

CHAPTER 60

AN ACT establishing the Transgender Equality Task Force to assess legal and societal barriers to equality and provide recommendations to Legislature.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The Legislature finds and declares that:

a. Transgender individuals, those whose gender identity, expression, or behavior is different from those typically associated with their assigned sex at birth, face considerable challenges in society, including discrimination, harassment, physical abuse, and social isolation.

b. It is estimated that 1.4 million adults in the United States identify as transgender, a number double that previously thought, while the number of transgender children in the United States is unknown.

c. According to the 2015 U.S. Transgender Survey, an anonymous online survey of over 27,000 transgender adults, 10 percent of respondents who were out to their families reported that they had experienced violence from a family member due to their being transgender, while eight percent of respondents reported that they were forced to leave the family home because they were transgender. Nearly 30 percent of survey respondents reported that they had been homeless at some point in their lives.

d. One third of survey respondents who saw a health care provider in the year preceding the survey reported having a negative experience related to being transgender, including being refused treatment, verbal harassment, physical or sexual assault, or having to educate the provider in order to get appropriate care.

e. Transgender individuals are more likely to experience physical violence than those who are not transgender when interacting with law enforcement.

f. Despite federal legal protections, transgender students nonetheless face daily challenges in accessing the full array of educational, social, athletic, and after-school activities that are available to students who are not transgender.

g. More than 75 percent of survey respondents experienced some form of mistreatment, including physical or sexual assault, between kindergarten and grade 12, due to their being out or being perceived as transgender.

h. Nearly one quarter of survey respondents who were out or perceived as being transgender in college or vocational school reported being verbally, physically, or sexually harassed.

i. Transgender individuals are disproportionately unemployed due to discrimination, and as a result, their circumstances may be rendered even more difficult by poverty, which survey respondents reported experiencing at more than twice the rate as is experienced in the general U.S. population.

j. Because of the myriad difficulties faced by transgender individuals in the course of their daily lives, as detailed above, they are subject to severe psychological distress, and report attempting suicide at rates almost nine times that of the U.S. population overall.

k. In order to better understand and address the challenges to equality faced by the transgender community, it is appropriate for the Legislature to establish a dedicated task force so that those challenges to equality may be eliminated.

2. a. There is hereby created a task force to be known as the “Transgender Equality Task Force.” The purpose of the task force shall be to assess the legal and societal barriers to equality for transgender individuals in the State, and provide recommendations to the

Governor and the Legislature on how to ensure equality and improve the lives of transgender individuals, with particular attention to the following areas:

- (1) healthcare, including, but not limited to, access to healthcare providers that are trained in transgender medical issues, including sexual health;
- (2) long term care for the chronically ill and senior citizens in the transgender population;
- (3) education;
- (4) higher education;
- (5) housing, including, but not limited to, homelessness prevention and reduction for transgender youth and adults;
- (6) employment; and
- (7) criminal justice, including raising transgender awareness among law enforcement through training, and facilitating the appropriate placement of transgender individuals in correctional facilities based on an individual's gender identity.

b. The Transgender Equality Task Force shall consist of 17 members as follows: a representative of the Department of Banking and Insurance whose duties or expertise includes insurance and banking services and policies as applied to transgender individuals; a representative of the Department of Human Services whose duties or expertise includes expanding access by minority populations to the department's services or eliminating discrimination in the delivery of departmental programs, policies, or initiatives; a representative of the Department of Health whose duties or expertise includes expanding access by minority populations to clinically appropriate healthcare services or eliminating discrimination in the delivery of healthcare programs, policies, or initiatives; a representative of the Department of Education whose duties or expertise includes protecting the rights of minority students or eliminating discrimination in the delivery of educational programs, policies, or initiatives; a representative of the Office of the Secretary of Higher Education whose duties or expertise includes protecting the rights of minority students in the higher education system or eliminating discrimination in the delivery of higher educational programs, policies, or initiatives; a representative of the Division of Civil Rights in the Department of Law and Public Safety whose duties or expertise includes expanding access by lesbian, gay, bisexual, and transgender individuals to the department's services or eliminating discrimination against lesbian, gay, bisexual and transgender individuals in the delivery of the division's programs, policies, or initiatives; and a representative of the Department of Children and Families whose duties or expertise includes expanding access by lesbian, gay, bisexual, and transgender youth to the department's services or eliminating discrimination in the delivery of departmental programs, policies, or initiatives with regard to lesbian, gay, bisexual, and transgender youth; a representative of the Department of Corrections whose duties or expertise includes protecting the safety of minority populations or eliminating discrimination in the delivery of departmental programs, policies, or initiatives; a representative of the Department of Labor and Workforce Development whose duties or expertise includes expanding access by minority populations to the department's services or eliminating discrimination in the delivery of departmental programs, policies, or initiatives; two public members to be appointed by the Speaker of the General Assembly, one of whom shall be a physician who specializes in transgender health issues, and one of whom shall be a transgender individual; two public members to be appointed by the President of the Senate, one of whom shall be a parent or guardian of a transgender individual, and one of whom shall be an attorney specializing in transgender rights; one public member to be appointed by the Governor, who shall be a representative of a social service agency that provides services and supports to transgender individuals; a representative of the American

Civil Liberties Union; a representative of Garden State Equality; and a representative of The Gender Rights Advocacy Association of New Jersey. c. The task force shall organize as soon as practicable following the appointment of its members, but not later than the 30th day following the appointment of its members. Upon its organization, the task force shall select a chairperson from among its members. The task force may meet and hold meetings at the times and places it may designate. A majority of the authorized members shall constitute a quorum. The task force may conduct business without a quorum, but may only vote on a recommendation when a quorum is present. The members of the task force shall serve without compensation, but shall be eligible for reimbursement for necessary and reasonable expenses incurred in the performance of their official duties within the limits of funds appropriated or otherwise made available to the task force for its purposes.

d. The task force is entitled to receive assistance and services from any State, county, or municipal department, board, commission, or agency, as it may require, and as may be available to it for its purposes. The Division on Civil Rights in the Department of Law and Public Safety shall provide professional and clerical staff to the task force, as may be necessary to effectuate the purposes of this act.

e. Not later than six months after the initial meeting of the task force, it shall prepare and submit a written report to the Governor, and to the Legislature, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), outlining its recommendations for advancing transgender equality in the State.

3. This act shall take effect immediately and shall expire on the 30th day following submission by the task force of its written recommendations to the Governor and the Legislature, as provided by subsection e. of section 2 of this act.

Approved July 3, 2018.