

# A Look at Anti-LGBTQIA+ Legislation and What YOU Can Do About It

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# INTRO

I'm Raphael (they/them)

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**ACTIVITY: Get to know yourself in relation to your community.  
Who are you? Who's your neighbor?**

# OBJECTIVES

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Following this presentation, participants will be able to...

- Understand the current political climate for trans folks and providers in WI and across the US
- Grasp how current legislation is affecting trans people
- Identify means of taking action and resources in their communities

**583 Anti-Trans bills have been introduced in 2023, a 150% increase from the 156 introduced in 2022**

Source: <https://translegislation.com>

**Of those bills, 85 have passed, 125 have failed,  
and 373 remain active**

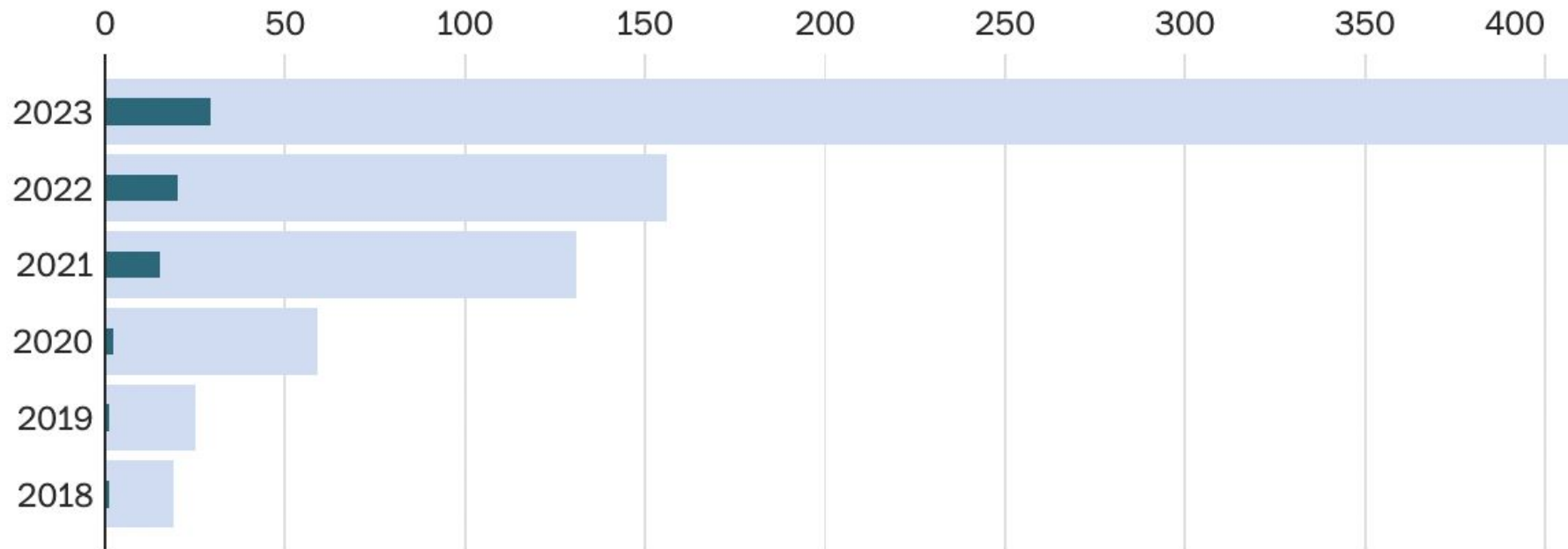
Source: <https://translegislation.com>



## Last year's record already broken

The number of anti-trans bills introduced and enacted since 2018.

Introduced Enacted



Source: <https://plannedparenthoodaction.org>

# Why is this happening?

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- Increased visibility
  - Visibility ≠ Safety
  - Said visibility poses a threat to norms
- Many of the groups behind this large push for anti-trans legislation are the same ones who fought against Roe V. Wade, such as:
  - Alliance Defending Freedom
  - The Family Research Council
  - The Liberty Counsel
  - The American Principles Project
- Rise of anti-trans bathroom bills after the legalization of gay marriage in 2016
- 2024 Presidential election & a vie for political power

# Why a focus on youth?

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- Youth have less rights than adults & therefore less of a platform for self-advocacy
- **The thought process:** Get rid of young trans people = eliminate the entire population
- A history in the U.S. of using children to justify over-criminalization and overreach
  - Examples: Segregation, bathroom bills, etc.

**How does this affect trans people?**

# MENTAL HEALTH

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- Nearly 1 in 3 LGBTQ+ youth indicated their mental health was poor “most of the time or always” due to anti-LGBTQ+ policies/legislation (source: [the Trevor Project](#))
- 86% of transgender and nonbinary youth say recent debates around anti-trans bills have negatively impacted their mental health; as a result of these policies and debates in the last year
  - 45% of trans youth experienced cyberbullying
  - Nearly 1 in 3 reported not feeling safe to go to the doctor or hospital when they were sick or injured.

# DISCRIMINATION

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- 15 trans lives have been violently taken in 2023, with 40 in 2022, the majority being Black and Latiné trans women
  - Many of these trans and nonbinary people are then subsequently misgendered and deadnamed in media reports
- Of those, 3 of those lives were taken in Milwaukee, WI
  - Regina 'Mya' Allen's life was taken on August 29th, 2022
  - Brazil Johnson's life was taken on June 15, 2022
  - Cashay Henderson's life was taken on February 26th, 2023

**How do we go from an idea to law?**

# How a Bill Becomes a Law in WI

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1. A bill is drafted
2. The bill is assigned to the Senate or Assembly
3. The bill is referred to a committee
4. A hearing is held on the bill
5. The committee votes on the bill
6. The bill is scheduled for a vote on the floor
7. A floor vote is conducted
8. The bill is sent to the other house and the process repeats
9. The bill is sent to the Governor



**"I'm always behind trans kids, trans adults — they're part of our world," Evers said in a Tuesday interview with the Cap Times. "And anytime you want to mess with (them), you're going to get a veto. Pretty simple."**

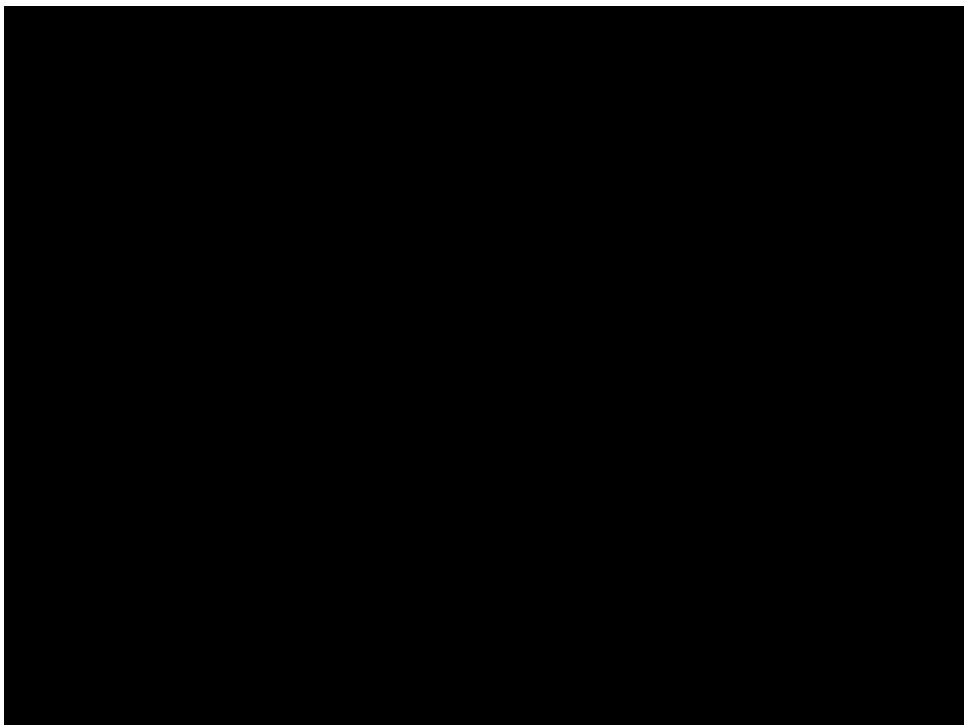
Source: <https://captimes.com>

# CURRENT STATEWIDE BILLS - WI AB465 - PASSED, AWAITING SIG.

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**“Prohibiting gender transition medical intervention for individuals under 18 years of age.”**

“An Act to amend 441.07 (2), 448.02 (6), 448.02 (9) (intro.) and 448.978 (2) (intro.); and to create 146.36, 441.07 (1j), 448.02 (3m) and 448.978 (1m) of the statutes; Relating to: prohibiting gender transition medical intervention for individuals under 18 years of age.”



# CURRENT STATEWIDE BILLS - WI SB480 - INTRODUCED

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**“Prohibiting gender transition medical intervention for individuals under 18 years of age.”**

“An Act to amend 441.07 (2), 448.02 (6), 448.02 (9) (intro.) and 448.978 (2) (intro.); and to create 146.36, 441.07 (1j), 448.02 (3m) and 448.978 (1m) of the statutes; Relating to: prohibiting gender transition medical intervention for individuals under 18 years of age.”

# CURRENT STATEWIDE BILLS - WI AB447 - INTRODUCED

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**“[AB447] aims to prohibit incarcerated trans, nonbinary and intersex people from being housed in facilities matching their authentic gender identity. The bill also requires strip searches be conducted by corrections staff whose sex aligns with the incarcerated person’s sexassigned at birth.”**

“An Act to renumber 302.375 (3) (a); to renumber and amend 302.375 (3) (b); and to create 51.22 (6), 302.375 (3) (ag), 302.375 (3) (bm), 938.505 (3), 968.255 (1) (au) and 973.09 (4) (d) of the statutes; Relating to: definition of “sex” for the purpose of placing prisoners and conducting strip searches.”

# CURRENT STATEWIDE BILLS - WI SB7 - BEING TRACKED

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“This bill prohibits the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board from promulgating any rule that establishes as unprofessional conduct employing or promoting any intervention or method that has the purpose of attempting to change a person's sexual orientation or gender identity, including attempting to change behaviors or expressions of self or to reduce sexual or romantic attractions or feelings toward individuals of the same gender...”

# CURRENT STATEWIDE BILLS - WI SB7 - BEING TRACKED

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- Would continue to allow licensed counselors/others who attempt to change people's sexuality/gender identity through conversion therapy to practice in Wisconsin

# CURRENT STATEWIDE BILLS - WI SB377 - INTRODUCED

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“ This bill requires each University of Wisconsin institution and technical college that operates or sponsors an intercollegiate, intramural, or club athletic team or sport to designate the athletic team or sport as falling into one of three categories based on the sex of the participating students. The three categories are 1) participants who are males or men; 2) participants who are females or women; and 3) coed or participants of both sexes...”



# CURRENT STATEWIDE BILLS - WI SB377

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“The bill defines “sex” as the sex determined by a physician at birth and reflected on the birth certificate. The bill also requires a UW institution or technical college to prohibit a male student from participating on an athletic team or in a sport designated for females or women. Finally, the bill requires the UW institution or technical college to notify students if the institution or technical college intends to change a designation for an athletic team or sport.”

# CURRENT STATEWIDE BILLS - WI AB378 - ENGROSSED

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**“Designating University of Wisconsin and technical college sports and athletic teams based on the sex of the participants.”**

“An Act to amend 36.12 (1) and 38.23 (1); and to create 36.25 (58) and 38.12 (15) of the statutes; Relating to: designating University of Wisconsin and technical college sports and athletic teams based on the sex of the participants.”

# CURRENT STATEWIDE BILLS - WI SB378 - INTRODUCED

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“This bill requires each school board, independent charter school, and private school participating in a parental choice program (educational institution) that operates or sponsors an interscholastic, intramural, or club athletic team or sport to designate the athletic team or sport as falling into one of three categories based on the sex of the participating pupils. The three designations are 1) males, 2) females, and 3) males and females...”

# CURRENT STATEWIDE BILLS - WI SB378

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“The bill defines “sex” as the sex determined at birth by a physician and reflected on the birth certificate. The bill also requires an educational institution to prohibit a male pupil from participating on an athletic team or in an athletic sport designated for females. Finally, the bill requires the educational institution to notify pupils and parents if an educational institution intends to change a designation for an athletic team or sport.”

# CURRENT STATEWIDE BILLS - WI AB377 - ENGROSSED

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**“Designating athletic sports and teams operated or sponsored by public schools or private schools participating in a parental choice program based on the sex of the participants.”**

“An Act to amend 118.13 (1); and to create 118.132 of the statutes; Relating to: designating athletic sports and teams operated or sponsored by public schools or private schools participating in a parental choice program based on the sex of the participants.”

# CURRENT STATEWIDE BILLS - WI AB377 & 378 - WI SB377 & 378

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- Excludes transgender students in elementary, high schools, and public colleges/universities from participating in sports teams that align with their gender identity

## ***WHY THE SUDDEN INTEREST IN SCHOOL SPORTS?***

- A vie for political power
  - According to a [2022 Pew Research Center survey](#), 6 in 10 Americans favor requiring trans athletes to compete on teams that match their sex at birth.

# CURRENT STATEWIDE BILLS - WI SB4 - INTRODUCED

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**“Rules defining unprofessional conduct by marriage and family therapists, professional counselors, and social workers and suspension of a portion of a rule of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board.”**

“An Act to amend 457.03 (2) of the statutes; Relating to: rules defining unprofessional conduct by marriage and family therapists, professional counselors, and social workers and suspension of a portion of a rule of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board.”

# CURRENT STATEWIDE BILLS - WI SB479 - INTRODUCED

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**“A civil cause of action for a minor injured by a gender transition procedure.”**

“An Act to create 895.039 of the statutes; Relating to: a civil cause of action for a minor injured by a gender transition procedure.”



# How a Bill Becomes a Law in the US

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1. A bill is drafted
2. The bill is introduced to the House of Representatives of Senate
3. The bill is referred to a Committee
4. The bill is referred to a Subcommittee
5. The Committee votes on the bill
6. The bill is sent to the full House/Senate for debate
  - a. If the House bill is different from the Senate bill and vice versa, the bill is sent to a conference committee to reconcile differences
7. House/Senate votes on bill
8. The bill is sent to the President

**Nationwide Bills - Over 583 (as of 10/29/23)**  
**(<https://translegislation.com/>)**

# CURRENT BILLS IN THE US - OK SB129 - INTRODUCED - 1 OF 41

- **Felony charges for providing gender-affirming care to people under 26 years**
- “1. A physician or other healthcare professional found to have knowingly referred for or provided gender transition procedures to an individual under twenty-six (26) years of age shall, upon conviction, be guilty of a felony.
- B. 1. Any referral for or provision of gender transition procedures to an individual under twenty-six (26) years of age is unprofessional conduct and shall [...] result in immediate revocation of the license or certificate of the physician or other healthcare professional.”

# CURRENT BILLS IN THE US - AZ SB 1001 - **VETOED** - 1 OF 12

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- **Guardians and teachers can override a student's pronouns**
  - “A. An employee [...] of a school district or charter school may not knowingly address, identify or refer to a student [...] by a pronoun that differs from the pronoun that aligns with the student's biological sex unless the school district or charter school receives written permission from the student's parent.
  - B. [Or] if doing so is contrary to the employee's or independent contractor's religious or moral convictions.”

# CURRENT BILLS IN THE US - ID HB 71 - **PASSED** - 1 OF 6

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- **Makes it a felony to provide gender-affirming care to anyone under 18, thus restricting the rights of parents.**
- “Adds to existing law to establish provisions regarding vulnerable child protection.”

**BUT THERE IS PROGRESS TOWARDS POSITIVE,  
TRANS-INCLUSIVE CHANGE**

# LGBTQ+ WINS DURING THE BIDEN ADMINISTRATION

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- **August 5, 2021** - President Biden Nominates Two Openly LGBTQ+ Women to the Federal Bench
- **March 1, 2022** - President Biden Calls on Congress to Pass the Equality Act
- **April 11, 2022 (TDOV)** - Gender X markers become available on passports
- **July 25, 2022** - Biden-Harris Administration Looks to Strengthen Affordable Care Act's Non-Discrimination Provisions
- **December 13, 2022** - Biden Signs the Respect For Marriage Act

# HOPE - PRO-TRANS BILLS - CO SB188 - PASSED!

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“Senate Bill 188 would prohibit Colorado from recognizing criminal prosecutions or civil lawsuits regarding legally protected abortion care and enshrine into law an executive order directing state agencies to withhold relevant records from such states. The bill would also apply to gender-affirming care for transgender individuals.” (source: <https://coloradopolitics.com>)



# HOPE - PRO-TRANS BILLS - OR HB2002 - PASSED!

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“House Bill 2002 would require Medicaid and private insurers to cover more procedures under the umbrella of gender-affirming care, and would allow minors of any age to get an abortion without needing to notify a parent, among other policies.” (source: <https://opb.org>)

# What Can YOU Do About it?

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- **TAKE ACTION!**
- Find your organizational home/community
  - Sign that petition
  - Open that email
  - Like that social media post
  - Volunteer your time and specialized skills
- Organize your community
  - Marches, sit-ins, testify at public hearings, etc. **Use your rights for the good of all people.**
- Have difficult conversations with loved ones
- Make time for joy and rest!
  - Burnout is real
  - Trans/queer joy is power
  - Fill your own cup first

# National Policy/Legal-Related Organizations

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- Lambda Legal
- Planned Parenthood Action
- Sylvia Rivera Law Project
- American Civil Liberties Union (ACLU)
- Transgender Law Center
- Human Rights Campaign
- National LGBTQ Taskforce
- National Center for Transgender Equality

# Resource/Mutual Aid/Community/Medical Organizations

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- Diverse and Resilient
- The MKE LGBT Center
- Courage MKE
- LGBT Center of SE WI
- OutReach LGBTQ+ Community Center Madison
- The Trevor Project
- PFLAG
- Folx Health
- Trans Lifeline

**What future do YOU want to see?**