

Legislative History of An Act Relative to Gender Identity

11/15/2011 House	Reported from the committee on the Judiciary
11/15/2011 House	New draft of S764 and H502 → H 3810
11/15/2011 House	Motion to recess negatived - 35 YEAS to 119 NAYS (See YEA and NAY in Supplement, No. 152)
11/15/2011 House	Rule 33 suspended - 116 YEAS to 37 NAYS (See YEA and NAY in Supplement, No. 153)
11/15/2011 House	Rule 41 suspended - 117 YEAS to 36 NAYS (See YEA and NAY in Supplement, No. 154)
11/15/2011 House	Rule 7A suspended - 113 YEAS to 36 NAYS (See YEA and NAY in Supplement, No. 155)
11/15/2011 House	Quorum Roll Call - 149 YEAS to 0 NAYS (See YEA and NAY in Supplement, No. 156)
11/15/2011 House	Read second
11/15/2011 House	Motion on previous question negatived - 115 YEAS to 38 NAYS (See YEA and NAY in Supplement, No. 157)
11/15/2011 House	Ordered to a third reading - 113 YEAS to 37 NAYS (See YEA and NAY in Supplement, No. 158)
11/15/2011 House	Motion to reconsider negatived - 37 YEAS to 115 NAYS (See YEA and NAY in Supplement, No. 159)
11/15/2011 House	Rule 39 suspended - 115 YEAS to 37 NAYS (See YEA and NAY in Supplement, No. 160)
11/15/2011 House	Read third
11/15/2011 House	Motion to close debate at 8:50pm prevailed - 95 YEAS to 56 NAYS (See YEA and NAY in Supplement, No. 161)
11/15/2011 House	Amendment 1 rejected - 59 YEAS to 94 NAYS (See YEA and NAY in Supplement, No. 162)
11/15/2011 House	Passed to be engrossed - 95 YEAS to 58 NAYS (See YEA and NAY in Supplement, No. 163)
11/15/2011 House	Motion to reconsider negatived - 56 YEAS to 95 NAYS (See YEA and NAY in Supplement, No. 164)
11/16/2011 Senate	Read, rules suspended, read second, ordered to a third reading, read third and passed to be engrossed
11/16/2011 House	Enacted - 94 YEAS to 60 NAYS (See YEA and NAY in Supplement, No. 166)
11/16/2011 House	Motion to reconsider negatived
11/16/2011 Senate	Enacted and laid before the Governor
11/23/2011 Governor	Signed by the Governor, Chapter 199 of the Acts of 2011

SECTION 1. Section 7 of chapter 4 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following clause:-

Fifty-ninth, "Gender identity" shall mean a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth. Gender-related identity may be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, as part of a person's core identity; provided however, gender-related identity shall not be asserted for any improper purpose.

SECTION 2. Section 32 of chapter 22C of the General Laws, as so appearing, is hereby amended by inserting after the word "gender", in line 12, the following words:- , gender identity.

SECTION 3. Section 89 of chapter 71 of the General Laws, as so appearing, is hereby amended by inserting after the word "sex", in lines 91 and 320, the following words:- , gender identity.

SECTION 4. Section 5 of chapter 76 of the General Laws, as so appearing, is hereby amended by inserting after the word "sex", in line 10, the following words:- , gender identity.

SECTION 5. Section 12B of said chapter 76, as so appearing, is hereby amended by inserting after the word "sex", in line 185, the following words:- , gender identity.

SECTION 6. Section 3 of chapter 151B of the General Laws, as so appearing, is hereby amended by inserting after the word "sex", in lines 17 and 61, the following words:- , gender identity .

SECTION 7. Section 4 of said chapter 151B, as so appearing, is hereby amended by inserting in each instance after

the word "sex", in lines 3, 69, 82, 87, 96, 103, 136, 163, 169, 179, 226, 233, 243, 339, 349, 353, 359, 485, 495, 505, 535, 661 and 670 the following words:- , gender identity.

SECTION 8. Section 39 of chapter 265 of the General Laws, as so appearing, is hereby amended by inserting after the words "sexual orientation", in line 4, the following words:- , gender identity.

SECTION 9. This act shall take effect on July 1, 2012.

Actions for Bill H.502

Date	Branch	Action
1/24/2011	House	Referred to the committee on the Judiciary
1/24/2011	Senate	Senate concurred
6/3/2011	Joint	Hearing scheduled for 06/08/2011 from 01:00 PM-05:00 PM in Gardner Auditorium
6/3/2011	Joint	Hearing scheduled for 06/08/2011 from 01:00 PM-05:00 PM in Gardner Auditorium
11/15/2011	House	Accompanied a new draft, see H3810

SECTION 1. Section 67 of chapter 3 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out the words "commission on gay and lesbian youth", in lines 1 and 2, and inserting in place thereof the following words:- commission on gay, lesbian, bisexual, and transgender youth.

SECTION 2. Said section 67 of said chapter 3, as so appearing, is hereby further amended by striking out the words "parent of a gay or lesbian person", in line 16, and inserting in place thereof the following words:- parent of a gay, lesbian, bisexual, or transgender person.

SECTION 3. Said section 67 of said chapter 3, as so appearing, is hereby further amended by inserting after the words "sexual-orientation", in lines 19 and 20, the following words:- gender identity or expression.

SECTION 4. Said section 67 of said chapter 3, as so appearing, is hereby further amended by striking out the words "gay and lesbian organizations", in lines 29 and 30, and inserting in place thereof the following words:- gay, lesbian, bisexual, and transgender organizations.

SECTION 5. Section 67 of said chapter 3, as so appearing, is hereby further amended by striking out the words "gay and lesbian," in lines 45, 50, 52, and 56, and inserting in place thereof in each instance the following words:- gay, lesbian, bisexual, and transgender.

SECTION 6. Section 56 of chapter 6 of the General Laws, as so appearing, is hereby amended by inserting after the word "women", in line 44, the following words:- ; people of diverse gender identities or expressions.

SECTION 7. Section 32 of chapter 22C of the General Laws, as so appearing, is hereby amended by inserting after the word "gender", in line 12, the following words:- , gender identity or expression.

SECTION 8. Section 89 of chapter 71 of the General Laws, as so appearing, is hereby amended by inserting in each instance after the word "sex", in lines 53 and 143, the following words:- , gender identity or expression.

SECTION 9. Section 5 of chapter 76 of the General Laws, as so appearing, is hereby amended by inserting after the word "sex", in line 10, the following words:- , gender identity or expression.

SECTION 10. Section 12B of said chapter 76, as so appearing, is hereby amended by inserting after the word "sex", in line 185, the following words:- , gender identity or expression.

SECTION 11. Section 1 of chapter 151B of the General Laws, as so appearing, is hereby amended by inserting after subsection 23 the following subsection:

24. The term "gender identity or expression" shall mean a gender-related identity, appearance, expression, or behavior of an individual, regardless of the individual's physiology or assigned sex at birth.

SECTION 12. Section 3 of said chapter 151B, as so appearing, is hereby amended by inserting in each instance after the word "sex", in lines 17 and 61, the following words:- , gender identity or expression.

SECTION 13. Said section 3 of said chapter 151B, as so appearing, is hereby amended by inserting after the word "women", in line 53, the following words:- ; people of diverse gender identities or expressions.

SECTION 14. Section 4 of said chapter 151B, as so appearing, is hereby amended by inserting in each instance after the word "sex", in lines 3, 69, 82, 87, 96, 103, 136, 163, 169, 179, 226, 233, 243, 339, 349, 353, 359, 474, 484, 494, 650 and 659 the following words:- , gender identity or expression.

SECTION 15. Section 39 of chapter 265 of the General Laws, as so appearing, is hereby amended by inserting after the words "sexual orientation", in line 4, the following words:-, gender identity or expression.

SECTION 16. Said section 39 of said chapter 265, as so appearing, is hereby further amended by adding the following sentence at the end of subsection (a):-

For the purposes of this section, the term "gender identity or expression" shall have the same meaning as that term is defined in subsection 24 of section one of chapter one hundred and fifty-one B.

SECTION 17. Section 92A of chapter 272 of the General Laws, as so appearing, is hereby amended by inserting after the word "sex", in line 9, the following words:- , gender identity or expression.

SECTION 18. Said section 92A of said chapter 272, as so appearing, is hereby further amended by inserting the following sentence at the end of the second paragraph:-

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.

SECTION 19. Section 98 of said chapter 272, as so appearing, is hereby amended by inserting after the word "sex", in line 2, the following words:- , gender identity or expression.

SECTION 20. If any provision of this Act is deemed invalid or unconstitutional, such a determination will not affect the validity of any other provision of this Act.

Actions for Bill S.764

Date	Branch	Action
1/24/2011	Senate	Referred to the committee on the Judiciary
1/24/2011	House	House concurred
6/3/2011	Joint	Hearing scheduled for 06/08/2011 from 01:00 PM-05:00 PM in Gardner Auditorium
6/3/2011	Joint	Hearing scheduled for 06/08/2011 from 01:00 PM-05:00 PM in Gardner Auditorium
11/15/2011	House	Accompanied a new draft, see H3810

SECTION 1. Section 67 of chapter 3 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out the words "commission on gay and lesbian youth", in lines 1 and 2, and inserting in place thereof the following words:- commission on gay, lesbian, bisexual, and transgender youth.

SECTION 2. Said section 67 of said chapter 3, as so appearing, is hereby further amended by striking out the words "parent of a gay or lesbian person", in line 16, and inserting in place thereof the following words:- parent of a gay, lesbian, bisexual, or transgender person.

SECTION 3. Said section 67 of said chapter 3, as so appearing, is hereby further amended by inserting after the words "sexual-orientation", in lines 19 and 20, the following words:- gender identity or expression.

SECTION 4. Said section 67 of said chapter 3, as so appearing, is hereby further amended by striking out the words "gay and lesbian organizations", in lines 29 and 30, and inserting in place thereof the following words:- gay, lesbian, bisexual, and transgender organizations.

SECTION 5. Section 67 of said chapter 3, as so appearing, is hereby further amended by striking out the words "gay and lesbian," in lines 45, 50, 52, and 56, and inserting in place thereof in each instance the following words:- gay, lesbian, bisexual, and transgender.

SECTION 6. Section 56 of chapter 6 of the General Laws, as so appearing, is hereby amended by inserting after the word "women", in line 44, the following words:- ; people of diverse gender identities or expressions.

SECTION 7. Section 32 of chapter 22C of the General Laws, as so appearing, is hereby amended by inserting after the word "gender", in line 12, the following words:- , gender identity or expression.

SECTION 8. Section 89 of chapter 71 of the General Laws, as so appearing, is hereby amended by inserting in each instance after the word "sex", in lines 53 and 143, the following words:- , gender identity or expression.

SECTION 9. Section 5 of chapter 76 of the General Laws, as so appearing, is hereby amended by inserting after the word "sex", in line 10, the following words:- , gender identity or expression.

SECTION 10. Section 12B of said chapter 76, as so appearing, is hereby amended by inserting after the word "sex", in line 185, the following words:- , gender identity or expression.

SECTION 11. Section 1 of chapter 151B of the General Laws, as so appearing, is hereby amended by inserting after subsection 23 the following subsection:

24. The term "gender identity or expression" shall mean a gender-related identity, appearance, expression, or behavior of an individual, regardless of the individual's physiology or assigned sex at birth.

SECTION 12. Section 3 of said chapter 151B, as so appearing, is hereby amended by inserting in each instance after the word "sex", in lines 17 and 61, the following words:- , gender identity or expression.

SECTION 13. Said section 3 of said chapter 151B, as so appearing, is hereby amended by inserting after the word "women", in line 53, the following words:- ; people of diverse gender identities or expressions.

SECTION 14. Section 4 of said chapter 151B, as so appearing, is hereby amended by inserting in each instance after the word "sex", in lines 3, 69, 82, 87, 96, 103, 136, 163, 169, 179, 226, 233, 243, 339, 349, 353, 359, 474, 484, 494, 650 and 659 the following words:- , gender identity or expression.

SECTION 15. Section 39 of chapter 265 of the General Laws, as so appearing, is hereby amended by inserting after the words "sexual orientation", in line 4, the following words:- , gender identity or expression.

SECTION 16. Said section 39 of said chapter 265, as so appearing, is hereby further amended by adding the following sentence at the end of subsection (a):-

For the purposes of this section, the term "gender identity or expression" shall have the same meaning as that term is defined in subsection 24 of section one of chapter one hundred and fifty-one B.

SECTION 17. Section 92A of chapter 272 of the General Laws, as so appearing, is hereby amended by inserting after the word "sex", in line 9, the following words:- , gender identity or expression.

SECTION 18. Said section 92A of said chapter 272, as so appearing, is hereby further amended by inserting the following sentence at the end of the second paragraph:-

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.

SECTION 19. Section 98 of said chapter 272, as so appearing, is hereby amended by inserting after the word "sex", in line 2, the following words:- , gender identity or expression.

SECTION 20. If any provision of this Act is deemed invalid or unconstitutional, such a determination will not affect the validity of any other provision of this Act.