14, 2010, and was referred to the Rules and Administration Committee. It died upon adjournment on March 30, 2010.

### Iowa Senate Joint Resolution 2004

This resolution would have proposed an amendment to the Iowa Constitution, reading, "Nothing within this Constitution shall preclude or be interpreted to preclude the General Assembly and the Governor of the State from duly enacting and approving legislation to define marriage in any manner that does not violate the Constitution of the United States."

**STATUS:** This resolution was introduced Feb. 10, 2010, and was referred to the Rules and Administration Committee. It died upon adjournment on March 30, 2010.

### Kentucky House Bill 17

This bill would have proposed to amend the Kentucky Constitution to repeal the definition of marriage as between a man and a woman.

**STATUS:** This bill was introduced on Jan. 10, 2010, and was referred to the Elections Committee and the Constitutional Amendments and Intergovernmental Affairs Committee. It died upon adjournment on April 15, 2010.

## Marriage-Related Bills

### Maryland House Bill 90

This bill would have provided that a marriage between two individuals of the same sex that is validly entered into in another state or in a foreign country is not valid in the state of Maryland and declared that marriages between individuals of the same sex are against the public policy of the state.

**STATUS:** This bill was introduced in the Judiciary Committee on Jan. 14, 2010. It received an unfavorable report on Feb. 8, 2010.

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### Maryland House Bill 808

This bill would have established that a marriage between two individuals who are not otherwise prohibited from marrying is valid in Maryland and would have prohibited an official of a religious institution or body authorized to solemnize marriages from being required to solemnize any marriage in violation of the constitutional right to free exercise of religion.

**STATUS:** This bill was introduced in the Judiciary Committee on Feb. 9, 2010. It died upon adjournment on April 12, 2010.

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### Maryland House Bill 1079/Senate Bill 1097

These bills would have proposed an amendment to the Maryland Constitution, reading, "Marriage between one man and one woman shall be the only domestic legal union valid or recognized in this State."

**STATUS:** HB 1079 was introduced on Feb. 17, 2010, and SB 1097 was introduced on March 5, 2010. Both bills were referred to their respective judicial proceedings committees. They died upon adjournment on April 12, 2010.

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### Maryland House Bill 1176

This bill would have proposed an amendment to the Maryland Constitution, reading, "Marriage between consenting adults is valid in this State."

**STATUS:** This bill was introduced in the Judiciary Committee on Feb. 17, 2010. It died upon adjournment on April 12, 2010.

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### Maryland House Bill 1279

This bill would have provided that a marriage between consenting adults is valid in Maryland, contingent on the passage and ratification of a constitutional amendment to remove language limiting marriage to one man and one woman.

**STATUS:** This bill was introduced to the Judiciary Committee on Feb. 18, 2010. It died upon adjournment on April 12, 2010.

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### Maryland House Bill 1532

This bill would have prohibited a unit of state or local government from recognizing same-sex marriages legally performed in other jurisdictions until the issue has been decided by the Court of Appeals or addressed by the General Assembly of Maryland through the enactment of a law.

**STATUS:** This bill was introduced in the Rules and Executive Nominations Committee on March 8, 2010. It was re-referred to the Judiciary Committee on March 15, 2010. It died upon adjournment on April 12, 2010.

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### Maryland Senate Bill 582

This bill would have altered state law to establish that only a marriage between two individuals who are not otherwise prohibited from marrying is valid in the state, thereby prohibiting recognition of out-of-jurisdiction same-sex marriages.

**STATUS:** This bill was introduced in the Judicial Proceedings Committee on Feb. 5, 2010. It died upon adjournment on April 12, 2010.

## Marriage-Related Bills

### Maryland Senate Bill 852

This bill would have provided that a marriage between two individuals of the same sex that is validly entered into in another state or in a foreign country is not valid in the state of Maryland.

**STATUS:** This bill was introduced on Feb. 11, 2010, and was referred to the Judicial Proceedings Committee. It died upon adjournment on April 12, 2010.

### Maryland Senate Bill 1120

This bill would place a moratorium on recognition of out-of-jurisdiction same-sex marriages until the validity of recognition is decided by the Court of Appeals or addressed by the General Assembly of Maryland through the enactment of a law.

**STATUS:** This bill was introduced on March 10, 2010, and referred to the Judicial Proceedings Committee. It died upon adjournment on April 12, 2010.

### Minnesota House Bill 893/House Bill 1644/Senate Bill 120/ Senate Bill 1210/Senate Bill 2145

These bills would have legalized same-sex marriage by providing gender-neutral marriage laws.

**STATUS:** SB 120 was introduced on Jan. 15, 2009, and was referred to the Senate Judiciary Committee. HB 893 was introduced on Feb. 16, 2009, and HB 1644 was introduced on March 12, 2009. Both House bills were referred to the House Civil Justice Committee. SB 1210 was introduced on March 5, 2009, and SB 2145 was introduced on May 14, 2009. Both were referred to the Senate Judiciary Committee. These bills all died upon adjournment on May 16, 2010.

### Minnesota House Bill 1655/Senate Bill 1988

These bills would have provided 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 on March 12, 2009, and was referred to the House Civil Justice Committee. SB 1988 was introduced on March 30, 2009, and was referred to the Senate Judiciary Committee. Both bills died upon adjournment on May 16, 2010.

### Minnesota House Bill 1740/Senate Bill 1732

These bills would have recognized lawful same-sex marriages performed in other states.

**STATUS:** HB 1740 was introduced on March 16, 2009, and was referred to the House Civil Justice Committee. SB 1732 was introduced on March 23, 2009, and was referred to the Senate Judiciary Committee. Both bills died upon adjournment on May 16, 2010.

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

These bills would have proposed to amend the state constitution to read, “A marriage between a man and a woman is the only domestic legal union that shall be valid or recognized in Minnesota.”

**STATUS:** All House bills were introduced on March 18, 2009, and were referred to the House Civil Justice Committee. All Senate bills were introduced on March 30, 2009, and were referred to the Senate Judiciary Committee. These bills all died upon adjournment on May 16, 2010.

## Marriage-Related Bills

### Missouri House Joint Resolution 88

This resolution would have proposed an amendment to the state constitution asserting the state's sovereignty and the sovereignty of its citizens under the Tenth Amendment of the U.S. Constitution. The amendment would have allowed the state to ignore a series of federal actions, including "any federal action mandating the recognition of same-sex marriage, civil unions, or any relationship other than the marriage of one man and one woman."

**STATUS:** This resolution was introduced on Jan. 26, 2010. It passed out of the Real ID and Personal Privacy Committee on March 4, 2010, and the Rules Committee on March 23, 2010. It passed the House on April 8, 2010. It was introduced to the Senate on April 12, 2010, and passed the Judiciary Committee on May 5, 2010. It died upon adjournment on May 25, 2010.

### New Hampshire Constitutional Amendment Concurrent Resolution 28

This resolution would have proposed an amendment to the state constitution, reading, "The State shall only recognize as marriage, whether in name or effect, the union of one man and one woman."

**STATUS:** This bill was introduced on Dec. 10, 2009, and was referred to the Judiciary Committee on Jan. 6, 2010. It died on Feb. 17, 2010, when the House voted the bill "Inexpedient to Legislate."

### New Hampshire House Bill 1590

This bill would have repealed same-sex marriage and re-established civil unions.

**STATUS:** This bill was introduced on Dec. 10, 2009, and was referred to the Judiciary Committee on Jan. 6, 2010. It died on Feb. 17, 2010, when the House voted the bill "Inexpedient to Legislate."

### New Mexico House Bill 121

This bill would have defined marriage as between one man and one woman.

**STATUS:** This bill was introduced on Jan. 20, 2010. It died upon adjournment on Feb. 18, 2010.

### New Mexico Joint Resolution 8

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

**STATUS:** This resolution was introduced on Jan. 20, 2010. It died upon adjournment on Feb. 18, 2010.

### New Mexico Senate Bill 146

This bill would have amended the marriage license and forms to make them gender neutral, eliminating references to husband and wife.

**STATUS:** This bill was introduced on Jan. 21, 2010. It died upon adjournment on Feb. 18, 2010.

### New Mexico Senate Joint Resolution 1

This resolution would have proposed an amendment to the constitution of New Mexico to define a recognized, valid marriage as between one man and one woman

**STATUS:** This resolution was introduced on Jan. 19, 2010. It died upon adjournment on Feb. 18, 2010.

## Marriage-Related Bills

### North Carolina House Bill 361/Senate Bill 272

These bills would have proposed an amendment to the state constitution to define marriage as between a man and a woman, and to prohibit the recognition of same-sex marriage.

**STATUS:** SB 272 was introduced on Feb. 23, 2009, and was referred to the Committee on Ways and Means. HB 361 was introduced on March 9, 2009, and was referred to the Committee on Rules, Calendar and Operations of the House. Both bills died upon adjournment on July 10, 2010.

### North Carolina House Bill 2070/Senate Bill 1156

These bills would have proposed to amend the state constitution to read, "Marriage between a man and a woman is the only domestic legal union that shall be valid or recognized in this State."

**STATUS:** SB 1156 was introduced on May 13, 2010, and was referred to the Committee on Rules and Operations of the Senate. HB 2070 was introduced on May 27, 2010, and was referred to the Committee on Judiciary I. Both bills died upon adjournment on July 10, 2010.

### Pennsylvania Senate Bill 707

This bill would have proposed to amend the state constitution to read, "Only a union of one man and one woman shall be valid and recognized as a marriage in this Commonwealth."

**STATUS:** This bill was introduced on Feb. 8, 2010, and referred to the Judiciary Committee. It died upon adjournment on Nov. 30, 2010.

### Pennsylvania Senate Bill 935

This bill would have amended the marriage code to allow for same-sex marriage.

**STATUS:** This bill was introduced on June 5, 2009, and was referred to the Judiciary Committee. It died upon adjournment on Nov. 30, 2010.

### Rhode Island House Bill 7789/Senate Bill 2589

These bills would have broadened the definition of persons eligible to marry to include "persons of the same gender" and would also have provided that members of the clergy would not be required to officiate at any particular marriage.

**STATUS:** SB 2589 was introduced on Feb. 11, 2010, and was referred to the Senate Judiciary Committee. HB 7789 was introduced on Feb. 25, 2010, and was referred to the House Judiciary Committee. Both bills died upon adjournment on June 11, 2010.

### Rhode Island House Joint Resolution 7288/Senate Joint Resolution 2699

These resolutions would have proposed an amendment to the state constitution, reading, "Marriage shall be recognized and defined in Rhode Island as a lawful union between one man and one woman."

**STATUS:** HJR 7288 was introduced on Jan. 28, 2010, and was referred to the House Judiciary Committee. SJR 2699 was introduced on March 18, 2010, and was referred to the Senate Constitutional and Regulatory Issues Committee. They died upon adjournment on June 11, 2010.

### Rhode Island Senate Bill 2305

This bill would have prohibited same-sex marriages in the state and would have prohibited the state from recognizing out-of-jurisdiction same-sex marriages.

**STATUS:** This bill was introduced on Feb. 11, 2010, and was referred to the Judiciary Committee. It died upon adjournment on June 11, 2010.

## Marriage-Related Bills

### Tennessee House Joint Resolution 477

This resolution would have urged Congress to intervene and reject a measure passed by the City Council of the District of Columbia recognizing lawful same-sex marriages.

**STATUS:** This resolution was introduced on May 11, 2009, and was referred to the Children and Family Affairs Committee. It died upon adjournment on June 10, 2010.

### Virginia House Joint Resolution 55

This resolution would have proposed the repeal of the constitutional amendment that “defined marriage as only a union between one man and one woman, [and] prohibited the Commonwealth and its political subdivisions from creating or recognizing a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance or effects of marriage.”

**STATUS:** This resolution was introduced on Jan. 11, 2010, and was referred to the Committee on Privileges and Elections. It died upon adjournment on March 14, 2010.

### Washington House Bill 1745/Senate Bill 5674

These bills would have legalized same-sex marriage.

**STATUS:** Both bills were introduced on Jan. 28, 2009; reintroduced on Jan. 11, 2010; then again on March 15, 2010. They died upon adjournment on April 12, 2010.

### Washington House Joint Resolution 4204

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 marriages.

**STATUS:** This bill was introduced on Jan. 30, 2009; reintroduced on Jan. 11, 2010; and then again on March 15, 2010. It died upon adjournment on April 12, 2010.

### West Virginia House Joint Resolution 5/House Joint Resolution 111/Senate Joint Resolution 3/Senate Joint Resolution 5

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

**STATUS:** HJR 5, SJR 3 and SJR 5 were introduced on Jan. 13, 2010, and HJR 111 was introduced on Feb. 22, 2010. Both House resolutions were referred to the Constitutional Revision Committee. Both Senate resolutions were referred to the Judiciary Committee. They died upon adjournment on March 20, 2010.

### West Virginia House Joint Resolution 24

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

**STATUS:** This resolution was introduced on Jan. 13, 2010, and was referred to the Constitutional Revision Committee. It died upon adjournment on March 20, 2010.

### West Virginia Senate Joint Resolution 14

This resolution would have proposed an amendment to the state constitution, reading, “Only a union between one man and one woman is valid or recognized as marriage in West Virginia.”

**STATUS:** This resolution was introduced on Feb. 22, 2010, and was referred to the Judiciary Committee. It died upon adjournment on March 20, 2010.

## Other Relationship-Recognition Bills

### California Assembly Bill 2055

This bill specifies that, for purposes of those provisions governing eligibility for benefits, “domestic partner” also includes a person to whom domestic partnership is imminent.

**STATUS:** This bill was introduced on Feb. 18, 2010, and passed the Assembly on June 2, 2010. It passed the Senate on Aug. 23, 2010, and was signed by the governor on Sept. 30, 2010.

### California Assembly Bill 2700

This bill authorizes parties to a registered domestic partnership who are also married to one another to petition the court to dissolve both their domestic partnership status and their marriage status in a single proceeding.

**STATUS:** This bill was introduced on Feb. 18, 2010, and was passed by the Assembly on May 6, 2010. It passed the Senate on Aug. 19, 2010, and was signed by the governor on Sept. 25, 2010.

### California Assembly Joint Resolution 15

This resolution urges the Congress of the United States to include the Reuniting Families Act and the Uniting American Families Act in comprehensive immigration reform or to pass, and President Obama to sign, the Uniting American Families Act as standalone legislation and support the removal of legal barriers to immigration by same-sex partners.

**STATUS:** This resolution was introduced on April 20, 2009. It passed the full Assembly on Sept. 8, 2009. It passed the Senate Judiciary Committee on June 14, 2010, and the full Senate on June 28, 2010. It was enrolled with the secretary of state on July 7, 2010.

### Colorado Senate Bill 199

The bill adds new statutory language concerning the rights of a designated beneficiary to receive all or part of an intestate estate.

**STATUS:** This bill was introduced in the Senate on April 23, 2010, and passed on April 30, 2010. It was introduced in the House on May 3, 2010, and passed that chamber on May 7, 2010. The Senate concurred on the House amendments on May 11, 2010. The governor signed the bill into law on June 7, 2010.

### District of Columbia Resolution 694

This resolution approves the proposed rules to list the jurisdictions with legally recognized relationships certified as substantially similar to domestic partnerships in the District of Columbia and that shall be recognized as domestic partnerships in the District of Columbia.

**STATUS:** This resolution was introduced on Jan 20, 2010. It was passed by the council and signed by the mayor on March 2, 2010.

### District of Columbia Resolution 897

This resolution declares the sense of the Council in support of the Uniting American Families Act or other law that will end discrimination for bi-national same-sex partners under the immigration laws and allow gay and lesbian residents of the District of Columbia fair and equal access to immigration benefits.

**STATUS:** This resolution was introduced on May 20, 2010. It was adopted by the council and signed by the mayor on June 1, 2010.

## Other Relationship-Recognition Bills

### New York Assembly Bill 2563

This bill requires 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:** This bill was introduced on Jan 20, 2009. It passed the Assembly on May 6, 2009, and died in the Senate on Jan. 6, 2010, then was returned to the Assembly where it passed a second time on June 7, 2010. It passed the Senate on June 28, 2010, and was signed by the governor on Aug. 18, 2010.

## ACTIVE

### Illinois House Bill 2234

This bill would legalize civil unions for both same-sex and opposite-sex couples.

**STATUS:** This bill was introduced on Feb. 4, 2009, and was referred to the Committee on Rules. On Feb. 23, 2009, it was referred to the Committee on Youth and Family, then re-referred to the Committee on Rules on May 31, 2009.

### Illinois House Bill 4857/House Bill 4870/Senate Bill 245

These bills would amend the Chicago Teacher Article of the Illinois Pension Code to allow a designated domestic partner to qualify as a surviving spouse for purposes of survivor and death benefits.

**STATUS:** Both House bills were introduced on Jan. 15, 2010, and were referred to the Rules Committee. HB 4857 was then assigned to the Personnel and Pension Committee on Jan. 27, 2010, and HB 4870 was assigned to the Youth and Family Committee. Both House bills were re-referred to the Rules Committee on March 15, 2010. SB 245 was introduced on Feb. 4, 2009, and was referred to the Assignments Committee. It was then assigned to the Pensions and Investments Committee on Feb. 10, 2009. It was re-referred to the Assignments Committee on March 13, 2009.

### Illinois House Bill 5425

This bill would require employers who employ six or more people to allow an employee to take unpaid leave to attend a criminal proceeding if the employee was a victim of certain crimes or is in the immediate family of the victim of such crimes. Family would be defined to include domestic partners.

**STATUS:** This bill was introduced on Feb. 5, 2010, and was referred to the Rules Committee.

### Illinois Senate Bill 1716

This bill would establish civil unions to which parties entered into them are entitled to the same legal obligations, responsibilities, protections and benefits afforded or recognized by the law of Illinois to spouses.

**STATUS:** This bill was introduced on Feb. 19, 2009, as alternate legislation, but it was subsequently amended to establish civil unions. It was passed by the House on Nov. 30, 2010, and by the Senate on Dec. 1, 2010. It awaits the governor's signature.

### Illinois Senate Bill 2468

This bill would provide both eligible same-sex and opposite-sex couples the opportunity to obtain the same benefits, protections and responsibilities afforded by the laws of Illinois to parties to a civil marriage.

**STATUS:** This bill was introduced on Oct. 14, 2009. It was re-referred to the Assignments Committee on March 19, 2010.

## Other Relationship-Recognition Bills

### Illinois Senate Bill 2822

This bill would amend the Illinois Pension Code to allow a designated domestic partner to qualify as a surviving spouse for purposes of survivor and death benefits.

**STATUS:** This bill was introduced on Jan. 28, 2010. It was re-referred to assignments on March 19, 2010.

### New Jersey Assembly Bill 142

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

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

### New Jersey Assembly Bill 1314

This bill would change the definitions of widow, widower and spouse in the Police and Firemen's Retirement System so that those definitions include the domestic partners of all members. Domestic partners of members would then be eligible for any system benefits designated for a widow, widower or spouse.

**STATUS:** This bill was introduced on Jan. 12, 2010, and referred to the State Government Committee.

### New Jersey Senate Bill 1728

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

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

### New York Assembly Bill 2128/Senate Bill 5196

These bills would amend disability benefits law to include domestic partners in certain provisions.

**STATUS:** AB 2128 was introduced on Jan. 15, 2009, and SB 5196 was introduced on April 27, 2009. They were referred to their respective labor committees. They were re-referred on Jan. 6, 2010.

### 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 was referred to the Banks Committee. It was re-referred on Jan. 6, 2010.

### 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. It was passed by the Assembly on April 27, 2009, and then died in the Senate on Jan. 6, 2010. It was returned to the Assembly and passed a second time on April 21, 2010. It was returned to the Senate, where it was referred to the Committee on Finance. SB 1422 was introduced on Jan. 30, 2009, and passed the Crime Victims, Crime and Correction Committee on Feb. 23, 2009. It was re-referred on Jan. 6, 2010, and passed again on Feb. 1, 2010. It then passed the Codes Committee on March 23, 2010, and the Finance Committee on June 15, 2010, whereupon it was referred to the Rules Committee.

## Other Relationship-Recognition Bills

### 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, and was referred to the Governmental Employees Committee. It was re-referred on Jan. 6, 2010.

### New York Assembly Bill 8344/Senate Bill 614

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

**STATUS:** AB 8344 was introduced on May 15, 2009, and was referred to the Governmental Employees Committee. SB 614 was introduced on Jan. 9, 2009, and was referred to the Civil Service and Pension Committee. Both bills were re-referred on Jan. 6, 2010.

### New York Assembly Bill 8742/Senate Bill 4074/Senate Bill 5791

These bills would provide workers' compensation benefits for adoption and family leave, including leave to care for a domestic partner.

**STATUS:** SB 4074 was introduced on April 4, 2009, and was referred to the Labor Committee. AB 8742 was introduced on June 5, 2009, and was referred to the Labor Committee. SB 5791 was introduced on June 5, 2009, and was referred to the Rules Committee. They were re-referred on Jan. 6, 2010.

### New York Assembly Bill 9080

This bill would provide certain benefits and rights to domestic partners of members of the New York City employees' retirement system, New York City Police pension fund, the New York City Fire Department pension fund, the New York City teachers' retirement system and the New York City Board of Education's retirement system.

**STATUS:** This bill was introduced on July 27, 2009, and was referred to the Committee on Governmental Employees. It was re-referred on Jan. 6, 2010, and then amended and recommitted to the Committee on Governmental Employees on April 2, 2010.

### New York Assembly Bill 10861

This bill would include domestic partners in the ownership criteria for households to receive the enhanced STAR exemption.

**STATUS:** This bill was introduced on April 27, 2010, and was referred to the Committee on Real Property Taxation.

## DEAD

### Alabama Senate Bill 247

This bill would have prohibited a publicly funded educational institution from offering same-sex partner benefits. Violators would have been subject to a forfeiture of state funds.

**STATUS:** This bill was introduced on Jan. 15, 2010, and referred to the Committee on Finance and Taxation Education. It died upon adjournment on April 22, 2010.

### Arizona House Bill 2319

This bill would have created a family leave insurance program and would have included domestic partners.

**STATUS:** This bill was introduced on Jan. 19, 2010, and was assigned to the Commerce, Appropriations and Rules committees. It died upon adjournment on April 29, 2010.

## Other Relationship-Recognition Bills

### Arizona House Bill 2353

This bill would have established domestic partnerships for same-sex and opposite-sex couples. Benefits would have been related to hospital visitation, emergency medical decision making, inheritance and burial arrangements.

**STATUS:** This bill was introduced on Jan. 19, 2010, and was assigned to the Health and Human Services and Rules committees. It died upon adjournment on April 29, 2010.

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### Arizona House Bill 2741

This bill would have required employers to provide a minimum level of paid sick and safe time for employees, including time for family care. Family would have been defined to include domestic partners and the children of domestic partners.

**STATUS:** This bill was introduced on Feb. 10, 2010, and was assigned to the Commerce and Rules committees. It died upon adjournment on April 29, 2010.

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### Arizona House Bill 2782

This bill would have amended the statutes on health and accident insurances for state employees to explicitly exclude the children of a domestic partner from coverage.

**STATUS:** This bill was introduced on Feb. 10, 2010, and was assigned to the Health and Human Services, Appropriations and Rules committees. It died upon adjournment on April 29, 2010.

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### California Assembly Bill 984

This bill would have, in part, created an additional exception to specific crime-reporting requirements for domestic partners, mirroring the exception for spouses.

**STATUS:** This bill was introduced on March 2, 2009, and passed the Assembly on Jan 27, 2010. It failed to pass out of the Senate Committee on Public Safety on June 29, 2010. It died pursuant to Senate rules on Aug. 5, 2010.

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### California Assembly Joint Resolution 18

This resolution would have supported federal legislative efforts to reduce or eliminate discrimination against same-sex couples in Social Security benefits.

**STATUS:** This bill was introduced on May 18, 2009. It was re-referred to the Committee on Banking and Finance on April 22, 2010, then was re-referred to the Committee on Judiciary on June 10, 2010. It died upon adjournment on Nov. 30, 2010.

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### Delaware House Bill 10

This bill would have entitled the same-sex partner of a state of Delaware employee or pensioner to access the same health insurance, pension and other employee benefits that are provided to spouses of state employees and pensioners.

Same-sex partners who chose to enroll would have been required to pay the difference between the employee plan and the family plan.

**STATUS:** This bill was substituted for a related bill on June 1, 2010. It passed out of the House Appropriations Committee on June 2, 2010. It died upon adjournment on July 1, 2010.

## Other Relationship-Recognition Bills

### Florida House Bill 477/Senate Bill 232

These bills would have established a domestic partnership registry entitling domestic partners to all of the state-based rights and obligations that accompany marriage.

**STATUS:** These bills were introduced in the House and Senate on March 2, 2010, and were referred to the House Civil Justice and Courts Policy Committee and Senate Health Regulation Committee. They died upon adjournment on April 30, 2010.

### Hawaii House Bill 444/Senate Bill 458

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

**STATUS:** This bill was introduced in the Senate on Jan. 23, 2009, and in the House on Jan. 26, 2009. It passed the House on Feb. 12, 2009. The Senate amended the bill and on May 11, 2009, carried the bill over to the 2010 session. The amended version passed the Senate on Jan. 22, 2010. Upon being returned to the House, the House postponed a vote on the bill indefinitely on Jan. 29, 2010. The House unexpectedly took up the bill and passed it on April 29, 2010. It was vetoed by the governor on July 6, 2010.

### Hawaii House Bill 1934

This bill would have extended benefits under the Hawaii employer-union benefit trust fund to reciprocal beneficiaries and allowed reciprocal beneficiaries to jointly file state income tax returns. It would also have allowed reciprocal beneficiaries to live in the same community care foster family home. The bill would legislatively define marriage as between one man and one woman.

**STATUS:** This bill was introduced on Jan. 20, 2010, and was referred to the Judiciary and Finance committees. It died upon adjournment on April 29, 2010.

### Hawaii House Bill 2268

This bill would have extended the same benefits, protections and responsibilities of spouses in a marriage to reciprocal beneficiaries.

**STATUS:** This bill was introduced on Jan. 22, 2010, and was referred to the Judiciary Committee. It died upon adjournment on April 29, 2010.

### Hawaii Senate Bill 2505

This bill would have extended benefits under the Hawaii employer-union benefit trust fund to reciprocal beneficiaries and allowed reciprocal beneficiaries to jointly file state income tax returns.

**STATUS:** This bill was introduced on Jan. 20, 2010, and was referred to the committees on Labor, Judiciary, and Ways and Means on Jan. 25, 2010. It died upon adjournment on April 29, 2010.

### Hawaii Senate Bill 2851

This bill would have extended benefits under the Hawaii employer-union benefit trust fund to reciprocal beneficiaries, allowed reciprocal beneficiaries to jointly file state income tax returns and provided for termination of reciprocal beneficiary relationships through the judicial system.

**STATUS:** This bill was introduced on Jan. 27, 2010, and was referred to the Committee on Judiciary and Government Operations. It died upon adjournment on April 29, 2010.

## Other Relationship-Recognition Bills

### **Kentucky House Bill 25/House Bill 30/Senate Bill 109**

These bills would have amended state codes to include dating partners among the class of persons allowed to obtain domestic violence protective orders.

**STATUS:** The House bills were introduced on Jan. 5, 2010, and the Senate bill was introduced on Jan. 26, 2010. All were referred to their respective judiciary committees. They died upon adjournment on April 15, 2010.

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### **Minnesota House Bill 999**

This bill would have provided for civil unions and substituted civil union contracts for marriage for purposes of Minnesota law.

**STATUS:** This bill was introduced on Feb. 19, 2009, and was referred to the Civil Justice Committee. It died upon adjournment on May 16, 2010.

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### **Minnesota House Bill 1494/Senate Bill 1321**

These bills would have allowed domestic partners to pursue wrongful death claims.

**STATUS:** Both bills were introduced on March 9, 2009, in their respective chambers. SB 1321 was referred to the Senate Judiciary Committee. HB 1494 passed the Civil Justice Committee on March 30, 2009. Both bills died upon adjournment on May 16, 2010.

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### **Minnesota House Bill 3133/Senate Bill 2764**

These bills would have defined domestic partners and required employers to pay out wages due to a deceased employee to his or her domestic partner.

**STATUS:** These bills were introduced on Feb. 22, 2010, in their respective chambers. HB 3133 passed the Higher Education and Workforce Development Finance and Policy Committee on March 15, 2010. SB 2764 passed the Business, Industry and Jobs Committee on March 17, 2010. Both bills died upon adjournment on May 16, 2010.

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### **Minnesota House Bill 3134/Senate Bill 2765**

These bills would have established probate and intestate rights for domestic partners.

**STATUS:** Both bills were introduced on Feb. 22, 2010, in their respective chambers. SB 2765 was referred to the Senate Judiciary Committee. HB 3134 passed out of the House Civil Justice Committee on March 11, 2010. Both bills died upon adjournment on May 16, 2010.

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### **Minnesota House Bill 3135/Senate Bill 2160**

These bills would have amended the state judicial proceedings statutes to provide for wrongful death actions by domestic partners, and established a witness privilege and crime victim rights for domestic partners.

**STATUS:** Both bills were introduced on Feb. 22, 2010, in their respective chambers. SB 2160 was referred to the Senate Judiciary Committee. HB 3135 passed the Civil Justice Committee on March 11, 2010. Both bills died upon adjournment on May 16, 2010.

## Other Relationship-Recognition Bills

### Minnesota Senate Bill 342

This bill would have allowed domestic partners to make funeral arrangements and to pursue wrongful death claims.

**STATUS:** This bill was introduced in the Senate on Jan. 29, 2009. It was passed by the Senate and sent to the House on May 4, 2009. It was passed by the House on May 11, 2010. The Senate voted to accept the House amendments on May 12, 2010. The governor vetoed the bill on May 15, 2010.

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### Mississippi House Bill 1398

This bill would have amended the worker's compensation act to amend the term "surviving spouse" to include "one not a legal wife or husband but who had cohabitated with the decedent at least one year prior to death and who, on the date of the decedent's death, depended upon the decedent for support, provided there was no living legal spouse."

**STATUS:** This bill was introduced on Jan. 18, 2010. It died in committee on Feb. 2, 2010.

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### New Mexico House Joint Memorial 33

This memorial would have requested that the New Mexico Legislative Council appoint a committee to study the financial effects of implementing a domestic partnership law.

**STATUS:** This memorial was introduced on Jan. 26, 2010. It died upon adjournment on Feb. 18, 2010.

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### New Mexico Senate Bill 183

This bill would have established domestic partnerships but exempted religious organizations from having to recognize them.

**STATUS:** This bill was introduced on Jan. 21, 2010, and passed out of the Judiciary Committee on Feb. 2, 2010. It died upon adjournment on Feb. 18, 2010.

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### New York Senate Bill 6177

This bill would have required 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:** This bill was introduced on Sept. 18, 2009, and referred to the Rules Committee. It was substituted by Assembly Bill 2563 on June 8, 2010.

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### Oklahoma House Bill 2339

This bill would have provided insurance coverage to the same-sex and opposite-sex domestic partners of state employees.

**STATUS:** This bill was introduced on Feb. 1, 2010, and was referred to the Rules Committee. It died upon adjournment on May 28, 2010.

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### Rhode Island House Bill 7629

This bill would have amended the definition of qualifying domestic partner to conform to that in the statute governing state police retirement.

**STATUS:** This bill was introduced on Jan. 25, 2010, and referred to the Judiciary Committee. It died upon adjournment on June 11, 2010.

## Other Relationship-Recognition Bills

### Rhode Island Senate Bill 2306

This bill would have established “reciprocal beneficiaries” agreements with limited enumerated rights, such as medical care and decision making, hospital visitation, disposition of remains and joint ownership of property.

**STATUS:** This bill was introduced on Feb. 11, 2010, and referred to the Judiciary Committee. It died upon adjournment on June 11, 2010.

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### South Carolina Senate Bill 42

This bill would have created civil unions with the same benefits, protections, rights and responsibilities of civil marriage.

**STATUS:** This bill was introduced on Jan. 13, 2009, and was referred to the Judiciary Committee. It died upon adjournment on Oct. 30, 2010.

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### Washington House Bill 1727

This bill would have established 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. Note that a similar bill was passed in 2009.

**STATUS:** This bill was introduced on Jan 28, 2009, and passed the Committee on Ways and Means on Feb. 27, 2009. It was reintroduced on Jan. 11, 2010, then again on March 15, 2010. It died upon adjournment on April 12, 2010.

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### Washington House Bill 1980

This bill would have repealed all provisions legalizing domestic partnerships and would have nullified all domestic partnerships entered into before the effective date of the bill.

**STATUS:** This bill was introduced on Feb. 4, 2009; reintroduced on Jan. 11, 2010; and then again on March 15, 2010. It died upon adjournment on April 12, 2010.

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### Washington House Bill 2482

This bill would have recognized legal unions of two persons of the same sex from other states as state-registered domestic partnerships.

**STATUS:** This bill was introduced on Jan. 11, 2010, and passed the Committee on the Judiciary on Jan. 14, 2010. The bill was reintroduced on March 15, 2010, but died upon adjournment on April 12, 2010.

## Anti-Discrimination Bills

### California Senate Judiciary 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. It was passed by the Senate on Aug. 24, 2009, and the Assembly on May 13, 2010. The Senate concurred with the Assembly amendments on May 27, 2010. It was enrolled by the secretary of state on June 2, 2010.

### Hawaii House Resolution 233

This resolution urges the Department of Human Services and all agencies with Department of Human Services contracts to uphold its non-discriminatory policy for LGBT persons.

**STATUS:** This resolution was introduced on March 10, 2010. It passed out of committee on March 22, 2010, and was adopted by the House on April 9, 2010.

### Hawaii Senate Resolution 36

This resolution expresses support for repeal of the "Don't Ask, Don't Tell" law of the U. S. Armed Services.

**STATUS:** This resolution was introduced on Feb. 12, 2010. It passed out of committee on March 9, 2010, and was adopted by the Senate on March 15, 2010.

### Illinois House Bill 1188

This bill prohibits cemeteries from denying burial space to any person because of race, creed, marital status, sex, national origin, sexual orientation or color, though religious institution cemeteries may limit burials to members of the religious institution and their families.

**STATUS:** This bill was introduced on Feb. 11, 2009. It passed the House on April 1, 2009, and the Senate, with amendments, on Jan. 12, 2010. A reconciled version passed both chambers on Jan. 13, 2010, and was signed by the governor on Jan. 15, 2010.

## ACTIVE

### Illinois Senate Bill 3447

This bill would amend the Illinois Human Rights Act to exempt a religious organization or any non-profit institution operated, supervised or controlled by, or in conjunction with, a religious organization with respect to employment qualifications based on religion or sexual orientation.

**STATUS:** This bill was introduced on Feb. 10, 2010. It was referred to the Judiciary Committee on Feb. 24, 2010. It was postponed in the Judiciary on March 3, 2010.

### 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, and was referred to the Joint Committee on Veterans and Federal Affairs.

### 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, and was referred to the Joint Committee on Labor and Workforce Development. The House issued a study order on Aug. 19, 2010.

## Anti-Discrimination Bills

### Michigan House Bill 4192

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 the Committee on Judiciary on Nov. 4, 2009.

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### Michigan House Resolution 115

This resolution urges 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 gay client to another counselor because she found his behavior morally unacceptable, as a possible instance of religious discrimination.

**STATUS:** This resolution was introduced on June 23, 2009, and was referred to the Committee on Judiciary.

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

These resolutions would urge the president and U.S. Congress to repeal "the law effectively barring gay, lesbian, and bisexual individuals from serving in the U.S. Armed Forces."

**STATUS:** SR 36 was introduced on Feb. 8, 2010, and AR 55 was introduced on Feb. 11, 2010. The resolutions were referred to their respective military and veterans' affairs committees.

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### New York Assembly Bill 2371/Assembly Bill 5362/ Senate Bill 1933

These bills 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:** AB 2371 was introduced on Jan. 15, 2009, and AB 5362 was introduced on Feb. 13, 2009. Both bills were referred to the Judiciary Committee. They were re-referred to the Judiciary Committee on Jan. 6, 2010. SB 1933 was introduced on Feb. 10, 2009, and referred to the Judiciary Committee. It passed the Judiciary Committee on April 8, 2010.

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### New York Assembly Bill 3472/Senate Bill 5996

This bill would amend the social services law and the executive law in relation to residential programs for children. It would prohibit discrimination, with enumerated categories, including sexual orientation and gender identity. In addition, it would explicitly allow youths to express their gender identity through appropriate undergarments and hairstyles.

**STATUS:** AB 3472 was introduced on Jan. 27, 2009, and was referred to the Committee on Children and Families. It was subsequently referred to the Committee on Ways and Means. Then it was re-referred to the Committee on Children and Families on Jan. 6, 2010. SB 5996 was introduced on June 19, 2009, and was referred to the Rules Committee. It was subsequently referred to the Committee on Children and Families, where it passed on March 9, 2010. It then passed the Codes Committee on June 8, 2010.

## Anti-Discrimination Bills

### **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. It passed the Assembly on May 4, 2009, and then died in the Senate on Jan. 6, 2010. It was returned to the Assembly, where it passed a second time on Feb. 23, 2010. The Senate referred the bill to the Children and Families Committee.

### **New York Assembly Bill 5416/Assembly Bill 6141**

These bills would prohibit assisted living residences that receive medical assistance payments from discriminating on the basis of sexual orientation.

**STATUS:** AB 5416 was introduced on Feb. 13, 2009, and AB 6141 was introduced on Feb. 26, 2009. Both bills were referred to the Social Services Committee. They were re-referred on Jan. 6, 2010.

### **New York Assembly Bill 5710**

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

**STATUS:** This bill was introduced on Feb. 19, 2009. It passed the Assembly on April 21, 2009, then died in the Senate on Jan. 6, 2010. It was returned to the Assembly, where it passed again on March 2, 2010. The Senate referred the bill to the Investigations and Government Operations Committee.

### **New York Assembly Bill 6290/Senate Bill 2870**

These bills 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 on Feb. 27, 2009, and was referred to the Ways and Means Committee. SB 2870 was introduced on March 5, 2009, and was referred to the Investigations and Government Operations Committee. They were re-referred on Jan. 6, 2010.

### **New York Assembly Bill 7020/Senate Bill 3932**

These bills would prohibit any professional sporting competition or event to be 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 was referred to the Tourism, Arts and Sports Development Committee. SB 3932 was introduced on April 6, 2009, and was referred to the Codes Committee. They were re-referred on Jan. 6, 2010.

### **New York Assembly Bill 9044**

This bill would provide for the following instruction to be given to jurors: "Do not let bias, sympathy, prejudice or public opinion influence your decision. Bias includes bias against the victim or victims or witness or witnesses, based upon his or her race, color, national origin, ancestry, gender, religion, religious practice, age, disability, gender identity or gender expression, or sexual orientation."

**STATUS:** This bill was introduced on June 22, 2009, and was referred to the Committee on Codes. It was re-referred on Jan. 6, 2010, and held for consideration on May 11, 2010.

## Anti-Discrimination Bills

### 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, and was referred to the Investigations and Government Operations Committee. It was re-referred on Jan. 6, 2010.

### 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, and referred to the Committee on Investigations and Government Operations. It passed the Committee on May 25, 2010.

### New York Senate Bill 4407

This bill institutes 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:** This bill was introduced on April 22, 2009. It passed the Environmental Conservation Committee on May 5, 2009. It passed the Senate on Feb. 22, 2010, and was delivered to the Assembly.

### 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 the State Government House Committee on June 18, 2009. An amended version passed the House on Sept. 15, 2009, and was sent to the Senate.

## DEAD

### Arizona Senate Bill 1128

This bill would have prohibited the state, and its subdivisions, from using public assets to “compel a youth organization to employ, enroll or accept as a member or volunteer an individual whose sexual orientation, sexual behavior, religious beliefs or absence of religious beliefs is determined by the organization to be inconsistent with the organization’s policies, programs, morals or mission.” The bill would have explicitly protected, among others, the Boy Scouts and the YMCA.

**STATUS:** This bill was introduced in the Senate on Jan. 19, 2010, and passed on Feb. 15, 2010. It was introduced in the House on March 2, 2010, and failed a floor vote on April 27, 2010. It died upon adjournment on April 29, 2010.

### California Assembly Bill 1680

This bill would have prohibited a person from requiring a waiver of the protections afforded under state civil rights provisions as a condition of entering into a contract for the provision of goods or services, including the right to file and pursue a civil action or complaint. It would have also prohibited a person from refusing to enter into a contract on the basis that the other person declined to waive his or her civil rights.

**STATUS:** This bill was introduced on Jan. 25, 2010, and was passed by the Assembly Judiciary Committee on March 16, 2010, and then by the full Assembly on April 29, 2010. It passed the Senate Judiciary Committee on June 29, 2010, and then the full Senate on Aug. 24, 2010. The bill was vetoed by the governor on Sept. 30, 2010.

## Anti-Discrimination Bills

### California Assembly Bill 1878

This bill would have incorporated into the Statewide Forms Management Program voluntary demographic questions and information relating to sexual orientation, gender identity and domestic partnership status.

**STATUS:** This bill was introduced on Feb. 16, 2010, and passed the Assembly Committee on Business, Professions and Consumer Protection on April 21, 2010. It was then referred to the Committee on Appropriations and held under submission on May 28, 2010. It died upon adjournment on Nov. 30, 2010.

### California Assembly Bill 2204

This bill would have required, in part, that the Department of Developmental Services, in convening stakeholder groups, take into account the state's ethnic, sexual orientation, gender identity, geographic and socioeconomic diversity, and use best efforts to include stakeholder groups that reflect the interests of the state's diverse population.

**STATUS:** This bill was introduced on Feb. 18, 2010, and passed the Assembly on April 22, 2010. It passed the Senate Committee on Human Services on June 23, 2010, and was re-referred to the Senate Appropriations Committee, which held it under submission on Aug. 12, 2010. It died upon adjournment on Nov. 30, 2010.

### Colorado House Bill 1269

The bill would have established the Workplace Fairness and Civil Rights and Remedies Act of 2010, which would have allowed the additional remedies of compensatory and punitive damages in employment discrimination cases brought under state law. This bill was proposed in part because federal law does not cover sexual orientation and gender identity discrimination.

**STATUS:** This bill was introduced on Feb. 5, 2010, and was assigned to the Judiciary and Appropriations committees. It lost in committee on April 15, 2010, then died on May 12, 2010, upon adjournment.

### Delaware House Bill 5

This bill would have added sexual orientation to the list of prohibited discriminatory practices in employment, public works contracting, housing, equal accommodations and the insurance business.

**STATUS:** This bill was introduced on March 10, 2009, and passed the House on March 26, 2009. It was assigned to the Senate Executive Committee on April 7, 2009, but was administratively returned to the House, then stricken on May 5, 2010. An alternate version of the bill was signed into law in 2009.

### Florida House Bill 391/Senate Bill 798

These bills would have amended the Florida Civil Rights Act to include sexual orientation and gender identity as categories for non-discrimination in education, employment, housing and public accommodations.

**STATUS:** Both bills were introduced on March 2, 2010. The House bill was referred to the Civil Justice and Courts Policy Committee. The Senate bill was referred to the Community Affairs Committee. Both bills died upon adjournment on April 30, 2010.

### Florida House Memorial 1459

This memorial would urge Congress to adopt, and the president of the United States to sign into law, legislation that institutes a policy of non-discrimination based on sexual orientation with respect to service in the U.S. military and repeal the "Don't Ask, Don't Tell" law.

**STATUS:** This memorial was introduced on March 2, 2010, and was referred to the Economic Development and Community Affairs Policy Council. It died upon adjournment on April 30, 2010.

## Anti-Discrimination Bills

### Florida Senate Resolution 2382

This resolution would have condemned any law, rule or policy that punishes any person based on sexual orientation, gender identity or HIV/AIDS status.

**STATUS:** This resolution was filed by the Senate on Feb. 24, 2010. It died on April 30, 2010, upon adjournment.

### Hawaii House Concurrent Resolution 246

This resolution would have requested Congress to establish a policy of non-discrimination on the basis of sexual orientation for members of the U.S. Armed Forces.

**STATUS:** This bill was introduced on March 10, 2010, and referred to the Economic Revitalization, Business and Military Affairs, and Judiciary committees on March 12, 2010. It died upon adjournment on April 29, 2010.

### Hawaii House Concurrent Resolution 318

This resolution would have urged the Department of Human Services and all agencies with Department of Human Services contracts to uphold its non-discrimination policy for LGBT persons.

**STATUS:** This bill was introduced on March 10, 2010, and passed the House on April 9, 2010. It was transmitted to the Senate on April 13, 2010, but died on April 29, 2010, upon adjournment.

### Hawaii Senate Concurrent Resolution 88

This resolution would have expressed support for the repeal of the U.S. Armed Forces' "Don't Ask, Don't Tell" law.

**STATUS:** This resolution was introduced on Feb. 12, 2010. The Senate adopted the resolution on March 15, 2010, and it was transmitted to the House. It died upon adjournment on April 29, 2010.

### Iowa House Bill 732

This bill would have provided, in part, 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 was referred to the Education Committee on April 14, 2009. It died upon adjournment on March 30, 2010.

### Iowa House Study Bill 73

This bill would have defined 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 in the Senate on Feb. 10, 2009. It died upon adjournment on March 30, 2010.

### Iowa Senate Study Bill 1089

This study bill would have defined 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 on Jan. 22, 2009. It died upon adjournment on March 30, 2010.

## Anti-Discrimination Bills

### **Kansas House Bill 2711/Senate Bill 169**

These bills would have amended the Kansas Act Against Discrimination to prohibit discrimination on the basis of sexual orientation and gender identity in employment, housing and public accommodations.

**STATUS:** The House bill was introduced on Feb. 25, 2010, and the Senate bill, on Feb. 2, 2009. Both were referred to their respective federal and state affairs committees. SB 169 passed as an amendment by the committee on Feb. 4, 2010. Both bills died upon adjournment on May 11, 2010.

### **Kentucky House Bill 117/Senate Bill 138**

This bill would have amended Kentucky's civil rights chapter to include prohibitions on discrimination on the basis of sexual orientation and gender identity in employment, public accommodations, insurance, credit and housing.

**STATUS:** The House bill was introduced on Jan. 5, 2010, the Senate bill on Feb. 4, 2010. Both bills were referred to their respective judiciary committees. They died upon adjournment on April 15, 2010.

### **Maryland House Bill 462**

This bill would have amended the non-discrimination act relating to employment of teachers in the public schools to include sexual orientation, bringing it in line with other state non-discrimination laws.

**STATUS:** This bill was introduced in the House Government Operations Committee on Jan. 29, 2010, and passed the House on March 21, 2010. It was sent to the Senate Education, Health and Environmental Affairs Committee on March 23, 2010, and received a favorable report on April 9, 2010. The bill died upon adjournment on April 12, 2010.

### **Maryland House Bill 1022/Senate Bill 583**

These bills would have prohibited discrimination based on gender identity with regard to public accommodations, housing and employment.

**STATUS:** SB 583 was introduced in the Judicial Proceedings Committee on Feb. 5, 2010. HB 1022 was introduced in the Health and Government Operations Committee on Feb. 15, 2010. Both bills died upon adjournment on April 12, 2010.

### **Mississippi House Bill 833**

This bill would have created a civil rights division in the office of the attorney general with a mandate to investigate and prosecute civil rights violations. Sexual orientation and gender identity were not part of the enumerated classes, but the bill would have protected perceived gender.

**STATUS:** This bill was introduced on Jan. 14, 2010, and was referred to the Judiciary Committee. It died in committee on Feb. 2, 2010.

### **Mississippi Senate Bill 2179**

This bill would have created the Mississippi Anti-Discrimination in Employment Act, making it unlawful for any employer to discriminate on the basis of race, color, religion, sex, national origin, age or disability.

**STATUS:** This bill was introduced on Jan. 6, 2010. It passed the Labor Committee but died in the Judiciary Committee on Feb. 2, 2010.

## Anti-Discrimination Bills

### Mississippi Senate Bill 2271

This bill would have abolished at-will employment and created the Good Faith in Employment Act, which would have required employment termination decisions be made in good faith and for related purposes. The small enumerated section would not have included sexual orientation or gender identity, but the bill would have prohibited termination “based on conduct unrelated to the employee’s work ability or work performance” and “based on personal dislike.”

**STATUS:** This bill was introduced on Jan. 7, 2010, and was referred to the Judiciary Committee. It died in committee on Feb. 2, 2010.

### Missouri House Bill 1850/Senate Bill 626

These bills would amend the state’s non-discrimination laws to add actual or perceived sexual orientation, defined to include gender identity and expression, as a protected classification.

**STATUS:** HB 1850 was introduced on Jan. 28, 2010, and passed the House Special Standing Committee on Urban Issues on April 1, 2010. SB 626 was introduced on Jan. 6, 2010, and referred to the Progress and Development Committee. Both bills died upon adjournment on May 25, 2010.

### Missouri House Concurrent Resolution 55

This resolution would have urged the U.S. Congress to replace the “Don’t Ask, Don’t Tell” law of the U.S. military with a policy of non-discrimination on the basis of sexual orientation.

**STATUS:** This resolution was introduced on Feb. 11, 2010, and was referred to the Veterans Committee on May 14, 2010. It died upon adjournment on May 25, 2010.

### Missouri Senate Concurrent Resolution 44

This resolution would have expressed the support of the General Assembly for the federal Military Readiness Enhancement Act.

**STATUS:** This resolution was introduced on Feb. 2, 2010, and referred to the Rules, Resolutions and Ethics Committee. It died upon adjournment on May 25, 2010.

### Missouri Senate Concurrent Resolution 45

This resolution would have urged the U.S. Congress to continue to support the “Don’t Ask, Don’t Tell” law of the U. S. military.

**STATUS:** This resolution was introduced on Feb. 2, 2010, and referred to the Rules, Resolutions and Ethics Committee. It died upon adjournment on May 25, 2010.

### New York Assembly Bill 257

This bill would have required 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 applicant’s race, color, national origin, religion, sex, familial status, sexual orientation or disability, or on whether any income is from public assistance.

**STATUS:** This bill was introduced in the Assembly on Jan. 7, 2009, and was referred to the Banks Committee, then was sent to the Ways and Means Committee. The bill was reported out of committee on March 6, 2009, and passed the Assembly on May 6, 2009. It then died in the Senate on Jan. 6, 2010, and was returned to the Assembly. It finally died when the enacting clause was stricken on March 23, 2010.

### New York Senate Bill 2406

This bill would have prohibited discrimination on the basis of gender identity or expression.

**STATUS:** This bill was introduced on Feb. 19, 2010, and was referred to the Committee on Investigations and Government Operations. The committee discharged the bill and committed it to the Judiciary Committee on May 21, 2010. It was defeated in the Judiciary Committee on June 8, 2010.

## Anti-Discrimination Bills

### North Carolina House Bill 1049

This bill would have amended the state's equal employment opportunity law to include sexual orientation and gender identity.

**STATUS:** This bill was introduced on April 2, 2009, and was referred to the Committee on Education. It died upon adjournment on July 10, 2010.

### North Carolina Senate Bill 843

This bill would have amended the non-discrimination and equal opportunity provisions of the state personnel act to cover sexual orientation, defined to include gender identity.

**STATUS:** This bill was introduced on March 24, 2009, and was referred to the Committee on Judiciary II. It died upon adjournment on July 10, 2010.

### Oklahoma House Resolution 1059

This resolution would have supported the continuation of the "Don't Ask, Don't Tell" law and urged Congress to defeat any effort to repeal it.

**STATUS:** This resolution was introduced on May 14, 2009. It died upon adjournment on May 28, 2010.

### Pennsylvania House Bill 280

This bill would have amended anti-discrimination laws to include discrimination on the basis of familial or marital status.

**STATUS:** This bill was introduced on Feb. 27, 2009, and was referred to the State Government Committee. It died upon adjournment on Nov. 30, 2010.

### Pennsylvania House Bill 300

This bill would have amended 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 the State Government Committee on March 11, 2009. It was re-referred to the Appropriations Committee, then died upon adjournment on Nov. 30, 2010.

### Pennsylvania Senate Bill 602

This bill would have proclaimed March 13 "Acceptance Day" and would have called 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, and was referred to the Judiciary Committee. It died upon adjournment on Nov. 30, 2010.

### South Carolina Senate Bill 39

This bill would have amended 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, and was referred to the Committee on Labor, Commerce and Industry. It died upon adjournment on Oct. 30, 2010.

### South Carolina Senate Bill 73

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

**STATUS:** This bill was introduced on Jan. 13, 2009, and was referred to the Judiciary Committee. It died upon adjournment on Oct. 30, 2010.

## Anti-Discrimination Bills

### South Carolina Senate Bill 75

This bill would have amended 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, and was referred to the Committee on Labor, Commerce and Industry. It died upon adjournment on Oct. 10, 2010.

### South Dakota House Bill 1144

This bill would have revised the Human Relations Act (HRA) to include sexual orientation and gender identity as protected categories. The HRA, in part, covers employment, education, housing and public accommodations.

**STATUS:** This bill was introduced on Jan. 27, 2010. The Committee on Health and Human Services tabled the bill on Feb. 16, 2010, and it died upon adjournment on March 30, 2010.

### Utah House Bill 128

This bill would have created a commission to study the frequency and effects of employment and housing discrimination on the LGBT community.

**STATUS:** This bill was introduced on Feb. 2, 2010. On March 11, 2010, the House struck the enacting clause and filed it as a defeated bill.

### Utah House Bill 305

This bill would have modified the Utah Antidiscrimination Act and Utah Fair Housing Act to address discrimination on the basis of sexual orientation or gender identity.

**STATUS:** This bill was introduced on Feb. 8, 2010. On March 11, 2010, the House struck the enacting clause and filed it as a defeated bill.

### Utah House Joint Resolution 4

This resolution would have denounced the U.S. military's "Don't Ask, Don't Tell" law and urged the U.S. Congress to repeal it.

**STATUS:** This bill was introduced on Jan. 25, 2010. On March 11, 2010, the House struck the enacting clause and filed it as a defeated bill.

### Vermont House Bill 686

This bill would have prohibited discrimination "in land use decisions or in the permitting of a housing development based on race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin or handicap of a person."

**STATUS:** This bill was introduced on Feb. 2, 2010, and was referred to the Committee on General, Housing and Military Affairs. It died upon adjournment on May 12, 2010.

### Virginia House Bill 1116/Senate Bill 66

These bills would have prohibited discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, or status as a veteran. The bill defined sexual orientation to include gender identity and expression.

**STATUS:** SB 66 was introduced in the Senate on Jan. 4, 2010. It was reported out of committee on Jan. 27, 2010, and was passed by the Senate on Feb. 8, 2010. The bill was introduced in the House on Feb. 17, 2010. HB 1116 was introduced in the House on Jan. 13, 2010. Both bills died upon adjournment on March 14, 2010.

## Anti-Discrimination Bills

### Virginia House Bill 1287

This bill would have added sexual orientation to the definition of unlawful discriminatory practice in the Virginia Human Rights Act. Sexual orientation was defined to include gender identity and expression.

**STATUS:** This bill was introduced on Jan. 21, 2010, and referred to the Committee on General Laws. It died upon adjournment on March 14, 2010.

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### Washington Senate Bill 5530

This bill would have, in part, prohibited a person or entity engaged in the guaranteed asset protection waiver business from refusing to sell or issue any guaranteed asset protection waiver because of the applicant's sex, marital status or sexual orientation.

**STATUS:** This bill was introduced on Jan. 26, 2009, and passed the Committee on Financial Institutions and Housing and Insurance on Feb 18, 2009. It was reintroduced on Jan. 11, 2010, then again on March 15, 2010. It died upon adjournment on April 12, 2010.

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### West Virginia House Bill 2454/Senate Bill 154

This bill would have added sexual orientation to the categories covered by the Human Rights Act, which prohibits discrimination in employment and places of public accommodations. It would also have added sexual orientation to the categories covered by the Fair Housing Act, which prohibits discrimination in housing. Sexual orientation is defined to include gender identity.

**STATUS:** Both bills were introduced on Jan. 13, 2010. HB 2454 was referred to the House Energy, Industry and Labor/Economic Development and Small Business Committee. They died upon adjournment on March 20, 2010.

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### Wisconsin Assembly Bill 31

This bill would have allowed the victim of employment discrimination to seek damages in the circuit court to compensate for the act of discrimination.

**STATUS:** The bill was introduced on Feb. 10, 2009, and passed the Labor Committee on April 23, 2009. It failed without a vote on April 28, 2010.

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### Wyoming House Bill 87

This bill would have prohibited discrimination on the basis of sexual orientation and gender identity in employment, education and public accommodations.

**STATUS:** This bill was received for introduction on Feb. 9, 2010, but failed introduction on Feb. 10, 2010.

## Hate Crimes Bills

### New York Assembly Bill 529

This bill establishes a civil remedy for victims of bias-related violence or intimidation.

**STATUS:** This bill was introduced to the Assembly on Jan. 7, 2009. On March 27, 2009, it passed the Assembly and was delivered to the Senate. The bill died in the Senate on Jan. 6, 2010, and was returned to the Assembly. It passed the Assembly a second time on April 21, 2010, and passed the Senate on June 15, 2010. The bill was signed by the governor on July 30, 2010.

### New York Assembly Bill 9220

This bill provides that a court may require, as a part of the sentence imposed upon a person convicted of a hate crime, that the person complete a program, training session or counseling session directed at hate crime prevention.

**STATUS:** This bill was introduced on Oct. 28, 2009, and was referred to the Assembly Committee on Codes. It passed out of committee on April 13, 2010, and passed the Assembly on April 21, 2010. It was referred to the Senate Committee on Codes, where the Senate Bill S7575 was substituted. It passed the Senate on May 27, 2010. It was signed into law by the governor on July 7, 2010.

### Pennsylvania House Resolution 721/Senate Resolution 411

This resolution recognizes the week of Oct. 11–15, 2010, as No Place for Hate Week in Pennsylvania and commends the Anti-Defamation League for its outstanding efforts to promote peace, brotherhood and goodwill through its “No Place for Hate” program.

**STATUS:** SR 411 was introduced and adopted on Sept. 29, 2010. HR 721 was introduced on Sept. 29, 2010, and was adopted on Oct. 5, 2010.

### Illinois House Bill 5835

This bill would make it a criminal offense to use a hate symbol to intimidate or harass any other person or group of persons based on religion, national origin, alienage, color, race, sex, sexual orientation, physical disability or mental disability.

**STATUS:** This bill was introduced on Feb. 10, 2010, and passed out of the Judiciary II Committee on March 12, 2010. It was referred to the Rules Committee on March 26, 2010.

### 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, and were referred to the Joint Committee on the Judiciary. The House issued a study order on July 15, 2010, and the Senate issued a study order on Oct. 18, 2010.

### 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 the Committee on Judiciary on May 13, 2009. It passed the full House on May 20, 2009. It was transmitted to the Senate and referred to the Senate Committee on Judiciary. SB 497 was introduced on April 30, 2009, and was referred to the Committee on Judiciary.

## Hate Crimes Bills

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

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

**STATUS:** AB 1185 was introduced on Jan. 12, 2010, and SB 1616 was introduced on March 4, 2010. The bills were referred to their respective judiciary committees.

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### **New Jersey Assembly Bill 3409**

This bill would make harassment by electronic means, or cyberbullying, a crime of the fourth degree. It would apply to all people and would not be restricted to schools.

**STATUS:** This bill was introduced on Oct. 18, 2010, and was referred to the Judiciary Committee.

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### **New York Assembly Bill 644**

This bill would provide the Commissioner of the Division of Human Rights with the power to investigate incidents “apparently motivated by racial or other bias” and, where appropriate, to recommend prosecution to the attorney general or to the appropriate district attorney.

**STATUS:** This bill was introduced on Jan. 7, 2009, and referred to the Governmental Operations Committee. It was re-referred to the committee on Jan. 6, 2010.

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### **New York Assembly Bill 1450**

This bill would define a bias 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, and was referred to the Codes Committee. It was re-referred to the committee on Jan. 6, 2010.

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### **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 but not gender identity.

**STATUS:** This bill was introduced on Jan. 14, 2009, and was referred to the Governmental Operations Committee. It was re-referred to the committee on Jan. 6, 2010.

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### **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, and was referred to the Codes Committee. It was re-referred on Jan. 6, 2010.

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### **New York Assembly Bill 11296**

This bill would direct the division of criminal justice services to identify non-profit agencies that provide sensitivity training to identify LGBT crime victims.

**STATUS:** This bill was introduced on May 25, 2010, and was referred to the Committee on Codes.

## Hate Crimes Bills

### **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, and was referred to the Cities Committee. It was re-referred on Jan. 6, 2010.

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### **New York Senate Bill 831**

This bill would define a bias-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, and was referred to the Codes Committee. It was re-referred on Jan. 6, 2010.

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### **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, and was referred to the Codes Committee. It was re-referred on Jan. 6, 2010.

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### **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, and was referred to the Codes Committee. It was re-referred on Jan. 6, 2010.

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### **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, and was referred to the Finance Committee. It was re-referred on Jan. 6, 2010.

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### **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, and was referred to the Investigations and Government Operations Committee. It was re-referred on Jan. 6, 2010.

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### **New York Senate Bill 2044/Senate Bill 5923**

These bills would establish a civil remedy for victims of bias-related violence or intimidation.

**STATUS:** SB 2044 was introduced on Feb. 11, 2009, and was referred to the Investigations and Government Operations Committee. It was re-referred on Jan. 6, 2010. SB 5923 was introduced on June 18, 2009, and was referred to the Rules Committee. The bill was substituted by Assembly Bill 529 on June 8, 2010.

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### **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, and was referred to the Codes Committee. It was re-referred on Jan. 6, 2010.

## Hate Crimes Bills

### Alabama House Bill 513

This bill would have amended the existing hate crimes law to add sexual orientation and gender identity/expression to the categories for which additional penalties are imposed.

**STATUS:** This bill was introduced on Feb. 9, 2010, and passed the Judiciary Committee on March 25, 2010. It died after being indefinitely postponed on April 14, 2010.

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### Alabama Senate Bill 595

This bill would have provided additional penalties for crimes motivated by the victim's sexual orientation or gender identity or expression.

**STATUS:** This bill was introduced on April 6, 2010, and was referred to the Committee on Judiciary. It died upon adjournment on April 22, 2010.

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### Florida House Bill 849/Senate Bill 252

This bill would have prohibited a person from placing a noose in a public place, on the property of another without first obtaining written permission of the owner or occupier of the property, or in an exhibit of any kind with the intention of intimidating another person, preventing another person from doing any act that is lawful, or causing another person to do any act that is unlawful.

**STATUS:** Both bills were introduced on March 2, 2010. The House bill was referred to the Public Safety and Domestic Security Policy Committee. The Senate bill passed the Criminal Justice Committee on March 9, 2010. Both bills died upon adjournment on April 30, 2010.

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### Georgia House Bill 111

This bill would have provided for enhanced sentences for crimes that target a victim due to the victim's race, religion, gender, gender identity, sexual orientation or national origin.

**STATUS:** This bill was introduced on Jan. 13, 2009. It was reported favorably out of committee on March 24, 2010, but died upon adjournment on April 29, 2010.

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### Georgia Senate Bill 234

This bill would have provided for enhanced sentences for crimes that target a victim due to the victim's race, religion, gender, gender identity, sexual orientation or national origin.

**STATUS:** This bill was introduced on March 4, 2009, but died upon adjournment on April 29, 2010.

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### New York Senate Bill 7575

This bill would have provided that a court may require, as a part of the sentence imposed upon a person convicted of a hate crime, that the person complete a program, training session or counseling session directed at hate crime prevention.

**STATUS:** This bill was introduced on April 23, 2010, and was referred to the Codes Committee. It was substituted by Assembly Bill 9220 on May 11, 2010.

## Hate Crimes Bills

### North Carolina House Bill 207

This bill would have expanded the scope of the Ethnic Intimidation Act to include animosity on the basis of sexual orientation, defined to include gender identity.

**STATUS:** This bill was introduced on Feb. 17, 2009, and was referred to the Committee on Judiciary I. It died upon adjournment on July 10, 2010.

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### Oklahoma House Bill 1456

This bill would have amended anti-harassment and intimidation laws to include sexual orientation, and would have required 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, and was referred to the Judiciary Committee. It died upon adjournment on May 28, 2010.

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### Oklahoma House Bill 2309/House Bill 2952/Senate Bill 785

These bills would have amended the hate crimes statute to include sexual orientation.

**STATUS:** Both House bills were introduced on Feb. 1, 2010, and were referred to the Judiciary Committee. SB 785 was introduced on Feb. 2, 2009, and was referred to the Appropriations Committee. The bills died upon adjournment on May 28, 2010.

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### Oklahoma Senate Bill 2172

This bill would have amended the hate crimes statute to include real or perceived gender, sexual orientation and gender identity.

**STATUS:** This bill was introduced on Feb. 1, 2010, and was referred to the Appropriations Committee. It died upon adjournment on May 28, 2010.

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### Pennsylvania House Bill 59

This bill would have established the Prevention of Hate Activity Fund to aid the state Human Relations Commission in combating hate crimes.

**STATUS:** This bill was introduced on Jan. 26, 2009, and was referred to the Judiciary Committee. It died upon adjournment on Nov. 30, 2010.

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### Pennsylvania House Bill 745/Senate Bill 395

These bills would have established that intimidation on the basis of actual or perceived sexual orientation and gender identity or expression constitutes a crime of ethnic intimidation.

**STATUS:** SB 395 was introduced on Feb. 20, 2009, and was referred to the Judiciary Committee. HB 745 was introduced on March 5, 2009, and passed the Judiciary Committee on Nov. 17, 2009. It was re-referred to the Appropriations Committee. Both bills died upon adjournment on Nov. 30, 2010.

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### Pennsylvania House Bill 2634

This bill would have amended the "ethnic intimidation" law to create a "bias-related intimidation" law, and would have added actual or perceived sexual orientation and gender, defined to include gender identity.

**STATUS:** This bill was introduced on July 1, 2010, and was referred to the Judiciary Committee. It died upon adjournment on Nov. 30, 2010.

## Hate Crimes Bills

### Rhode Island House Bill 7044

This bill would have made the definitions of disability, sexual orientation and gender identity and expression the same as those set forth in Rhode Island general laws for the purpose of monitoring hate crimes.

**STATUS:** This bill was introduced in the House on Jan. 7, 2010, and passed out of the House Judiciary Committee on April 14, 2010. It passed the full House on April 28, 2010. The bill passed the Senate Judiciary Committee on June 8, 2010, and the full Senate on June 11, 2010. It was vetoed by the governor on June 22, 2010.

### Rhode Island Senate Bill 2055

This bill would make the definitions of disability, sexual orientation, gender identity and expression the same as those set forth in Rhode Island general laws for the purpose of monitoring hate crimes.

**STATUS:** This bill was introduced on Jan. 13, 2010, and passed the Judiciary Committee on June 1, 2010. The full Senate passed the bill on June 3, 2010. It passed both the House Judiciary Committee and the full House on June 8, 2010. The bill was vetoed by the governor on June 22, 2010.

### South Carolina House Bill 3169

This bill would have provided penalties for a person convicted of a crime with the intent to assault, intimidate or threaten a person because of the victim's race, religion, color, sex, age, national origin or sexual orientation.

**STATUS:** This bill was introduced on Jan. 13, 2009, and was referred to the Committee on Judiciary. It died upon adjournment on Oct. 30, 2010.

### South Carolina House Bill 4224

This bill would have provided enhanced penalties for a person convicted of a crime with the intent to assault, intimidate or threaten a person because of the victim's race, religion or sexual orientation. Sexual orientation is defined to include gender identity.

**STATUS:** This bill was introduced on Jan. 12, 2010, and referred to the Committee on the Judiciary. It died upon adjournment on Oct. 30, 2010.

### South Carolina Senate Bill 41

This bill would have established penalties for non-capital crimes committed with the intent to commit the crime because of the actual or perceived race, religion, color, national origin, ancestry, age, disability, gender, sexual orientation or gender identity of a victim.

**STATUS:** This bill was introduced on Jan. 13, 2009, and was referred to the Committee on Judiciary. It died upon adjournment on Oct. 30, 2010.

### Tennessee House Bill 335/Senate Bill 253

This bill would have provided that where a defendant intentionally chose the victim of a crime based on the victim's gender identity or expression, it shall constitute an advisory enhancement factor for sentencing.

**STATUS:** Both bills were introduced on Feb. 9, 2009, and were referred to their respective judiciary committees. HB 335 passed the Criminal Justice Sub-Committee of the House Judiciary Committee on Feb. 17, 2009. Both bills died upon adjournment on June 10, 2010.

## Hate Crimes Bills

### Utah House Bill 432

This bill would have provided that any offense committed in Utah on state or local land may not be transferred to the federal government for prosecution under the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act.

**STATUS:** This bill was introduced on Feb. 23, 2010. On March 11, 2010, the House struck the enacting clause and filed it as a defeated bill.

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### Virginia House Bill 1142

This bill would have included within the definition of hate crimes a category of acts committed against a person or property because of that person's sexual orientation

**STATUS:** This bill was introduced on Jan. 13, 2010, and was referred to the Committee for Courts of Justice. It died upon adjournment on March 14, 2010.

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### Washington House Bill 2219

This bill would have modified the definition of "sexual orientation" for malicious harassment prosecution purposes to mirror the definition included in other sections of the code, which includes gender identity and expression.

**STATUS:** This bill was introduced on Feb. 16, 2009; reintroduced on Jan. 11, 2010, and then again on March 15, 2010. It died upon adjournment on April 12, 2010.

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### Wisconsin Assembly Bill 480/Senate Bill 337

This legislation would have created a civil cause of action for gender-motivated violence.

**STATUS:** AB 480 was introduced on Oct. 6, 2009, and passed the Corrections and Courts Committee on Feb. 16, 2010. It passed the Assembly on March 4, 2010. SB 337 was introduced on Oct. 8, 2009, and passed the Judiciary Committee on March 4, 2010. Both bills failed to receive a vote in the Senate by April 28, 2010.

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### Wisconsin Assembly Bill 481/Senate Bill 344

These bills would have provided an enhanced penalty for certain crimes if the person committing the crime intentionally selects the victim based on his or her belief or perception of the victim's gender.

**STATUS:** AB 481 was introduced on Oct. 6, 2009, and passed out of the Criminal Justice Committee and was referred to the Rules Committee on Feb. 16, 2010. It passed the Assembly on March 4, 2010, and the Senate Judiciary Committee on March 19, 2010. SB 344 was introduced on Oct. 12, 2009, and passed the Judiciary Committee on Jan. 8, 2010. Both bills failed to pass the Senate by April 28, 2010.

## Parenting Bills

### Arizona House Bill 2224

This bill creates a foster parents' bill of rights, and explicitly excludes sexual orientation and gender identity from the list of non-discrimination categories.

**STATUS:** This bill was introduced in the House on Jan. 20, 2010, and passed on Feb. 16, 2010. It was introduced in the Senate on Feb. 22, 2010, and passed on April 12, 2010. It was signed into law by the governor on April 19, 2010.

### Idaho Senate Bill 1382

This bill provides a flexible method by which a third party who has cared for and supported a child may obtain legal and physical custody of the child where such custody is in the child's best interests.

**STATUS:** This bill was introduced in the Senate on Feb. 22, 2010, and passed on March 16, 2010. It was introduced in the House on March 17, 2010, and passed on March 26, 2010. The governor signed the bill into law on April 6, 2010.

### Minnesota Senate Bill 2427

This bill would regulate the relationship between child, intended parents and genetic parents for inheritance purposes.

**STATUS:** This bill was introduced in the Senate on Feb. 8, 2010. It passed the Judiciary Committee on March 22, 2010, and the Senate on March 29, 2010. The bill passed the House on April 26, 2010. Unable to reconcile amendments, the bill went to conference committee. The Senate adopted the conference committee report on May 8, 2010, and the House, on May 10, 2010. It was signed by the governor on May 15, 2010.

### New York Senate Bill 1523

This bill allows two unmarried persons to adopt a child together.

**STATUS:** This bill was introduced on Feb. 2, 2009, and was referred to the Senate Committee on Children and Families. It passed the Senate on June 24, 2010. On June 29, 2010, it was substituted for Assembly Bill 5652 and was passed by the Assembly on July 1, 2010. It was signed by the governor on Sept. 17, 2010.

### Virginia Senate Bill 69

This bill provides that, upon expiration of three days following birth of any resulting child, a surrogate may relinquish her parental rights to the intended parents, if at least one intended parent is the genetic parent of the child, by signing a surrogate consent and report form naming the intended parents as the parents of the child. The bill also makes it a Class 1 misdemeanor to accept compensation for arranging or inducing intended parents and surrogates to enter into surrogacy contracts.

**STATUS:** This bill was introduced in the Senate on Jan. 4, 2010. It was passed by the Senate on Jan. 21, 2010, and introduced in the House on Feb. 17, 2010. It passed the House on March 9, 2010. It was signed by the governor on April 13, 2010.

### Illinois House Bill 5369

This bill would amend the Illinois Marriage and Dissolution of Marriage Act. It would provide that a child custody proceeding may be commenced by a person who provides "kinship care," by filing a petition that alleges that it is in the best interest of the child to live with him or her, if the person is the de facto custodian of the child.

**STATUS:** This bill was introduced on Feb. 5, 2010, and referred to the Rules Committee. It passed out of the Judiciary Committee on March 10, 2010. Then, it was re-referred to the Rules Committee on March 26, 2010.

## Parenting Bills

### Massachusetts Senate Bill 1652

This bill would provide that after an adjudication of adoption, in the event that the adoptive parents are not married to each other, in any dispute that may arise as to custody, visitation, support, education, maintenance and health insurance, the adoptive parent may seek relief under established state provisions.

**STATUS:** This bill was introduced on Jan. 20, 2009, and was referred the Joint Committee on the Judiciary. On Oct. 18, 2010, the Senate issued a study order.

### 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 the Committee on Judiciary on April 22, 2009.

### 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. It would also 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, and was referred to the Judiciary Committee. It was re-referred to the committee on Jan. 6, 2010.

### 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, and was referred to the Judiciary Committee. It was re-referred on Jan. 6, 2010.

## DEAD

### Arizona House Bill 2148

This bill would have required the state to give primary consideration to placement with a married couple for a child in state custody who is eligible for adoption. Same-sex couples currently cannot obtain a marriage certificate from the state of Arizona.

**STATUS:** This bill was introduced in the House on Jan. 13, 2010, and passed on Feb. 23, 2010. It was introduced in the Senate on Feb. 24, 2010, and passed the Senate Public Safety and Human Services Committee on April 23, 2010. It died upon adjournment on April 29, 2010.

### Arizona Senate Concurrent Resolution 1029

This resolution would have required that "if a child is born to a heterosexual couple who are married to each other either before or after the child's birth, only another heterosexual married couple is qualified to subsequently adopt that child or become the child's foster parents."

**STATUS:** This bill was introduced on Jan. 25, 2010, and was assigned to the Public Safety and Human Services, and Rules committees. It died upon adjournment on April 29, 2010.

### Florida House Bill 3/Senate Bill 102

These bills would have repealed the prohibition of adoption by gays and lesbians.

**STATUS:** The House bill was pre-filed for the 2010 session on May 28, 2009, and the Senate bill was pre-filed for the 2010 session on Oct. 5, 2009. Both bills were introduced on March 2, 2010. The House bill was referred to the Criminal & Civil Justice Policy Council, the Policy Council and the Health & Family Services Policy Council. The Senate bill was referred to the Children, Families and Elder Affairs Committee and the Judiciary Committee. Both bills died upon adjournment on April 30, 2010.

## Parenting Bills

### Idaho Senate Bill 1309

This bill would have provided a flexible method by which a third party who has cared for and supported a child may obtain legal and physical custody of the child where such custody is in the child's best interests.

**STATUS:** This bill was introduced on Feb. 2, 2010, and died upon adjournment on March 29, 2010.

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### Georgia Senate Bill 204

This bill would have defined the rights of genetic and adoptive parents in embryo adoptions, applied established adoption procedures to embryo adoption, and established a legal status of children placed for adoption as embryos.

**STATUS:** This bill was introduced on Feb. 25, 2009, but died upon adjournment on April 29, 2010.

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### Iowa House Bill 2135

This bill would have amended family leave statutes to include domestic partners and the children of domestic partners in the definition of a family member.

**STATUS:** This bill was introduced on Jan. 25, 2010, and was referred to the Labor Committee. It died upon adjournment on March 30, 2010.

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### Louisiana House Bill 737/House Bill 901

These bills would have amended the adoption code to allow "two single persons" to adopt jointly.

**STATUS:** HB 737 was introduced on March 17, 2010, and HB 901 was introduced on March 18, 2010. Both were referred to the Committee on Civil Law and Procedure. They died upon adjournment on June 21, 2010.

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### Louisiana Senate Bill 129

This bill would have amended the adoption code to allow an unmarried couple to adopt jointly.

**STATUS:** This bill was introduced on March 16, 2010, and was referred to the Committee on Judiciary. It died upon adjournment June 21, 2010.

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### Louisiana Senate Bill 521

This bill would have prohibited the amendment of a birth certificate of an adopted child if the child's out-of-state legal adoptive parents would not have been able to adopt the child under state law.

**STATUS:** This bill was introduced on March 19, 2010, and was referred to the Judiciary A Committee. It died upon adjournment on June 21, 2010.

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### Maryland House Bill 281/Senate Bill 585

These bills would have established a commission to study and evaluate surrogate parenting and its impact on children.

**STATUS:** HB 281 was introduced to the Health and Government Operations Committee on Jan. 26, 2010. SB 585 was introduced to the Judicial Proceedings Committee on Feb. 5, 2010. On March 29, 2010, SB 585 received an unfavorable committee report, and on April 8, 2010, HB 281 received an unfavorable committee report and was withdrawn.

## Parenting Bills

### Maryland House Bill 1241/Senate Bill 600

These bills would have required a court to determine that an individual is a de facto parent under certain statutorily defined circumstances and would establish that an individual who is judicially determined to be a de facto parent has the duties and obligations of a parent.

**STATUS:** HB 1241 was introduced in the House Judiciary Committee on Feb. 18, 2010. SB 600 was introduced in the Judicial Proceedings Committee on Feb. 5, 2010. HB 1241 received an unfavorable committee report and was withdrawn on March 26, 2010. SB 600 died upon adjournment on April 12, 2010.

### Maryland House Bill 1272

This bill would have, in part, extended the state Family Medical Leave Act to cover care for a domestic partner or the child of a domestic partner.

**STATUS:** This bill was introduced in the Economic Matters Committee on Feb. 18, 2010. It received an unfavorable report on March 24, 2010.

### Minnesota House Bill 1228/Senate Bill 369

These bills would have updated existing tax and probate laws to reflect child–parent relationships established through assisted reproduction, including gestational carriers.

**STATUS:** SB 369 was introduced on Feb. 2, 2009, and was referred to the Senate Judiciary Committee. HB 1228 was introduced on March 2, 2009, and was referred to the House Civil Justice Committee. Both bills died upon adjournment on May 16, 2010.

### Minnesota House Bill 2825

This bill would have regulated the relationship between child, intended parents and genetic parents for inheritance purposes.

**STATUS:** This bill was introduced on Feb. 11, 2010. It passed the Civil Justice Committee on March 4, 2010, but was indefinitely postponed on the House floor on April 6, 2010. It died upon adjournment on May 16, 2010.

### Mississippi Senate Bill 2070

This bill would have provided that the transfer of human embryos must be accomplished under the state adoption statutes and would have established certain criteria specifically for the transfer of human embryos.

**STATUS:** This bill was introduced on Jan. 6, 2010, and was referred to the Public Health and Welfare Committee. It died in committee on Feb. 2, 2010.

### Mississippi Senate Bill 2247

This bill would have clarified that unmarried adults who are cohabiting outside of marriage with one or more sexual partners may not adopt under Mississippi law, and provided that the Mississippi courts would not recognize an adoption in another state or jurisdiction by more than one individual who is not married under the terms of Mississippi law and provided that child support orders from another state or jurisdiction respecting a relationship otherwise prohibited by the laws of Mississippi would not be enforced.

**STATUS:** This bill was introduced on Jan. 6, 2010, and was referred to the Judiciary Committee. It died in committee on Feb. 2, 2010.

### New York Assembly Bill 5652

This bill would have allowed two unmarried persons to adopt a child together.

**STATUS:** This bill was introduced on Feb. 17, 2009, and was referred to the Judiciary Committee. It was reintroduced on Jan. 6, 2010. It passed the Judiciary Committee on June 3, 2010, and was referred to the Rules Committee. It died when it was substituted by Senate Bill 1523 on June 29, 2010.

## Parenting Bills

### Oklahoma House Bill 2586

This bill would have regulated the adoption of human embryos and provide that children born of adopted embryos are the legal children of the adoptive parent or parents.

**STATUS:** This bill was introduced on Feb. 1, 2010, and was referred to the Public Health Committee. It died upon adjournment on May 28, 2010.

### Tennessee House Bill 605/Senate Bill 78

This bill would have prohibited an individual who is cohabiting in a sexual relationship outside of a marriage recognized in the state from adopting a minor.

**STATUS:** SB 78 was introduced on Feb. 9, 2009, and was referred to the Judiciary Committee. HB 605 was introduced on Feb. 11, 2009, and was referred to the Children and Family Affairs Committee. Both bills died upon adjournment on June 10, 2010.

### Tennessee House Bill 2159

This bill would have provided that a child born as the result of the transfer of a donated embryo would be deemed to be an adopted person without any court action required and would have been afforded all legal rights and protections of any person who is adopted under current law.

**STATUS:** This bill was introduced on Feb. 26, 2009, and was referred to the Children and Family Affairs Committee. It died upon adjournment on June 10, 2010.

### Utah House Bill 300

This bill would have permitted a person who is cohabiting in a relationship that is not a legally valid and binding marriage under the laws of Utah to adopt a child if, in part, the child has only one parent with parental rights to the child.

**STATUS:** This bill was introduced on Feb. 5, 2010. On March 11, 2010, the House struck the enacting clause and filed it as a defeated bill.

### Vermont House Bill 181

This bill would have allowed 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, and was referred to the Committee on Judiciary. It died upon adjournment on May 12, 2010.

### Washington House Bill 2421

This bill would provide that a person who is not the parent of the child may petition for visitation with the child if the person has established an ongoing and substantial relationship with the child.

**STATUS:** This bill was introduced Jan. 11, 2010, and was reintroduced March 15, 2010. It died upon adjournment on April 12, 2010.

### Washington House Bill 2793

This bill would have clarified and expanded the rights and obligations of state-registered domestic partners and other couples related to parentage. It would have established consistent standards and procedural safeguards for the protection of all parties involved in a gestational surrogacy contract in the state and confirmed the legal status of children born as a result of these contracts.

**STATUS:** This bill was introduced in the House on Jan. 14, 2010. It passed the House on Feb. 15, 2010, and was introduced in the Senate on Feb. 17, 2010. It passed the Senate Government Operations Committee on Feb. 22, 2010. The bill was reintroduced on March 15, 2010, but died upon adjournment on April 12, 2010.

## Schools-Related Bills

### Arizona Senate Bill 1309

This bill requires schools to have parents opt their children into sex education curriculum.

**STATUS:** This bill was introduced in the Senate on Feb. 1, 2010. It passed the Senate and was introduced to the House on March 22, 2010. It passed the House on April 26, 2010. The Senate voted to accept House changes to the bill on April 27, 2010. The bill was signed into law by the governor on May 10, 2010.

### California Assembly Concurrent Resolution 82

This resolution encourages public education institutions to designate themselves as "Discrimination-Free Zones." Specifically, the resolution 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. It was adopted by the Assembly on July 13, 2009, and by the Senate on April 8, 2010. It was enrolled and filed with the secretary of state on April 21, 2010.

### Georgia Senate Bill 250

This bill, in part, expands the definition of bullying and directs the Department of Education to develop a model policy regarding bullying. It does not provide for enumeration.

**STATUS:** This bill was introduced in the Senate on March 5, 2010, and was passed on March 12, 2010. The House then amended the bill to include the language of House Bill 927, which contained the anti-bullying provisions. The House passed the amended bill on March 30, 2010. The Senate agreed to the amendments on April 29, 2010, and the governor signed the bill into law on May 27, 2010.

### Illinois House Bill 5234

This bill amends provisions of the Illinois Human Rights Act prohibiting sexual harassment in higher education so that they also apply to sexual harassment in elementary and secondary schools.

**STATUS:** This bill was introduced to the House on Feb. 3, 2010, and was passed by the House on March 4, 2010. It was introduced to the Senate on March 9, 2010, and passed on May 4, 2010. The bill was signed the governor on July 27, 2010.

### Illinois Senate Bill 3266

This bill, in part, amends the anti-bullying provisions to create enumerated classes, including sexual orientation and gender identity.

**STATUS:** This bill was introduced in the Senate on Feb. 9, 2010, and passed on March 24, 2010. The bill was introduced in the House on March 25, 2010, and passed on April 23, 2010. It was signed by the governor on June 28, 2010.

### Iowa Senate Bill 2033

This bill, in part, requires charter schools to comply with all federal and state laws prohibiting discrimination on the basis of race, creed, color, sex, sexual orientation, gender identity, national origin, religion, ancestry or disability.

**STATUS:** This bill was introduced on Jan. 12, 2010. It was passed by the Senate on Jan. 13, 2010, and by the House on Jan. 15, 2010. The governor signed the bill on Jan. 19, 2010. The bill went into effect on July 1, 2010.

## Schools-Related Bills

### Louisiana House Bill 1259

This bill created the crime of cyberbullying. The bill does not contain enumerated categories.

**STATUS:** This bill was introduced in the House on April 10, 2010, and passed April 28, 2010. It was sent to the Senate on April 29, 2010, and passed on June 8, 2010. The House and Senate reconciled differences in the bill and voted to confirm the conference committee report on June 21, 2010. The bill was signed by the governor on July 6, 2010.

### Louisiana House Bill 1458

This bill requires local school boards to conduct a review of its student code of conduct and amend such code as may be necessary to ensure that the policy prohibiting the harassment, intimidation and bullying of a student by another student specifically addresses the nature, extent, causes and consequences of cyberbullying.

**STATUS:** This bill was introduced in the House on April 21, 2010, and passed on May 20, 2010. It was received in the Senate on May 24, 2010, and passed on June 16, 2010. The House adopted the Senate's amendments on June 18, 2010, and the governor signed the bill into law on June 29, 2010.

### Massachusetts Senate Bill 2323/Senate Bill 2404

This bill strengthens the existing anti-bullying laws and prohibits cyberbullying. It does not include enumerated classes.

**STATUS:** This bill was introduced on March 11, 2010, as a new draft of SB 2313 and passed the Senate the same day. It passed the House Committee on Ways and Means with amendments and the full House with amendments on March 18, 2010. The bill was reported as SB 2404, and the committee conference report was accepted by both the House and Senate on April 29, 2010. It was signed into law by the governor on May 3, 2010.

### Mississippi Senate Bill 2015

This bill requires all local school districts to adopt a policy prohibiting bullying and harassing behavior. It does not contain enumerated categories.

**STATUS:** This bill was introduced on Jan. 5, 2010. It passed the Senate on Feb. 4, 2010, and the House on March 4, 2010. The conference report was adopted by both the House and Senate on March 26, 2010, and the bill was signed by the governor on April 13, 2010.

### Missouri House Bill 1543

This bill amends the sections of statutes on bullying to add cyberbullying. The statute does not enumerate classes.

**STATUS:** This bill was introduced on Jan. 6, 2010. It passed the committee on Elementary and Secondary Education on Jan. 27, 2010, and the House on April 8, 2010. It was introduced to the Senate on April 12, 2010, and was passed on May 12, 2010. As the House and Senate were unable to agree on amendments, the bill went to a conference committee. Both the House and Senate adopted the conference committee report on May 14, 2010. The bill was signed by the governor on June 24, 2010.

## Schools-Related Bills

### **New Hampshire House Bill 1523**

This bill revises the statute on pupil safety and violence prevention to include harassment, intimidation, bullying and cyberbullying. In addition, it adds enumerated classes, including sexual orientation and gender identity.

**STATUS:** This bill was introduced on Dec. 10, 2009, and was referred to the Committee on Education on Jan. 6, 2010. It passed out of committee on Feb. 16, 2010, and passed the House on March 11, 2010. It was introduced in the Senate on March 24, 2010. It passed the Senate Education Committee on May 5, 2010, and the Senate on May 12, 2010. The bill was signed into law by the governor on June 16, 2010.

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### **New York Assembly Bill 3661**

This bill directs the commissioner of education to establish policies and procedures affording all students in public schools an environment free of harassment and discrimination. It provides enumerated categories, including sexual orientation, and defines gender to include gender identity.

**STATUS:** This bill was introduced on Jan. 28, 2009. It passed the Assembly on April 7, 2009, and then died in the Senate on Jan. 6, 2010. The bill was returned to the Assembly, where it passed a second time on May 17, 2010. It then passed the Senate on June 22, 2010, and was signed into law by the governor on Sept. 9, 2010.

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### **Pennsylvania House Resolution 980**

This resolution promotes youth suicide prevention education for all administrative, teaching and counseling personnel in all public and private high schools in Pennsylvania.

**STATUS:** This resolution was introduced on Oct. 4, 2010, and was adopted on Oct. 6, 2010.

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### **Pennsylvania Senate Resolution 419**

This resolution designates the month of October 2010 as Bullying Awareness Month in Pennsylvania.

**STATUS:** This resolution was introduced and adopted on Oct. 12, 2010.

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### **Rhode Island Senate Resolution 2871**

This resolution creates a special Senate commission to study and make recommendations related to the problem of cyberthreats, cyberbullying, bullying and sexting.

**STATUS:** This resolution was introduced on May 12, 2010, and was passed by the Senate Constitutional and Regulatory Issues Committee on May 19, 2010. It passed the Senate on May 26, 2010.

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### **South Carolina Senate Bill 134**

This bill prohibits school districts from discriminating against students on the basis of religious viewpoint, allows a student to express religious beliefs in class and homework assignments, and allows students to organize and participate in religious student gatherings to the same extent as secular extracurricular groups.

**STATUS:** This bill was introduced on Jan. 13, 2009. It passed the Senate on March 31, 2010, and the House on May 20, 2010. It was signed into law by the governor on May 28, 2010.

## Schools-Related Bills

### Vermont House Bill 648

This bill requires independent colleges in the state to adopt and ensure enforcement of harassment and hazing policies.

**STATUS:** This bill was introduced in the House on Jan. 29, 2010, and referred to the Committee on Education. It passed the House on March 17, 2010. The bill was introduced in the Senate on March 19, 2010, and referred to the Committee on Education. The bill was favorably reported out of committee on April 9, 2010. It passed the Senate on April 14, 2010. It was signed into law by the governor on May 13, 2010.

### Washington House Bill 2801

This bill strengthens Washington's anti-bullying and harassment laws by requiring schools to have in place anti-bullying/harassment procedures as well as policies, and by expanding the tools, information and strategies that can be used to combat harassment, intimidation and bullying of students.

**STATUS:** This bill was introduced in the House on Jan. 14, 2010, and passed on Feb. 11, 2010. It was transmitted to the Senate on Feb. 13, 2010, and passed that chamber on March 4, 2010. The House passed the bill with the Senate amendments on March 6, 2010. The bill was signed by the governor on March 29, 2010.

### Washington House Bill 3026

This bill explicitly prohibits discrimination in Washington public schools on the basis of race; creed; religion; color; national origin; honorably discharged veteran or military status; sexual orientation, including gender expression or identity; the presence of any sensory, mental or physical disability; or the use of a trained dog guide or service animal by a person with a disability.

**STATUS:** This bill was introduced in the House on Jan. 20, 2010, and passed that chamber on Feb. 13, 2010. It was introduced in the Senate on Feb. 16, 2010, and passed on March 5, 2010. It was signed by the governor on March 29, 2010.

### Wisconsin Assembly Bill 458

This bill amends the statute on human growth and development curricula to require school boards to notify parents if the school board does not provide instruction in this area.

**STATUS:** This bill was introduced on Sept. 30, 2009. It passed the Assembly on Nov. 5, 2009, and the Senate on Jan. 28, 2010. It was approved by the governor on Feb. 24, 2010.

### Wisconsin Senate Bill 154

This bill requires the Department of Public Instruction to develop model anti-bullying policies for school districts to adopt, and designates Wednesday of the fourth week in September as Bullying Awareness Day.

**STATUS:** This bill was introduced on March 6, 2009. It passed the Senate on Oct. 20, 2009. It was received in the House and referred to the Education Committee on Oct. 23, 2009. It passed out of committee and was referred to the Rules Committee on Feb. 19, 2010. It passed the Assembly on April 15, 2010. The bill was signed into law by the governor on May 12, 2010.

## Schools-Related Bills

### District of Columbia Bill 770

This bill would prohibit bullying based on enumerated categories, including sexual orientation and gender identity; provide a model anti-bullying policy; and require all public schools to adopt an anti-bullying policy.

**STATUS:** This bill was introduced on April 20, 2010, and was referred to the Committee of the Whole.

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### District of Columbia Bill 1057

This bill would establish within District of Columbia Public Schools, District of Columbia Public Charter Schools, the Department of Parks and Recreation, District of Columbia Public Library, and the University of the District of Columbia policies to prohibit harassment, intimidation and bullying, including by means of electronic communication. It would also establish bullying prevention programs in the respective agencies

**STATUS:** This bill was introduced on Oct. 19, 2010, and was referred to the Committee of the Whole.

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### Illinois House Bill 6205

This bill would require that all Illinois public schools offer medically accurate, age-appropriate, comprehensive sexual health education.

**STATUS:** This bill was introduced on Feb. 11, 2010, and passed out of the Human Services Committee on March 10, 2010. It was referred to the Rules Committee on March 26, 2010.

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### 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 in the House on Jan. 20, 2009, and was referred by the House with Senate concurrence to the Joint Committee on Education. The House issued a study order on July 7, 2010.

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### Massachusetts House Bill 406

This bill would require schools to have an opt-in policy for all human sexuality classes and classes including "alternative sexual behavior." Alternative sexual behavior is defined to include "homosexuality; bisexuality; lesbianism; transsexuality; transgenderism; cross-dressing; pansexuality; promiscuity; sodomy; pederasty; prostitution; oral sex; anal sex; masturbation; polygamy; polyandry; sex re-assignment treatments; bondage and discipline; sado-masochism; bestiality; and similar behaviors...; sexual orientation; and alternative family, parenting, and marriage constructs."

**STATUS:** This bill was introduced on Jan. 20, 2009, and was referred to the Joint Committee on Education. The House issued a study order on July 20, 2010.

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### Massachusetts House Bill 421

This bill would require parental consent for student attendance in sexual education classes in public schools.

**STATUS:** This bill was introduced on Jan. 20, 2009, and was referred to the Joint Committee on Education. The House issued a study order on July 20, 2010.

## Schools-Related Bills

### Massachusetts House Bill 437

This bill would require parental opt-in for student attendance in sexual education classes in public schools. It also would mandate that all curriculum programs and activities that involve human sexual education, human sexuality issues or sexual orientation could be offered only in clearly identified non-mandatory elective courses.

**STATUS:** This bill was introduced on Jan. 20, 2009, and was referred to the Joint Committee on Education. The House issued a study order on July 20, 2010.

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### Massachusetts House Bill 472

This bill would require written parent or guardian permission for student participation in sex education.

**STATUS:** This bill was introduced on Jan. 20, 2009, and was referred to the Joint Committee on Education. The House issued a study order on July 20, 2010.

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### 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 on Jan. 20, 2009, and was referred to the Joint Committee on Education. The House issued a study order on July 20, 2010.

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### 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, violent bullying 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 on Jan. 20, 2010, and was referred to the Joint Committee on the Judiciary. The House issued a study order on Oct. 4, 2010.

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### Massachusetts Senate Bill 2313

This bill would prohibit bullying and cyberbullying, and mandate a bullying prevention and intervention plan.

**STATUS:** This bill was introduced on March 9, 2010, and was passed by the full Senate on March 11, 2010.

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### Michigan House Bill 4464

This bill would provide funding to school districts to address school violence and bullying.

**STATUS:** This bill was introduced on Feb. 24, 2010, and was referred to the Committee on Appropriations.

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### 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. None are enumerated.

**STATUS:** HB 4792 was introduced on April 2, 2009, and was referred to the Committee on Education. HB 4580 was introduced on March 13, 2009, and passed the House on May 13, 2010. It was sent to the Senate on May 13, 2010, where it was referred to the Committee on Education. HB 5093 was introduced on June 16, 2009, and was referred to the Committee on Education. SB 159 was introduced on Jan. 29, 2009, and SB 275 was introduced on Feb. 19, 2009. Both Senate bills were referred to the Committee on Education.

## Schools-Related Bills

### 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 in the House on June 25, 2009. It was reported out of the Judiciary Committee on Sept. 9, 2009, and passed the House on March 24, 2010. It was introduced in the Senate on March 24, 2010, and referred to the Committee on Education. SB 663 was introduced on June 25, 2009, and was referred to the Committee on Education.

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### Michigan House Bill 6471/Senate Bill 1458

These bills would require school boards to adopt and implement a policy prohibiting harassment, intimidation, bullying or cyberbullying. The bills are enumerated and include both sexual orientation and gender identity.

**STATUS:** SB 1458 was introduced on Aug. 17, 2010, and was referred to the Committee on Judiciary. HB 6471 was introduced on Sept. 21, 2010, and was referred to the Committee on Judiciary.

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### Michigan House Bill 6472/Senate Bill 1462

These bills would require the Department of State Police and the Department of Education to use the Michigan school violence hotline to accept reports of cyberbullying in schools, and would mandate reporting by law enforcement officials and schools. The bills specifically include sexual orientation and gender identity.

**STATUS:** SB 1462 was introduced on Aug. 17, 2010, and was referred to the Committee on Judiciary. HB 6472 was introduced on Sept. 21, 2010, and was referred to the Committee on Judiciary.

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### Michigan House Bill 6473/Senate Bill 1463

These bills would require the Department of Education to establish and maintain a cyberbullying awareness campaign to educate children, parents and guardians, school officials, and other members of the public who work with Michigan youth about the dangers and consequences of cyberbullying.

**STATUS:** SB 1463 was introduced on Aug. 17, 2010, and was referred to the Committee on Judiciary. HB 6473 was introduced on Sept. 21, 2010, and was referred to the Committee on Judiciary.

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### New Jersey Assembly Bill 618

This bill would excuse students with conflicts of conscience from certain class requirements of public institutions of higher education, such as health, family life education or sexual education, that are in conflict with the student's conscience or sincerely held moral or religious beliefs.

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

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### New Jersey Assembly Bill 1563

This bill would establish a one-year pilot program aimed at reducing bullying in the public schools.

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

## Schools-Related Bills

### **New Jersey Assembly Bill 2135**

This bill would excuse students with conflicts of conscience from certain class requirements of public institutions of higher education, such as health, family life education or sexual education, that are in conflict with the student's conscience or sincerely held moral or religious beliefs.

**STATUS:** This bill was introduced on Feb. 11, 2010, and referred to the Higher Education Committee.

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### **New Jersey Assembly Bill 3282**

This bill would include non-public schools and incidents occurring off school grounds in the school bullying law, and provide greater protections for victims of bullying.

**STATUS:** This bill was introduced on Oct. 7, 2010, and was referred to the Education Committee.

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### **New Jersey Assembly Bill 3328**

This bill would upgrade the degree of the crime for harassment under certain circumstances and would restrict cyberbullying offenders' access to the Internet.

**STATUS:** This bill was introduced on Oct. 7, 2010, and was referred to the Judiciary Committee.

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### **New Jersey Assembly Bill 3466/Senate Bill 2392**

These bills would strengthen the state cyberbullying law, extend coverage to bullying off school grounds that carries into schools and incorporate the state's public universities into select provisions.

**STATUS:** AB 3466 was introduced on Nov. 8, 2010, and passed out of the Assembly Education Committee on Nov. 15, 2010. It passed both the full Assembly and the full Senate on Nov. 22, 2010. SB 2392 was introduced on Nov. 11, 2010, and passed out of the Senate Education Committee on Nov. 15, 2010. It was substituted by AB 3466 on Nov. 22, 2010.

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### **New Jersey Senate Bill 436**

This bill would, in part, amend the School Ethics Act to expand the definition of immediate family member to include domestic partner.

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

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### **New York Assembly Bill 1806/Senate Bill 3836**

These bills would establish an age-appropriate, comprehensive sex education grant program through the Department of Health.

**STATUS:** AB 1806 was introduced on Jan. 12, 2009. It passed the Assembly on June 17, 2009. It then died in the Senate on Jan. 6, 2010, but was returned to the Assembly. SB 3836 was introduced on April 2, 2009, and was referred to the Health Committee. It was re-introduced on Jan. 6, 2010.

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### **New York Assembly Bill 1871/Senate Bill 3994**

These bills would provide for reporting of bias-related incidents on state university campuses by university police officers to college and university personnel. The bill is enumerated but does not include gender identity.

**STATUS:** AB 1871 was introduced on Jan. 12, 2009, and SB 3994 was introduced on April 7, 2009. They were referred to their respective higher education committees. They were re-referred on Jan. 6, 2010.

## Schools-Related Bills

### **New York Assembly Bill 3261/Senate Bill 1985**

These bills 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 on Jan. 23, 2009, and SB 1985 was introduced on Feb. 10, 2009. They were referred to their respective education committees. They were re-referred on Jan. 6, 2010.

### **New York Assembly Bill 4028/Senate Bill 7158**

These bills would prohibit bullying and cyberbullying on school property and would require schools to provide instruction to discourage bullying and cyberbullying. They do not contain enumerated classes.

**STATUS:** AB 4028 was introduced on Jan. 29, 2009, and was referred to the Codes Committee. It was re-referred on Jan. 6, 2010. SB 7158 was introduced on March 17, 2010, and was referred to the Codes Committee.

### **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, and was referred to the Education Committee. It was re-referred on Jan. 6, 2010.

### **New York Assembly Bill 4785/Senate Bill 2527**

These bills would require colleges to educate their campus communities on bias-related crimes.

**STATUS:** AB 4785 was introduced on Feb. 6, 2009, and SB 2527 was introduced on Feb. 23, 2009. Both bills were referred to their respective higher education committees. They were re-referred on Jan. 6, 2010.

### **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. The bill is not enumerated.

**STATUS:** This bill was introduced on Feb. 13, 2009, and was referred to the Education Committee. It was re-referred on Jan. 6, 2010.

### **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. It would provide for enumerated classes, including sexual orientation but not gender identity.

**STATUS:** This bill was introduced on March 6, 2009, and referred to the Committee on Education. It was re-referred to the Committee on Education on Jan. 6, 2010, and was then held for consideration on June 16, 2010.

### **New York Assembly Bill 10674**

This bill would require provisions in schools that prohibit harassment, intimidation or bullying, whether by electronic communication or a written, verbal, physical or sexual act. The bill does not provide for enumerated categories.

**STATUS:** This bill was introduced on April 14, 2010, and was referred to the Committee on Education.

## Schools-Related Bills

### **New York Assembly Bill 11235**

This bill would prohibit bullying on school property, define bullying and establish punishment for people who are found guilty of bullying on school property. It does not include enumerated classes.

**STATUS:** This bill was introduced on May 25, 2010, and was referred to the Committee on Education.

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### **New York Assembly Bill 11563**

This bill would require that information on the school violence hotline shall be posted in schools.

**STATUS:** This bill was introduced on June 25, 2010, and passed the Education Committee on July 1, 2010. It was then referred to the Rules Committee.

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### **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. It does not contain enumerated classes.

**STATUS:** This bill was introduced on Jan. 28, 2009, and was referred to the Education Committee. It passed the Education Committee on May 18, 2010.

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### **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, and was referred to the Education Committee. It was re-referred on Jan. 6, 2010

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### **New York 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:** This bill was introduced on Feb. 10, 2009, and was referred to the Education Committee. It passed out of the committee on May 18, 2010, but was substituted by Assembly Bill 3661.

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### **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, and was referred to the Education Committee. It was re-referred on Jan. 6, 2010.

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### **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, and was referred to the Rules Committee. It was re-referred to the Education Committee on Jan. 6, 2010.

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### **New York Senate Bill 7718**

This bill would enact the Dignity for All Students Act, authorizing the commissioner of education to establish policies and procedures affording all students in public schools an environment free of harassment and discrimination. The Act would further require reporting harassment and discrimination to the commissioner. The bill includes enumerated categories.

**STATUS:** This bill was introduced on May 4, 2010, and was referred to the Committee on Education.

## Schools-Related Bills

### **New York Senate Bill 7759**

This bill would require individuals applying for certification or licensure to be a teacher to complete a course of training in recognizing and responding to incidents of bullying and harassment.

**STATUS:** This bill was introduced on May 6, 2010, and passed the Committee on Education on May 10, 2010.

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### **New York Senate Bill 8199**

This bill would require school districts and boards of cooperative educational services to immediately report bias-related offenses to law enforcement agencies.

**STATUS:** This bill was introduced on June 16, 2010, and was referred to the Rules Committee.

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### **New York Senate Bill 8436**

This bill would require that information on the school violence hotline shall be posted in schools.

**STATUS:** This bill was introduced on July 9, 2010, and was referred to the Rules Committee.

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### **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 they not focus exclusively on abstinence and that materials be inclusive of all students, regardless of sexual orientation or gender identity.

**STATUS:** SB 55 was introduced on Feb. 17, 2009, and SB 59 was introduced on March 3, 2009. Both of these Senate bills were referred to the Education Senate Committee. SB 176 was introduced on Sept. 29, 2009, and was referred to the Senate Health, Human Services and Aging Committee. HB 293 was introduced on Sept. 30, 2009, and was referred to the House Health Committee. HB 316 was introduced on Oct. 16, 2009, and referred to the Education Committee.

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### **Ohio House Bill 520**

This bill would require that public school bullying policies prohibit bullying by electronic means, address certain acts that occur off school property and require staff training on the bullying policy. It would not contain enumerated categories.

**STATUS:** This bill was introduced on May 18, 2010, and was referred to the Education Committee.

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### **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, cyberbullying and harassment.

**STATUS:** This bill was introduced on May 5, 2009, and was referred to the Education Senate Committee.

## Schools-Related Bills

### Arizona House Bill 2361

This bill would have amended the statutes related to the sex education curriculum to require sex education to be medically accurate and comprehensive. It also would have stricken language that prohibited teachers from speaking in a positive manner about the LGB community.

**STATUS:** This bill was introduced on Jan. 19, 2010, and was assigned to the Health and Human Services, Education, and Rules committees. It died upon adjournment on April 29, 2010.

### California Assembly Bill 974

This bill would have required a school district to treat a pupil's voluntary expression of a religious viewpoint on an otherwise permissible subject in the same manner the district treats a pupil's voluntary expression of a secular or other viewpoint and prohibited discrimination against a pupil based on the religious viewpoint expressed. This bill would have required a district to adopt a policy that must include the establishment of a limited public forum for student speakers at all school events at which a pupil may speak publicly, as specified. This bill would also have provided that pupils have the right 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, and to organize prayer groups or religious clubs or gatherings before, during and after school to the same extent that pupils are permitted to organize other non-curricular student activities and groups.

**STATUS:** This bill was introduced on Feb. 26, 2009, and was referred to the committees on Judiciary and Education. It died pursuant to Assembly rules on Feb. 1, 2010.

### California Assembly Bill 1922

This bill would have required the state Board of Education to make civil rights education a mandatory part of instruction in the public elementary and secondary schools.

**STATUS:** This bill was introduced on Feb. 15, 2010. It passed the Assembly on June 2, 2010, and was sent to the Senate. It passed the Senate Committee on Education on June 28, 2010, and was re-referred to the Senate Appropriations Committee, where it was held under submission on Aug. 12, 2010. It died upon adjournment on Nov. 30, 2010.

### Colorado Senate Bill 89

This bill would have established the Religious Bill of Rights for Individuals Connected to Public Schools Act, which would have required the state Board of Education to adopt a religious bill of rights for public school students, parents, teachers and employees.

**STATUS:** This bill was introduced on Jan. 20, 2010. It died on Feb. 15, 2010, when the Senate Committee on Judiciary postponed the bill indefinitely.

### Florida House Bill 169

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 pre-filed on Oct. 1, 2009, for the 2010 session and introduced on March 2, 2010. It was referred to the PreK–12 Policy Council, the Health Care Services Policy Council, the PreK–12 Appropriations Council and the Education Policy Council. It died upon adjournment on April 30, 2010.

## Schools-Related Bills

### Florida Senate Bill 1502

This bill would have required all public schools to provide comprehensive, medically accurate, age-appropriate sex education.

**STATUS:** This bill was introduced on March 2, 2010, and was referred to the Education Pre K–12 Committee. It died upon adjournment on April 30, 2010.

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### Georgia House Bill 33

This bill would have required schools to create a limited public forum for student speakers to discuss religious topics and would have allowed students to discuss their religious beliefs in class assignments.

**STATUS:** This bill was pre-filed on Dec. 18, 2008, and was introduced on Jan. 15, 2009. The bill died upon adjournment on April 29, 2010.

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### Georgia House Bill 668

This bill would have authorized school boards to reassign known bullies to other schools to separate them from their victims, and provided for the immediate notification of law enforcement when a student physically assaults another student.

**STATUS:** This bill was introduced on March 9, 2009, but died upon adjournment on April 29, 2010.

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### Georgia House Bill 882

This bill would have expanded the definition of bullying, amended the statute to apply to all students, authorized school boards to reassign known bullies to other schools to separate them from their victims, provided for the immediate notification of law enforcement when a student physically assaults another student and required the Department of Education to develop a model policy related to bullying.

**STATUS:** This bill was pre-filed on Nov. 16, 2009, but died upon adjournment on April 29, 2010.

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### Georgia House Bill 927

This bill would have amended existing anti-bullying laws to add cyberbullying, expanded the definition of bullying, amended the statute to apply to all students, authorized school boards to reassign known bullies to other schools to separate them from their victims and required the Department of Education to develop a model policy related to bullying.

**STATUS:** This bill was introduced on Jan. 13, 2010, and was reported favorably out of committee on Feb. 10, 2010. It died upon adjournment on April 29, 2010. This bill was effectively incorporated into Georgia Senate Bill 250. See above.

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### Georgia House Bill 940

This bill would have amended the anti-bullying statute to provide for enumerated categories, including sexual orientation and gender identity, and provided a more comprehensive definition of bullying and harassment.

**STATUS:** This bill was introduced on Jan. 14, 2010, but died upon adjournment on April 29, 2010.

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### Georgia Senate Bill 217

This bill would have required the state Board of Education to define a dating partner as “any person, regardless of gender, involved in an intimate relationship with another, in which relationship is primarily characterized by the expectation of affectionate involvement, whether casual, serious or long-term for the purposes of curricula aimed at reducing teen dating violence.

**STATUS:** This bill was introduced on March 3, 2009, but died upon adjournment on April 29, 2010.

## Schools-Related Bills

### Hawaii House Bill 278

This bill would have required the Department of Education to adopt rules to reduce and prevent school bullying and cyberbullying.

**STATUS:** This bill was introduced on Jan. 23, 2009, and was referred to the Education and Finance committees on Jan. 26, 2009. It died upon adjournment on April 29, 2010.

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### Hawaii House Bill 329/Senate Bill 778

These bills would have required the state to reject all federal funding for mandated abstinence-only-until-marriage programs.

**STATUS:** SB 778 was introduced in the Senate on Jan. 23, 2009, and HB 329 in the House on Jan. 26, 2009. HB 392 passed the House Committee on Health on Jan. 30, 2009, and the House Committee on Education on Feb. 11, 2009. The bills died upon adjournment on April 29, 2010.

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### Hawaii House Bill 330

This bill would have required 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, and was referred to the Health, Education and Finance committees. It passed the Committee on Health on Jan. 30, 2009, and the Committee on Education on Feb. 11, 2009. The bill died upon adjournment on April 29, 2010.

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### Hawaii House Bill 1774

This bill would have required the state Department of Education to obtain parental consent prior to a minor student's participation in sex education or classes on sexually transmitted diseases.

**STATUS:** This bill was introduced on Jan. 28, 2009, and was referred to the Education, Health and Finance committees on Jan. 30, 2009. It died upon adjournment on April 29, 2010.

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### Hawaii House Bill 1917

This bill would have established a fine of \$100 for each separate offense of bullying and cyberbullying, and would have defined bullying and cyberbullying. It would not have provided enumerated classes for protection.

**STATUS:** This bill was introduced on Jan. 20, 2010, and was referred to the Education and Judiciary committees. It died upon adjournment on April 29, 2010.

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### Hawaii House Bill 2139

This bill would have required the state to adopt policies designating after-school and prevention programs that address bullying and sexual health issues.

**STATUS:** This bill was introduced on Jan. 21, 2010, and was referred to the Health, Education and Finance committees on Jan. 22, 2010. It died upon adjournment on April 29, 2010.

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### Hawaii House Bill 2932

This bill would have mandated the provision of written notice and release from sex education classes for pupils whose parents opt out.

**STATUS:** This bill was introduced on Jan. 27, 2010, and was referred to the Education Committee. It died upon adjournment on April 29, 2010.

## Schools-Related Bills

### Hawaii Senate Bill 792

This bill would have required the Department of Education to adopt rules to reduce and prevent school bullying and cyberbullying.

**STATUS:** This bill was introduced on Jan. 23, 2010. The Committee on Education deferred the measure on Feb. 13, 2009. The bill died upon adjournment on April 29, 2010.

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### Hawaii Senate Bill 2083

This bill would have required the state to adopt policies designating after-school and prevention programs that address bullying and sexual health issues.

**STATUS:** This bill was introduced in the Senate on Jan. 20, 2010, and passed on March 2, 2010. It was transferred to the House on March 2, 2010, and referred to the Health, Education and Finance committees. It died upon adjournment on April 29, 2010.

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### Hawaii Senate Bill 2094

This bill would have established a fine of \$100 for each separate offense of bullying and cyberbullying, and would have defined bullying and cyberbullying. It would not have provided enumerated classes for protection.

**STATUS:** This bill was introduced on Jan. 20, 2010, and was referred to the committees on Education and Judiciary and Government Operations. It died upon adjournment on April 29, 2010.

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### Hawaii Senate Concurrent Resolution 17

This resolution would have recognized after-school programs and prevention programs in schools as effective strategies for combating bullying and domestic violence and promoting sexual health awareness, emotional literacy, civic responsibility and healthy relationships.

**STATUS:** This resolution was introduced on Jan. 21, 2010, and referred to the Education, Health and Housing committees. It died upon adjournment April 29, 2010.

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### Hawaii Senate Resolution 7

This resolution would have recognized after-school and prevention programs in schools as effective strategies for combating bullying and domestic violence and promoting sexual health awareness, emotional literacy, civic responsibility and healthy relationships.

**STATUS:** This resolution was introduced on Jan. 21, 2010, and was referred to the committees on Education, Human Services and Health on Jan. 29, 2010. It died upon adjournment on April 29, 2010.

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### Indiana Senate Bill 256

This bill would have urged the Legislative Council to assign as a study topic during the legislative interim the issue of whether a student or the parent of a student who believes the student has been improperly denied participation in an educational function, or subjected to an illegal rule or standard, should be entitled to a hearing with the school corporation's superintendent.

**STATUS:** This bill was introduced on Jan. 11, 2010. It was passed by the Senate on Feb. 2, 2010, but died upon adjournment on March 13, 2010.

## Schools-Related Bills

### Iowa House Bill 2269

This bill would have amended existing curriculum standards to require age-appropriate, comprehensive sexuality education in elementary and secondary education.

**STATUS:** This bill was introduced on Feb. 3, 2010, and was referred to the Education Committee. It died upon adjournment on March 30, 2010.

### Iowa House Bill 2291

This bill would have removed sexual orientation and gender identity from the enumerated protected classes in school anti-bullying and harassment policies.

**STATUS:** This bill was introduced on Feb. 4, 2010, and was referred to the Education Committee. It died upon adjournment on March 30, 2010.

### Iowa House Bill 2361

This bill would have, in part, required charter schools to comply with all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, sexual orientation, gender identity, national origin, religion, ancestry or need for special education services.

**STATUS:** This bill was introduced on Feb. 9, 2010, and was referred to the Education Committee. It died upon adjournment on March 30, 2010.

### Iowa House Bill 2492/Senate Bill 2288

These bills would have added sexual orientation and gender identity to the employment non-discrimination policies for school districts, area education agencies and community colleges.

**STATUS:** SB 2288 was introduced in the Senate on Feb. 11, 2010, and HB 2492 in the House on Feb. 18, 2010. SB 2288 passed out of committee on Feb. 11, 2010, and passed the Senate on Feb. 23, 2010. Both bills died upon adjournment on March 30, 2010.

### Iowa House Study Bill 527

This bill would have, in part, required charter schools to comply with all federal and state laws prohibiting discrimination on the basis of race, creed, color, sex, sexual orientation, gender identity, national origin, religion, ancestry or disability.

**STATUS:** This bill was introduced on Jan. 12, 2010. It died upon adjournment on March 30, 2010.

### Iowa House Study Bill 623/Senate Study Bill 3136

These bills would have, in part, required charter schools to comply with all federal and state laws prohibiting discrimination on the basis of race, creed, color, sex, sexual orientation, gender identity, national origin, religion, ancestry or disability. These bills would have also added sexual orientation and gender identity to the employment non-discrimination policies for school districts, area education agencies and community colleges.

**STATUS:** These bills were introduced in their respective chambers on Jan. 26, 2010. HSB 623 was referred to the House Education Committee. Both bills died upon adjournment on March 30, 2010.

### Kansas House Bill 2184

This bill would have required 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, and was referred to the Education Committee. It died upon adjournment on May 11, 2010.

## Schools-Related Bills

### Kentucky House Bill 119/Senate Bill 140

These bills would have required a school district or family resource and youth services center that offers human sexuality education to adopt science-based content standards and provide age-appropriate, culturally sensitive and medically accurate information that includes, but is not limited to, abstinence education and contraception.

**STATUS:** HB 119 was introduced in the House on Jan. 5, 2010, and SB 140 in the Senate on Jan. 7, 2010. Both bills were referred to their respective education committees. They died upon adjournment on April 15, 2010.

### Kentucky House Resolution 40

This resolution would have declared the support of the House of Representatives for the proposition that Kentucky students should be free to participate in student groups that have religious expression as a component of the group's activities and that they should be free to express their religious viewpoints in school activities to the same extent that they are permitted to express their non-religious viewpoints.

**STATUS:** This bill was introduced on Jan. 7, 2010, and was referred to the Education Committee. It died upon adjournment on April 15, 2010.

### Louisiana House Bill 529

This bill would have required that comprehensive, age-appropriate, medically accurate sex education be taught in schools.

**STATUS:** This bill was introduced on March 15, 2010, and passed out of the Committee on Education on April 29, 2010. It was voted on by the full House on May 17, 2010, where it failed.

### Louisiana House Concurrent Resolution 225

This resolution would have requested the state Board of Elementary and Secondary Education to evaluate the effectiveness of sex education curricula used throughout the state.

**STATUS:** This bill was introduced in the House on June 4, 2010, and passed out of the Committee on Education on June 15, 2010. It died upon adjournment on June 21, 2010.

### Maryland House Bill 1334

This bill would have extended the state's enumerated anti-bullying law, which includes sexual orientation and gender identity, to non-public schools that accept state money, except for placement of students with disabilities in non-public programs.

**STATUS:** This bill was introduced to the Ways and Means Committee on Feb. 18, 2010, and received a favorable report on April 12, 2010. It died on April 12, 2010, upon adjournment.

### Massachusetts House Bill 264

This bill would have established a bullying prevention and intervention plan.

**STATUS:** This bill was introduced on Jan. 20, 2009, and was referred to the Joint Committee on Education. The bill died on Feb. 24, 2010, when a new draft was offered.

### 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 have defined bullying and created prevention and enforcement mechanisms for schools dealing with student bullying.

**STATUS:** These bills were introduced on Jan. 20, 2009, and were referred to the Joint Committee on Education. These bills died on Feb. 24, 2010, when new drafts were offered.

## Schools-Related Bills

### Massachusetts House Bill 455

This bill would have amended bullying-prevention provisions by defining and including cyberbullying.

**STATUS:** This bill was introduced on Jan. 20, 2009, and was referred to the Joint Committee on Education. The bill died on Feb. 24, 2010, when a new draft was offered.

### Massachusetts House Bill 483/Senate Bill 233

These bills would have defined bullying and cyberbullying, and created prevention and enforcement mechanisms for schools dealing with student bullying and cyberbullying.

**STATUS:** These bills were introduced on Jan. 20, 2009, and were referred to the Joint Committee on Education. These bills died on Feb. 24, 2010, when new drafts were offered.

### Massachusetts House Bill 3434/Senate Bill 218

These bills would have required that sexual education classes provide age-appropriate and medically accurate information. These bills would also have required schools to notify parents and allow them to excuse their child from attending sexual education classes.

**STATUS:** These bills were introduced on Jan. 20, 2009, and were referred to the Joint Committee on Education. They died when a new draft was offered on May 6, 2010.

### 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 on Jan. 20, 2009, and was referred to the Joint Committee on Education. The bill died on Feb. 24, 2010, when a new draft was offered.

### Massachusetts Senate Bill 2283

This bill would have defined bullying and cyberbullying, and would have created prevention and enforcement mechanisms for schools dealing with student bullying.

**STATUS:** This bill was introduced on Feb. 24, 2010, and was reported favorably from the Joint Committee on Education. It was then referred to the Senate Committee on Ways and Means. The bill died on March 9, 2010, when the Senate substituted a new draft.

### Minnesota House Bill 4/Senate Bill 2

These bills would have amended the state school law prohibiting harassment and violence to also prohibit bullying and intimidation. They would have added enumerated categories, including sexual orientation and gender identity, for protection and would have required teacher training.

**STATUS:** Both bills were introduced on Oct. 18, 2010, and were referred to their respective rules and legislative administration committees. They died upon adjournment on Oct. 18, 2010.

## Schools-Related Bills

### **Minnesota House Bill 550/House Bill 906/House Bill 2986/ Senate Bill 273/Senate Bill 965/Senate Bill 2645**

These bills would have created a Responsible Family Life and Sexuality Education Program that emphasized abstinence while also providing information on contraceptives. They would have also required age-appropriate, medically accurate information.

**STATUS:** SB 273 was introduced on Jan. 26, 2009, and passed the Senate Health, Housing and Family Security Committee on Jan. 29, 2009. HB 550 was introduced on Feb. 5, 2009, and passed the House Health Care and Human Services Policy and Oversight Committee on Feb. 16, 2009. It was then re-referred to the K–12 Education Policy and Oversight Committee. HB 2986 was introduced on Feb. 15, 2010, and passed the House Health Care and Human Services Policy Committee on March 1, 2010. HB 906 was introduced on Feb. 16, 2010, and was referred to the House K–12 Education Policy and Oversight Committee. SB 2645 was introduced on Feb. 16, 2010, and passed the Senate Health, Housing and Family Security Committee on March 8, 2010. It was then re-referred to the Senate Education Committee. SB 965 was introduced on Feb. 26, 2009, and was referred to the Senate Education Committee. All bills died upon adjournment on May 16, 2010.

### **Minnesota House Bill 679/Senate Bill 1076**

These bills would have required that schools notify the parent(s) of a student who bullies another student.

**STATUS:** HB 679 was introduced on Feb. 9, 2009, and was referred to the House K–12 Education Policy and Oversight Committee. SB 1076 was introduced on March 2, 2009, and was referred to the Senate Education Committee. Both bills died upon adjournment on May 16, 2010.

### **Mississippi House Bill 140**

This bill would have required the state Board of Education and Board of Health to implement a comprehensive sex education pilot program.

**STATUS:** This bill was introduced on Jan. 10, 2010, and was referred to the Education Committee. It died in committee on Feb. 2, 2010.

### **Mississippi House Bill 147**

This bill would have required schools to provide comprehensive, medically accurate, age-appropriate sex education in grades K–12. The bill contained a provision requiring that “course material and instruction shall be free of racial, ethnic, gender, religious or sexual orientation biases.”

**STATUS:** This bill was introduced on Jan. 5, 2010. It died in the Education Committee on Feb 2, 2010.

### **Mississippi House Bill 279/Senate Bill 2067/Senate Bill 2194**

These bills would have clarified that students may make religious references in homework, artwork and other assignments, as well as required schools to establish limited open forums to authorize students to organize prayer groups, religious clubs and other religious gatherings.

**STATUS:** HB 279 was introduced on Jan. 5, 2010, and was referred to the House Education Committee. The Senate bills were introduced on Jan. 6, 2010, and were referred to the Senate Education Committee. These bills all died in committee on Feb. 2, 2010.

## Schools-Related Bills

### Mississippi House Bill 570

This bill would have prohibited bullying and harassment in public K–12 schools, and required local school boards to adopt policies on bullying and harassment. It would not have required enumeration.

**STATUS:** This bill was introduced on Jan. 12, 2010, and was referred to the Education Committee. It died in committee on Feb. 2, 2010.

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### Mississippi House Bill 837

This bill would have required local school boards to adopt a policy to implement abstinence-only or abstinence-plus education.

**STATUS:** This bill was introduced on Jan. 14, 2010. The bill passed the House on Feb. 9, 2010, and was transmitted to the Senate on Feb. 16, 2010. It died in the Senate Education Committee on March 2, 2010.

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### Mississippi House Bill 1095/House Bill 1553

These bills would have required local school districts to develop and implement a bullying prevention and intervention plan. They would not have required enumeration.

**STATUS:** Both bills were introduced on Jan. 18, 2010, and were referred to the Education Committee. They died in committee on Feb. 2, 2010.

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### Mississippi Senate Bill 2543

This bill would have required health education in public schools to include medically and scientifically accurate information.

**STATUS:** This bill was introduced on Jan. 14, 2010, and was referred to the Education Committee. It died in committee on Feb. 2, 2010.

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### Mississippi Senate Bill 2660

This bill would have required the state Board of Education to establish an abstinence-only sex education pilot program.

**STATUS:** This bill was introduced on Jan. 14, 2010, and was referred to the Education Committee. It died in committee on Feb. 2, 2010.

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### Missouri House Bill 1854

This bill would have created a “School Safety and Violence Prevention Fund” and have a government agency that would serve as a statewide resource center on school safety.

**STATUS:** This bill was introduced on Jan. 28, 2010, and was referred to the Budget Committee on May 14, 2010. It died upon adjournment on May 25, 2010.

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### Missouri House Bill 2036/Senate Bill 946

This bill would have amended the existing anti-bullying law to add enumerated categories, including sexual orientation, defined to include gender identity and expression.

**STATUS:** HB 2036 was introduced on Feb. 4, 2010, and was referred to the House Elementary and Secondary Education Committee on May 14, 2010. SB 946 was introduced on Feb. 15, 2010, and referred to the Senate Education Committee. It died upon adjournment on May 25, 2010.

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### Missouri House Bill 2232

This bill would have altered the state’s sex education requirements to move toward comprehensive sex education.

**STATUS:** This bill was introduced on Feb. 24, 2010, and was referred to the Special Standing Committee on Children and Families on May 14, 2010. It died upon adjournment on May 25, 2010.

## Schools-Related Bills

### Missouri House Joint Resolution 26/Senate Joint Resolution 31

This resolution would have proposed a constitutional amendment guaranteeing a citizen's right to pray and worship on public property and reaffirming a citizen's right to choose any or no religion. In addition, the amendment would have allowed students to express their beliefs about religion in written and oral assignments and to sit out of assignments and presentations in violation of the student's beliefs.

**STATUS:** HJR 26 was introduced in the House on Jan. 6, 2010. It passed out of the Special Standing Committee on General Laws on March 24, 2010, and passed the House on April 26, 2010. Then, it passed the Senate General Laws Committee on May 10, 2010, and the Senate Governmental Accountability and Fiscal Oversight Committee on May 12, 2010. SJR 31 was introduced on Jan. 13, 2010, and passed the General Laws Committee on Feb. 9, 2010. Both resolutions died upon adjournment on May 25, 2010.

### Missouri Senate Bill 614

This bill would have added cyberbullying and electronic bullying to the state's anti-bullying statute.

**STATUS:** This bill was introduced on Jan. 6, 2010. It passed the Education Committee on Feb. 17, 2010, and the Senate on March 4, 2010. It was sent to the House the same day, then referred to the House Public Safety Committee on May 4, 2010. It died upon adjournment on May 25, 2010.

### Missouri Senate Bill 696

This bill would have, in part, amended the sex education statutes to require medically and factually accurate information to be based on peer-reviewed projects that have been demonstrated to influence healthy behavior.

**STATUS:** This bill was introduced on Jan. 6, 2010, and referred to the Judiciary, Civil and Criminal Jurisprudence Committee. It died upon adjournment on May 25, 2010.

### Nebraska Legislature Bill 269

This bill would have, in part, required postsecondary educational institutions that have colleges of medicine in Nebraska to not discriminate against any person on the basis of sexual orientation as a condition of receiving any funds from the Nebraska Health Care Cash Fund.

**STATUS:** This bill was introduced on Jan. 14, 2009. It was indefinitely postponed on April 14, 2010.

### Nebraska Legislative Resolution 194

This bill would have established an interim study to determine effective, age-appropriate sexual education curriculum.

**STATUS:** This bill was introduced on May 18, 2009, and was referred to the Health and Human Services Committee. It died upon adjournment on April 14, 2010.

### New Hampshire House Bill 1453

This bill would have required schools to give notice to each student's legal guardian about any class, assembly, field trip or event held on school property where students are invited or required to attend, that addresses health, sex education, sexual orientation, gender identity or political activism. It would also have required the policy to include a provision for the student's excusal from participation for religious objections.

**STATUS:** This bill was introduced on Dec. 10, 2009, and referred to the Education Committee on Jan. 6, 2010. It passed out of committee on Feb. 16, 2010, but died on March 18, 2010, when the House voted the bill "Inexpedient to Legislate."

## Schools-Related Bills

### New Hampshire Senate Bill 482

This bill would have added definitions of bullying and cyberbullying to the pupil safety and violence prevention statute.

**STATUS:** This bill was introduced on Jan. 21, 2010, and referred to the Education Committee. It was tabled on March 17, 2010.

### North Carolina House Bill 548

This bill would have established the School Violence Prevention Act, prohibiting bullying on the basis of enumerated categories, including sexual orientation and gender identity. Note: In 2009, the North Carolina Legislature passed an alternate, stronger anti-bullying bill that included sexual orientation and gender identity.

**STATUS:** This bill was introduced on March 11, 2009, and was referred to the Committee on Education. It died upon adjournment on July 10, 2010.

### North Carolina House Bill 776

This bill would have defined and prohibited bullying at public schools, and would have set forth procedures for enforcing anti-bullying policies. It would not have included enumerated categories. Note: In 2009, a stronger anti-bullying bill was passed by the Legislature.

**STATUS:** This bill was introduced on March 24, 2009, and was referred to the Committee on Education. It died upon adjournment on July 10, 2010.

### North Carolina Senate Bill 221

This bill would have provided for abstinence-until-marriage and comprehensive sexuality education programs in public school grades 7–9.

**STATUS:** This bill was introduced on Feb. 18, 2009, and was referred to the Committee on Education/Higher Education. It died upon adjournment on July 10, 2010.

### Oklahoma House Bill 1348

This bill would have required that school boards provide medically accurate sex education.

**STATUS:** This bill was introduced on Feb. 2, 2009, and was referred to the Common Education Committee. It died upon adjournment on May 28, 2010.

### Oklahoma Senate Bill 1381

This bill would have required sex education curricula to be medically accurate.

**STATUS:** This bill was introduced on Feb. 1, 2010, and was referred to the Health and Human Services Committee. It died upon adjournment on May 28, 2010.

### Pennsylvania House Bill 137

This bill would have created an Office for Safe Schools to combat school violence and bullying.

**STATUS:** This bill was introduced on Jan. 30, 2009, and was referred to the Education Committee. It died upon adjournment on Nov. 30, 2010.

### Pennsylvania House Bill 1162

This bill would have required parental notification for abstinence-only-until-marriage programs or instruction.

**STATUS:** This bill was introduced on April 30, 2009, and was referred to the Education Committee. It died upon adjournment on Nov. 30, 2010.

## Schools-Related Bills

### Pennsylvania House Bill 1163

This bill would have provided 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, and passed the Education Committee on May 3, 2010. It was re-referred to the Appropriations Committee, then died upon adjournment on Nov. 30, 2010.

### Pennsylvania House Bill 1241

This bill would have provided guidelines for school crisis plans addressing school violence and bullying.

**STATUS:** This bill was introduced on April 8, 2009, and was referred to the Education Committee. It died upon adjournment on Nov. 30, 2010.

### Pennsylvania House Bill 2569

This bill would have amended the existing anti-bullying laws to, in part, also prohibit harassment, intimidation and cyberbullying, and to provide for enumerated categories, including sexual orientation and gender identity.

**STATUS:** This bill was introduced on June 9, 2010, and was referred to the Education Committee. It died upon adjournment on Nov. 30, 2010.

### Rhode Island House Bill 8170

This bill would have set forth additional prohibitions against bullying in public and private schools and would have required schools and school districts to develop bullying prevention and intervention plans.

**STATUS:** This bill was introduced on May 25, 2010, and was referred to the Judiciary Committee, where it was recommended that the bill be held for further study. It died upon adjournment on June 11, 2010.

### Rhode Island House Resolution 7359

This resolution would have requested the commissioner of the state Department of Elementary and Secondary Education to require all schools to adopt an Internet safety education program, which would include education on bullying, harassment and hate crimes.

**STATUS:** This resolution was introduced on Feb. 4, 2010, and referred to the Constituent Services Committee, where it was recommended the bill be held for further study. It died upon adjournment on June 11, 2010.

### South Carolina House Bill 3858

This bill would have prohibited school districts from discriminating against students on the basis of religious viewpoint, allowed students to express religious viewpoint, 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 April 1, 2009, and was referred to the Committee on Judiciary. It died upon adjournment on Oct. 30, 2010.

### Tennessee House Bill 812/Senate Bill 1234

These bills would have required parents to request students attend family life courses, and would have provided an exemption and alternative classes for those students who do not wish to attend.

**STATUS:** HB 812 was introduced on Feb. 11, 2009, and SB 1234 was introduced on Feb. 12, 2009. The bills were referred to their respective committees on education. They died upon adjournment on June 10, 2010.

## Schools-Related Bills

### Tennessee House Bill 821/Senate Bill 1250

These bills would have prohibited public schools from the teaching of human sexuality other than heterosexuality in grades K–8.

**STATUS:** Both bills were introduced on Feb. 12, 2009, and were referred to their respective committees on education. They died upon adjournment on June 10, 2010.

### Tennessee House Bill 1188/Senate Bill 1306

These bills would have prohibited school districts from discriminating against students on the basis of religious viewpoint, allowed students to express a religious viewpoint, 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:** SB 1306 was introduced on Feb. 12, 2009, and HB 1188 was introduced on Feb. 18, 2009. Both bills were referred to their respective education committees. They died upon adjournment on June 10, 2010.

### Tennessee House Bill 2028/Senate Bill 1782

These bills would have required every higher education institution's hazing policy to include a one-year suspension for instigating or participating in hazing.

**STATUS:** SB 1782 was introduced on Feb. 12, 2009, and HB 2028 was introduced on Feb. 26, 2009. Both bills were referred to their respective education committees. They died upon adjournment on June 10, 2010.

### Tennessee House Bill 2379

This bill would have required all schools to provide comprehensive health education.

**STATUS:** This bill was introduced on Jan. 12, 2010. It was referred to the Education Committee but was taken off the calendar on March 31, 2010. It died upon adjournment on June 10, 2010.

### Tennessee House Bill 3132/Senate Bill 3056

These bills would have required the board of regents and University of Tennessee board of trustees to report to the House and Senate education committees whether instruction aimed at increasing the awareness and prevention of hate crime offenses, sexual battery, sexual harassment and date rape are being offered to all entering freshmen during orientation or introductory studies at each of their respective institutions

**STATUS:** SB 3056 was introduced on Jan. 27, 2010, and HB 3132 was introduced on Jan. 28, 2010. Both bills were referred to their respective education committee. They died upon adjournment on June 10, 2010.

### Vermont House Bill 575/House Bill 691

This bill would have expanded the definitions of harassment and bullying in the educational context to include actions committed electronically. In addition, it would have permitted school administrators to discipline students for actions conducted outside normal school hours and off school grounds if the action substantially undermined or interfered with a student's educational performance or access to school resources or created an intimidating, hostile or offensive environment.

**STATUS:** HB 575 was introduced on Jan. 28, 2010, and HB 691 was introduced on Feb. 2, 2010. Both bills were referred to their respective committees on education. They died upon adjournment on May 12, 2010.

## Schools-Related Bills

### Virginia House Bill 744

This bill would have made bullying at school punishable as assault and battery.

**STATUS:** This bill was introduced on Jan. 12, 2010, and assigned to the Committee for Courts of Justice. It died upon adjournment on March 14, 2010.

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### Washington House Bill 1643

This bill would have required regional universities to adopt policies prohibiting the harassment, intimidation or bullying of any student or staff member.

**STATUS:** This bill was introduced Jan. 26, 2009; and was reintroduced on Jan. 11, 2010; and then again on March 15, 2010. It died upon adjournment on April 12, 2010.

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### Washington House Bill 2015

This bill would have established 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, and was passed by the Committee on Education on Feb. 18, 2009. It was reintroduced on Jan. 11, 2010, then again on March 15, 2010. It died upon adjournment on April 12, 2010.

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### Washington House Bill 2834

This bill would have amended existing anti-bullying laws to address violence against students from criminal street gangs and hate groups, defined as an organization whose primary purpose is to promote animosity, hostility and malice against a person because of race, religion, disability, sexual orientation, ethnicity or national origin.

**STATUS:** This bill was introduced on Jan. 14, 2010, and passed the Committee on Education on Feb. 2, 2010. It was reintroduced on March 15, 2010, but died upon adjournment on April 12, 2010.

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### Wisconsin Senate Bill 202

This bill would have required the Department of Public Instruction to develop model anti-bullying policies for school districts to adopt, and would have designated Wednesday of the fourth week in September as Bullying Awareness Day. Note that a similar bill was signed into law by the governor.

**STATUS:** This bill was introduced on May 14, 2009, and was referred to the Committee on Education. The Senate failed to take further action by April 28, 2010.

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### Wisconsin Senate Bill 324

This bill would amend the statute on human growth and development curricula to require school boards to notify parents if the school board does not provide instruction in this area. Note that a similar bill was signed into law by the governor.

**STATUS:** This bill was introduced on Sept. 30, 2009, and referred to the Committee on Education. It passed out of committee on Jan. 27, 2010. The Senate failed to take further action by April 28, 2010.

## Health & Safety Bills

### Arizona Senate Bill 1306

This bill requires doctors to receive informed consent from an egg donor before beginning any treatment and prohibits the sale of human eggs for any purpose other than the treatment of infertility.

**STATUS:** This bill was introduced in the Senate on Feb. 1, 2010, and passed the Senate on March 3, 2010. It transmitted to the House on March 3, 2010, and passed on April 28, 2010. The Senate voted to accept House changes on April 29, 2010. The bill was signed into law by the governor on May 7, 2010.

### California Assembly Bill 2199

This bill repeals requirements that the state Department of Mental Health plan, conduct and cause to be conducted scientific research into “the causes and cures of sexual deviation, including... the causes and cures of homosexuality.”

**STATUS:** This bill was introduced on Feb. 18, 2010, and passed the Assembly on April 26, 2010. It passed the Senate on Aug. 23, 2010, and was signed by the governor on Sept. 25, 2010.

### California Senate Bill 543

This bill provides that a minor who is 12 years of age or older may consent to outpatient mental health services, if, in the opinion of the professional person, as defined, the minor is mature enough to participate intelligently in the mental health treatment or counseling services. The bill also expands the definition of a professional person to include a licensed clinical social worker and a board-certified or board-eligible psychiatrist.

**STATUS:** This bill was introduced on Feb. 27, 2009. It passed the Senate Judiciary Committee on May 5, 2009, and the Senate Appropriations Committee on May 28, 2009. It passed the full Senate on June 3, 2009, and passed the Assembly Judiciary Committee on June 30, 2009. It was signed by the governor on Sept. 29, 2010.

### California Assembly Joint Resolution 13

This resolution requests 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 bill was introduced on April 2, 2009. It was adopted by the Assembly on Sept. 8, 2009, and the Senate on Aug. 25, 2010. It was enrolled and filed with the secretary of state on Sept. 14, 2010.

### California Senate Judiciary 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. It was passed by the Senate on Aug. 24, 2009, and the Assembly on May 13, 2010. The Senate concurred with the Assembly amendments on May 27, 2010. It was enrolled by the secretary of state on June 2, 2010.

### District of Columbia Resolution 912

This resolution declares the sense of the Council in support of the use of science-based eligibility criteria for blood donation.

**STATUS:** This resolution was introduced on May 27, 2010. It was adopted by the Council and signed by the mayor on June 1, 2010.

## Health & Safety Bills

### Idaho Senate Bill 1353

This bill allows a healthcare professional to refuse to provide healthcare service related to abortion and end-of-life care that violates his or her conscience. As written, the bill may be interpreted to apply to other areas of healthcare.

**STATUS:** This bill was introduced in the Senate on Feb. 12, 2010, and passed on Feb. 26, 2010. It was introduced in the House on March 1, 2010, and passed on March 17, 2010. It became law without the governor's signature on March 22, 2010, and went into effect on July 1, 2010.

### New York Assembly Bill 7729

This bill establishes 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 April 22, 2009. It passed the Assembly on Jan. 20, 2010. It was substituted for SB 3164, and passed the Senate on Feb. 24, 2010. The bill was signed by the governor on March 16, 2010.

### 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., for programs directed at especially vulnerable demographics.

**STATUS:** This bill was introduced on Feb. 3, 2009, and was referred to the Health Committee.

### 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, and was referred to the Rules and Insurance committees.

### Massachusetts House Bill 1711

This bill would repeal a state law that read, "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, and was referred to the Joint Committee on the Judiciary. The House issued a study order on May 19, 2010.

### 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, and was referred to the Joint Committee on Public Health. The House issued a study order on June 16, 2010.

## Health & Safety Bills

### Massachusetts House Bill 4461

This bill would direct the Department of Health to work with local agencies to improve the delivery of accessible and appropriate services to LGBT elders and caregivers.

**STATUS:** This bill was introduced on Feb. 1, 2010, and favorably reported the same day by the Joint Committee on Elder Affairs. The bill was then referred to the House Committee on Ways and Means.

### 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:** SB 649 was introduced on June 18, 2009, and passed the Senate on April 21, 2010. It was transmitted the same day to the House and referred to the Committee on Health Policy. HB 5133 was introduced on June 23, 2009, and was referred to the Committee on Judiciary.

### Michigan House Bill 6468

This bill would prohibit cyberbullying of individuals who are less than 18 years of age.

**STATUS:** This bill was introduced in the House and referred to the Committee on Judiciary on Sept. 21, 2010.

### Michigan House Bill 6469

This bill would allow the court to defer, under certain circumstances, prosecution of a person less than 18 years of age who has been convicted of cyberbullying under certain circumstances and instead impose counseling. If passed, the bill would only take effect if HB 6468, the cyberbullying prohibition bill, were also passed.

**STATUS:** This bill was introduced in the House and referred to the Committee on Judiciary on Sept. 21, 2010.

### New York Assembly Bill 2368

This bill would require family health insurance providers to offer coverage for the domestic partner of an insured person.

**STATUS:** This bill was introduced on Jan. 15, 2009. It passed the Assembly on June 15, 2009. It died in the Senate on Jan. 6, 2010, and was returned to the Assembly. It passed the Assembly a second time on March 15, 2010. The Senate referred it to the Insurance Committee.

### New York Assembly Bill 2560

This bill would amend labor laws to allow employees to use 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, and was referred to the Labor Committee. It was re-referred to the Labor Committee on Jan. 6, 2010, then referred to the Committee on Ways and Means on June 1, 2010.

### New York Assembly Bill 2761/Senate Bill 4531

These bills 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. It passed the Assembly on March 16, 2009, then died in the Senate on Jan. 6, 2010. The bill was returned to the Assembly, where it passed a second time on March 3, 2010. The Senate referred the bill to the Judiciary Committee. SB 4531 was introduced on April 24, 2009, and was referred to the Judiciary Committee. It was re-referred on Jan. 6, 2010.

## Health & Safety Bills

### **New York Assembly Bill 3372/Senate Bill 2278**

These bills 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 on Jan. 27, 2009, and was referred to the Health Committee. SB 2278 was introduced on Feb. 17, 2009, and was referred to the Health Committee. They were re-referred on Jan. 6, 2010.

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### **New York Assembly Bill 3956/Senate Bill 1385**

These bills would require the state Office for the Aging to report on the delivery of services to, and the needs of, underserved populations, including populations based on sexual orientation and gender identity.

**STATUS:** SB 1385 and AB 3956 were introduced on Jan. 29, 2009. AB 3956 passed the Assembly on May 5, 2009, and then died in the Senate on Jan. 6, 2010. It was returned to the Assembly, where it passed a second time, on Feb. 24, 2010. SB 1385 was substituted by AB 3956 on June 29, 2010. The Senate referred the bill to the Aging Committee.

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### **New York Assembly Bill 11680/Senate Bill 2517**

These bills would amend the state civil rights law in relation to regulating the collection, recording and disclosing of confidential information obtained by state employees in the course of official duties, including information on health status and sexual orientation.

**STATUS:** SB 2517 was introduced on Feb. 23, 2009, and passed the Codes Committee on June 2, 2010. It passed the Senate on June 15, 2010, and was referred to the Governmental Operations Committee by the Assembly on June 15, 2010. AB 11680 was introduced on Aug. 4, 2010, and was referred to the Governmental Operations Committee.

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### **New York Senate Bill 960**

This bill would require family health insurance providers to offer coverage for the domestic partner of an insured person.

**STATUS:** This bill was introduced on Jan. 22, 2009, and was referred to the Insurance Committee. It was re-referred on Jan. 6, 2010.

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### **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, and was referred to the Health Committee. It was re-referred on Jan. 6, 2010.

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### **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, and was referred to the Cities Committee. It was re-referred on Jan. 6, 2010.

## Health & Safety Bills

### Alabama House Bill 557

This bill would have required employers to provide a minimum level of paid sick and safe time for employees, including time for family care. Family would have been defined to include domestic partners and the children of domestic partners.

**STATUS:** This bill was introduced on Feb. 11, 2010, and was referred to the Committee on Commerce. It died on April 22, 2010, upon adjournment.

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### Alabama Senate Bill 312/322/366

These bills would have allowed healthcare providers, institutions and payers the right to decline to perform services that violate their consciences.

**STATUS:** These bills were all introduced on Feb. 2, 2010. SB 312 was referred to the Committee on Health, SB 322 was referred to the Committee on Judiciary and SB 366 was referred to the Committee on Economic Expansion and Trade. All three bills died upon adjournment on April 22, 2010.

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### Alabama Senate Bill 457

This bill would have allowed healthcare providers, institutions and payers the right to decline to perform services that violate their consciences. However, it would have explicitly prohibited refusal to participate in a healthcare service regarding a patient because of the patient's race, color, national origin, ethnicity, sex, religion, creed or sexual orientation. The bill did not reference gender identity.

**STATUS:** This bill was introduced on Feb. 2, 2010. It was referred to the Senate Committee on Judiciary on Feb. 23, 2010, but died upon adjournment on April 22, 2010.

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### California Assembly Bill 633

The Department of Corrections and Rehabilitation is required to classify inmates and wards in order to prevent sexual violence and to promote safety. This bill would have added the sexual orientation and gender identity of the inmate or ward to the list of specific risk factors to be considered when making classifications. In addition, it would have adopted federally proposed standards for addressing the safety of LGBT prisoners.

**STATUS:** This bill was introduced on Feb. 25, 2009. It passed the Assembly on Jan. 27, 2010, and was introduced to the Senate on Jan. 28, 2010. It passed the Senate Committee on Public Safety on June 15, 2010, and the full Senate on Aug. 25, 2010. It was vetoed by the governor on Sept. 23, 2010.

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### Florida Senate Bill 7062

This bill would, in part, have required a written contract for surrogacy arrangements, psychological exams for participants, and escrow accounts to track payments to the surrogate.

**STATUS:** This bill was submitted as a committee bill by the Judiciary Committee on Feb. 18, 2010. It died upon adjournment on April 30, 2010.

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### Georgia House Bill 1183

This bill would have amended the statute relating to sexual offenses so as to provide for gender neutrality with regard to the offense of incest.

**STATUS:** This bill was introduced on Feb. 16, 2010, and was reported favorably out of committee on March 22, 2010. It died upon adjournment on April 29, 2010.

## Health & Safety Bills

### Hawaii Senate Bill 257

This bill would have established a right 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, and was referred to the committees on Health, Judiciary and Government Operations on Jan. 28, 2009. It died upon adjournment on April 29, 2010.

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### Idaho Senate Bill 1270

This bill would have allowed a healthcare professional to refuse to provide healthcare service related to abortion and euthanasia that violates his or her conscience. As written, the bill may have been interpreted to apply to other areas of healthcare.

**STATUS:** This bill was introduced on Jan. 22, 2010, and died upon adjournment on March 29, 2010

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### Indiana Senate Bill 192

This bill would have provided hospital visitation rights for domestic partners.

**STATUS:** This bill was introduced on Jan. 5, 2010. It died upon adjournment on March 13, 2010.

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### Iowa Senate Bill 2337

This bill would have provided minimum paid sick and safe time for employees to care for themselves and family members. Family was defined to include domestic partners and the children of domestic partners.

**STATUS:** This bill was introduced on Feb. 15, 2010, and was referred to the Labor and Business Relations Committee. It died upon adjournment on March 30, 2010.

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### Maryland House Bill 1491

This bill would have amended the state sodomy statute to comply with *Lawrence v. Texas*.

**STATUS:** This bill was introduced to the Rules and Executive Nominations Committee on March 3, 2010. It was re-referred to the Judiciary Committee on March 13, 2010. It died upon adjournment on April 12, 2010.

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### Massachusetts House Bill 3805

This bill would have directed the Department of Health to work with local agencies to improve the delivery of accessible and appropriate services to LGBT elders and caregivers.

**STATUS:** This bill was introduced on Jan. 20, 2009, and was referred to the Joint Committee on Elder Affairs. It died on Feb. 1, 2010, when a new draft was offered.

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### Minnesota House Bill 1219/Senate Bill 1153

These bills would have extended 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 on March 2, 2009. It passed the House Health Care and Human Services Policy and Oversight committees on March 23, 2009; the Finance Committee on May 12, 2009; and the Ways and Means Committee on May 12, 2009. SB 1153 was introduced on March 5, 2009. It passed the Senate State and Local Government Operations and Oversight Committee on March 30, 2009, and the Finance Committee on May 4, 2009. Both bills died upon adjournment on May 16, 2010.

## Health & Safety Bills

### Minnesota House Bill 1951

This bill would have required 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, and was referred to the Health Care and Human Services Policy and Oversight committees. It died upon adjournment on May 16, 2010.

### Minnesota House Bill 3086/Senate Bill 2763

These bills would have expanded the rights of domestic partners under state law to include access to health records provided to surviving domestic partners, and in provisions governing healthcare rights, consent to autopsies and anatomical gifts.

**STATUS:** Both bills were introduced on Feb. 22, 2010, in their respective chambers. HB 3086 passed the House Health Care and Human Services Policy Committee on March 4, 2010, and the House Civil Justice Committee on March 15, 2010. SB 2763 passed the Senate Health, Housing and Family Security Committee on March 11, 2010. Both bills died upon adjournment on May 16, 2010.

### Minnesota House Bill 3397/Senate Bill 2889

These bills would have, in part, required the commissioner of public health to create a statewide campaign to educate the public on HIV transmission and prevention, and to develop a plan for reducing sexually transmitted infections.

**STATUS:** SB 2889 was introduced on March 1, 2010, and was referred to the Senate Health, Housing and Family Security Committee. HB 3397 was introduced on March 4, 2010, and was referred to the Health Care and Human Services Policy and Oversight committees. Both bills died upon adjournment on May 16, 2010.

### Missouri House Bill 1641/Senate Bill 722

These bills would have created a universal health assurance program for the purpose of providing a single, publicly financed, statewide program to provide comprehensive necessary health, mental health and dental healthcare services, including preventive screenings, for all residents of the state. Notably, it would have prohibited participating providers from refusing to furnish services to an eligible person on the basis of race, color, income level, national origin, religion, sex, sexual orientation or other non-medical criteria.

**STATUS:** SB 722 was introduced on Jan. 6, 2010, and referred to the Small Business, Insurance and Industry Committee on Jan. 19, 2010. HB 1641 was introduced on Jan. 13, 2010, and was referred to the House Special Standing Committee on Health Insurance on May 14, 2010. Both bills died upon adjournment on May 25, 2010.

### Nebraska Legislative Resolution 236

This bill would have created an interim study to review state policies regarding in vitro fertilization and "identify potential areas where regulation is lacking and proper protections do not exist to appropriately secure the dignity of human life."

**STATUS:** This bill was introduced on May 18, 2009, and was referred to the Executive Board and Judiciary committees. It died upon adjournment on April 14, 2010.

## Health & Safety Bills

### North Carolina House Bill 510/Senate Bill 440

These bills would have established laws regulating the use and validity of gestational surrogacy agreements.

**STATUS:** Both bills were introduced on March 5, 2009. HB 510 was referred to the House Committee on Health, and SB 440 was referred to the Senate Committee on Judiciary I. SB 440 was reported favorably out of committee on May 12, 2009, but was re-referred to the same committee by the Senate on May 14, 2009. Both bills died upon adjournment on July 10, 2010.

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### Oklahoma House Bill 1904

This bill would have established laws regulating the use and validity of gestational surrogacy agreements.

**STATUS:** This bill was introduced on Feb. 2, 2009, and was referred to the Rules Committee. It died upon adjournment on May 28, 2010.

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### South Carolina Senate Bill 76

This bill would have forced 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 have amended 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, and referred to the Judiciary Committee. It died upon adjournment on Oct. 30, 2010.

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### Tennessee House Bill 334/House Bill 931/ Senate Bill 252/Senate Bill 1070

These bills would have required the amendment of birth certificates upon receipt of a sworn statement from a licensed medical professional that an individual's gender has changed.

**STATUS:** SB 252 was introduced on Feb. 9, 2009, and SB 1070 was introduced on Feb. 12, 2009. Both Senate bills were referred to the Judiciary Committee. HB 334 was introduced on Feb. 9, 2009, and HB 931 was introduced on Feb. 12, 2009. Both House bills were referred to the Health and Human Resources Committee. They all died upon adjournment on June 10, 2010.

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### Tennessee House Bill 1706/Senate Bill 1426

This bill would have allowed healthcare providers to refuse to participate in a healthcare service that violates the conscience of the healthcare provider.

**STATUS:** SB 1426 was introduced on Feb. 12, 2009, but it was withdrawn on March 24, 2010. HB 1706 was introduced on Feb. 23, 2009, and was referred to the Health and Human Resources Committee. It died upon adjournment on June 10, 2010.

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### Washington House Bill 1609/Senate Bill 5679

These bills would have amended the state family and medical leave law to include domestic partners in the definition of a family member.

**STATUS:** HB 1609 was introduced on Jan. 26, 2009, and SB 5679 was introduced on Jan. 28, 2009. Both bills were reintroduced on Jan. 11, 2010, then again on March 15, 2010. They died upon adjournment on April 12, 2010.

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### Washington House Bill 1687

This bill would have provided for a healthcare provider right of conscience.

**STATUS:** This bill was introduced Jan. 27, 2009; reintroduced on Jan. 11, 2010; and then again on March 15, 2010. It died upon adjournment on April 12, 2010.

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## Other Bills

### California Assembly Resolution 30/Senate Resolution 44

These resolutions proclaimed June 2010 as Lesbian, Gay, Bisexual, and Transgender Pride Month, urging all residents to join in celebrating the accomplishments and contributions of LGBT people; and encouraged the people of California to work to help advance the cause of LGBT equality.

**STATUS:** AR 30 was introduced on May 12, 2010. It passed the Committee on Rules on May 28, 2010, and was adopted by the Assembly on June 14, 2010. SR 44 was introduced on May 12, 2010, and was adopted by the Senate on June 3, 2010.

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### California Senate Joint Resolution 28

This resolution urges the Congress and the president of the United States to enact legislation to have the 2020 Census gather data on sexual orientation and gender identity.

**STATUS:** This resolution was introduced on March 25, 2010, and was adopted by the Senate on June 16, 2010. It was adopted by the Assembly on Aug. 23, 2010, and was enrolled on Sept. 7, 2010.

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### California Senate Resolution 51

In response to the involvement of some U.S. religious leaders in violent legislation in Uganda, this resolution, in part, calls on all faith-based organizations in California to work for equal rights in the world and not to abuse their federal Section 501(c) (3) charitable status to engage in undue lobbying at the United Nations or to create policies in other countries that may discriminate on the basis of sexual orientation or gender identity. It also calls upon the U.S. Department of State to censure American citizens and organizations who contravene American foreign policy by demonstrated exportation of fear and misinformation.

**STATUS:** This resolution was introduced on Aug. 23, 2010, and was adopted on Aug. 30, 2010.

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### Louisiana Senate Bill 606

This bill dictates that government may not substantially burden a person's exercise of religion, even if the burden results from a facially neutral rule or a rule of general applicability (the federal standard), unless it demonstrates that application of the burden to the person is essential to further a compelling governmental interest and the least restrictive means of furthering that compelling governmental interest. The bill also explicitly prohibits religious freedom from being interpreted to require the state to recognize same-sex marriages or other forms of relationship recognition.

**STATUS:** This bill was introduced in the Senate on March 19, 2010, and passed on June 7, 2010. It was received by the House on June 8, 2010, and passed on June 18, 2010. The Senate voted to accept the House amendments on June 20, 2010, and the bill was signed by the governor on June 30, 2010. It went into effect on Aug. 15, 2010.

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### Vermont House Resolution 26

This resolution "call[ed] for full equal rights and treatment for all members of our diverse community... on LGBTQA Visibility Day at the state house."

**STATUS:** This resolution was introduced and adopted on Feb. 5, 2010.

## Other Bills

### **New Hampshire House Bill 1330**

This bill would have provided that “no government entity shall substantially burden a person’s free exercise of religion, even if the burden results from a rule of general applicability... unless it demonstrates that application of the burden to the person is: essential to further a compelling governmental interest and the least restrictive means of furthering that compelling governmental interest”

**STATUS:** This bill was introduced on Dec. 10, 2009, and referred to the Judiciary Committee on Jan. 6, 2010. It died on Feb. 17, 2010, when the House voted the bill “Inexpedient to Legislate.”

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### **New Hampshire House Concurrent Resolution 26**

This resolution would have “reaffirm[ed] the state’s religious heritage and constitutional rights to practice religion and free speech.”

**STATUS:** This resolution was introduced on Dec. 10, 2009, and was referred to the Judiciary Committee on Jan. 6, 2010. It died on March 3, 2010, when the House voted the bill “Inexpedient to Legislate.”

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### **Oklahoma Senate Joint Resolution 70**

This bill would have instructed the secretary of state to put up for a vote a ballot proposal that would prohibit compelling a person to frequent or support any religion, prohibit restraining a person from religion and guarantee freedom to profess religious opinions.

**STATUS:** This bill was introduced on Feb. 1, 2010, and was referred to the Judiciary Committee. It died upon adjournment on May 28, 2010.

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### **West Virginia House Bill 2477/2524**

This bill would have prohibited the government from “substantially burden[ing] a person’s exercise of religion, even if the burden results from a rule or general applicability, except that government may substantially burden a person’s exercise of religion only if it demonstrates that application of the burden to the person: is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest.”

**STATUS:** Both bills were introduced on Jan. 13, 2010, and were referred to the Judiciary Committee. They died upon adjournment on March 20, 2010.

# Notes

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## 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, George Mason Law School and at the Georgetown Public Policy Institute, where she teaches courses in civil rights law and policy.

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For questions or additional information, please contact Sarah Warbelow at [sarah.warbelow@hrc.org](mailto:sarah.warbelow@hrc.org).





HUMAN  
RIGHTS  
CAMPAIGN  
FOUNDATION

1640 Rhode Island Ave., N.W.  
Washington, D.C. 20036

**TEL** 202/628-4160

**TTY** 202/216-1572

**FAX** 202/347-5323

**SITE** [www.hrc.org/statetostate](http://www.hrc.org/statetostate)

**E-MAIL** [sarah.warbelow@hrc.org](mailto:sarah.warbelow@hrc.org)