

**From:** Mahony, Elizabeth (SEN)  
**Sent:** Friday, June 03, 2011 4:44 PM  
**To:** Avitzur, Michael (SEN)  
**Subject:** RE: Transgender

I looked back at my changes and found that aside from the formatting change is to section 18.

All,

The legal team has made one more revision – to SECTION 18, which deals with the so-called “Healthworks exception.” The attached texts (one with tracked changes, one clean) reflect the sentence we changed as well as the good technical changes made by Elizabeth and her colleagues in Sen. Downing’s office. We feel quite good about this final language and want to make sure everyone’s on the same page, same text in hand, when you go to file next week.

Here is the new language of SECTION 18:

Notwithstanding the provisions of this section or any other special or general law to the contrary, all otherwise lawfully sex-segregated facilities, accommodations, resorts and amusements shall grant persons admission to and the full enjoyment of such facilities, accommodations, resorts and amusements consistent with their gender identity or expression.

This sentence states in positive language (rather than as it was framed before, as an exception to the exception) that sex-segregated facilities must provide full access to transgender individuals consistent with their gender identity or expression. It also clarifies that this provision applies to all sex-segregated facilities, not just the public accommodations that are allowed, under the Healthworks exception, to have sex-segregated facilities without violating prohibitions against sex discrimination. We didn’t want anyone to say it doesn’t apply, for instance, to workplace bathrooms.

The revision does not change the bill’s substance or scope, or require any change in the way we talk about it. It simply tries to do what we said we were doing all along, only better.

**From:** Avitzur, Michael (SEN)  
**Sent:** Friday, June 03, 2011 4:35 PM  
**To:** Mahony, Elizabeth (SEN)  
**Subject:** RE: Transgender

I can always do a comparison in Word, too.

**From:** Mahony, Elizabeth (SEN)  
**Sent:** Friday, June 03, 2011 4:34 PM  
**To:** Avitzur, Michael (SEN)  
**Subject:** RE: Transgender

I think so. Let me double check.

**From:** Avitzur, Michael (SEN)  
**Sent:** Friday, June 03, 2011 4:34 PM

**To:** Mahony, Elizabeth (SEN)  
**Subject:** Transgender

Have there been any changes in the bill since last session (aside from the title)? In other words, any chance I can re-use the old bill summary?