



HUMAN
RIGHTS
CAMPAIGN
FOUNDATIONTM

EQUALITY FROM STATE TO STATE

A REVIEW OF STATE LEGISLATION IN 2008

AFFECTING THE LESBIAN, GAY, BISEXUAL,

AND TRANSGENDER COMMUNITY,

AND A LOOK AHEAD TO 2009

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A REPORT BY THE HUMAN RIGHTS CAMPAIGN FOUNDATION DECEMBER 2008

EQUALITY FROM STATE TO STATE

MARRIAGE

RELATIONSHIP RECOGNITION

ANTI-DISCRIMINATION

PARENTING

SCHOOLS

HATE CRIMES

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INTRODUCTION

December 2008

Dear Readers,

There's just no other way to say this – 2008 was a hard year at the state level. As you know all too well, voters in California dealt a blow to equality by passing Proposition 8 and purporting to amend the state constitution to eliminate marriage equality. Over 18,000 gay and lesbian couples who were married after the California Supreme Court's decision in May 2008 and before Election Day are now in limbo, waiting to find out whether their marriages are valid. Other couples who were engaged to marry have had to cancel or change their plans. A lawsuit has been filed, seeking to invalidate Proposition 8 and arguing that a change of this magnitude, taking away fundamental constitutional rights, should have required supermajorities in the Legislature, not just a bare majority on Election Day. The California Supreme Court may rule on this by summer 2009.

California wasn't the only state with a ballot measure putting our fundamental rights up for a vote. In Arizona and Florida, voters also amended their state constitutions to prohibit marriage by gay and lesbian couples (although each state already had laws prohibiting marriage equality, and Arizona voters had defeated a similar, though broader amendment at the polls just two years ago).

In Arkansas, voters approved a statutory ban on adoption or foster parenting by anyone "cohabiting with a sexual partner outside of a marriage which

is valid under the constitution and laws of this state." Of course, Arkansas' Constitution and laws prohibit same-sex couples from marrying, so this measure (which is likely to be chal-

lenged in court) cruelly prevents loving, otherwise qualified parents from adopting or even foster-

parenting children who need a home. In the wake of the Arkansas vote, there is concern that similar anti-parenting measures will show up in state legislatures or on the ballot in other states.

There was one bright spot among the discriminatory ballot measures. In Connecticut, voters rejected a proposed constitutional convention that opponents of equality planned to use as an opportunity to undo the newly won freedom to marry in that state. With the measure defeated, gay and lesbian couples are free to enjoy marriage equality in Connecticut, thanks to the state Supreme Court's Oct. 10 decision. The first couples started receiving marriage licenses on Nov. 12, 2008.

There were also bright spots in state legislative elections. We hope that key victories in Delaware, Nevada, New York and Wisconsin, where fair-minded majorities have won control of both chambers, as well as in Ohio, where there is now a fair-minded majority in the state House of Representatives, will open the door to pro-LGBT legislation in 2009 and beyond. Similarly, we are heartened by increases in

**As we look ahead to 2009,
we will work
for progress in
California and
across the nation.**

the numbers of fair-minded legislators in Maine, Minnesota, New Hampshire, New Mexico and Texas.

In the legislative sessions this election year, there was less activity than in 2007. There were, however, some important advances. The District of Columbia passed a law expanding existing protections for registered domestic partners to now include all the rights, responsibilities and benefits of marriage under D.C. law. Washington state expanded its new domestic partner law to add important protections. New Jersey enacted hate crimes protections for transgender people. Colorado expanded new anti-discrimination protections for LGBT people, already available in employment, to apply to housing, public accommodations and other areas. There were also dangerous anti-parenting measures that were defeated in Mississippi and Tennessee. A bill in Kentucky trying (once again) to prevent the state from continuing to provide modest domestic partner benefits to employees at state universities was (once again) defeated.

Bitter defeats in California and elsewhere are both deeply painful and powerfully energizing. As we look ahead to 2009, we will work for progress in California and across the nation. In New Jersey, where civil unions were recognized in 2007, there are hopes that now is the time for full equality under state law through marriage legislation. New York, Vermont and Maine may also take up marriage bills.

Connecticut, Massachusetts, Maryland and New Hampshire may add much-needed gender identity protections to their anti-discrimination laws.

There are also discriminatory measures to watch for and to defeat. In the wake of the Arkansas parenting ban, South Carolina and Tennessee may see similar measures taken up in their legislatures. Other states may try the same, as opponents of equality sense a new opportunity to enshrine discrimination and bigotry in state law.

Whatever happens with these cruel anti-parenting measures, whatever the court in California ultimately decides with regard to Prop. 8, whatever happens in New Jersey, New York, South Carolina, Tennessee and elsewhere, the fight for equality will go on. I know that we are all in this for the long haul, and I thank you for your continued support and your work in the fight for equality for lesbian, gay, bisexual and transgender Americans in every state. May 2009, and the years to come, bring a rising wave of equality that touches every part of the United States.

Sincerely,



Joe Solmonese
President, Human Rights Campaign Foundation

SUMMARY OF STATE DEVELOPMENTS IN 2008

A Year of Incremental Gains, Some Victories and Bitter Setbacks on Election Day

In contrast with the previous year, 2008 did not see sweeping advances in pro-equality legislation. In this election year, some states (plus Washington, D.C.) took hopeful, but incremental steps forward. States beat back discriminatory legislation while, as noted in the introduction, Election Day saw voters pass several discriminatory measures.

Key State Legislative Developments in 2008

Marriage: In May, California's state Supreme Court recognized marriage equality under the state constitution. Between June 16 and Nov. 4, 2008, more

In this election year, some states (plus Washington, D.C.) took hopeful, but incremental steps forward.

than 18,000 gay and lesbian couples married in California. Of course, Proposition 8 brought a halt to marriage equality, though there is litigation before the state Supreme Court challenging as

improper the elimination of fundamental rights by a simple majority vote at the polls.

- In October, Connecticut's state Supreme Court recognized marriage equality under its state constitution, and gay and lesbian couples began marrying Nov. 12, 2008. A potential threat to the new marriages was turned away when voters rejected a proposed constitutional convention at the polls on Nov. 4.
- Eleven states defeated proposed anti-marriage amendments in their legislatures: Delaware, Illinois, Indiana, Iowa,

Maryland, Minnesota, New Mexico, North Carolina, Pennsylvania, Rhode Island and West Virginia. However, Arizona and Florida joined California in enacting anti-marriage amendments at the polls.

Relationship Recognition: Washington, D.C., expanded its existing domestic partner law to provide all the rights, responsibilities and benefits of marriage under district law to registered domestic partners. Washington state also expanded its existing law to provide more than 160 new rights and responsibilities to registered domestic partners. Maryland did not enact marriage equality or broad relationship recognition legislation, but did take an important step toward equality by providing basic rights like hospital visitation and medical decision-making to domestic partners.

Hate Crimes: New Jersey added gender identity to its existing hate crimes law, making it the 11th state (plus Washington, D.C.) with a law addressing hate crimes based on gender identity.

Parenting: Mississippi and Tennessee defeated bills that would have prevented same-sex couples from adopting. (The Mississippi bill would have "clarified" existing law prohibiting adoption by same-sex couples).

- On Election Day, Arkansas voters approved a statutory ban on adoption or foster parenting by any unmarried same-sex or different-sex couples.

Schools: Maryland enacted a safe schools law that includes enumerated categories for sexual orientation and gender identity.

- Three other states, Florida, Nebraska and Utah, enacted safe schools laws that did not include enumerated categories for sexual orientation and gender identity, though advocates for equality see these laws as a first step toward much-needed protections for LGBT students.

For a complete summary and final status of all the state legislation introduced and passed that affected LGBT people in 2008, please see page 11.

OUTLOOK FOR 2009

2009 promises to be a year in which most Americans are focused on the economy. Economic and budget concerns will be a factor for state legislatures as well, though this may be a factor that hampers anti-LGBT legislation more than pro-equality legislation.

In the wake of Prop. 8, the fight for equality continues in California and elsewhere. Several jurisdictions are poised to take up marriage equality legislation in 2009, including Maine, New Jersey, New York, Vermont and Washington, D.C. Iowa's state Supreme Court may issue a decision on marriage equality in that state.

There are other states where newly elected fair-minded legislators may have opportunities to translate Election Day victories into advances for equality:

**We look ahead to 2009
with renewed
dedication
to the fight for equality.**

In addition to the states mentioned above, we will also be watching for pro-equality legislation in Delaware, Nevada, Ohio and Wisconsin. Of

course, other states may also see positive legislation (for instance, Massachusetts and New Hampshire may look to add important prohibitions against discrimination based on gender identity, and New Mexico may take up, again, a broad domestic partner bill that was narrowly defeated in 2007 and

2008), and we stand ready to assist state LGBT groups in other areas as well.

In Utah, advocates for equality will seek action on a slate of pro-equality legislation dubbed the "Common Ground Initiative" and aimed at delivering specific protections, including domestic partner rights and anti-discrimination protections, to LGBT people and their families.

There are troubling indications that opponents of equality will look to build on their "success" in Arkansas by introducing anti-adoption legislation in other states. We are watching these developments and will work with state groups to oppose this dangerous legislation if it is introduced.

2009 will also see state legislative elections in New Jersey and Virginia, and we will look to help fair-minded legislators make gains in those states.

As we wait for the first bills to be introduced in the 2009 legislative sessions, we look back on a year that brought hope and heartache. We look ahead to 2009 with renewed dedication to the fight for equality.

2008 STATE BILLS INTRODUCED OR CARRIED OVER FROM 2007

	Marriage		Anti-Discrimination		Hate Crimes		Other Relationship Recognition		Parenting		Education/Schools		Good Bill Totals	Bad Bill Totals
	Good	Bad	Good	Bad	Good	Bad	Good	Bad	Good	Bad	Good	Bad		
Alabama					1						3		4	0
Alaska					1			2					1	2
Arizona		1	4		3		4						11	1
Arkansas										0		0	0	0
California	1		1				4				2	2	8	2
Colorado			2				1						3	0
Connecticut			1				1						2	0
Delaware		1	1				1						2	1
District of Columbia			1				1						2	0
Florida			4				2		1		4		11	0
Georgia					1						2		3	0
Hawaii							3				3		6	0
Idaho			1										1	0
Illinois	1	2					7						8	2
Indiana		1	1		2		1				2		6	1
Iowa		2											0	2
Kansas			1					1					1	1
Kentucky			1				1	1			3		5	1
Louisiana			2								2		4	0
Maine													0	0
Maryland	2	2	1		1		7				4		15	2
Massachusetts	3	1	2	1	1						5	5	11	7
Michigan			1		3				2		3		9	0
Minnesota	1	2					3				1	1	5	3
Mississippi		1								1	2	2	2	4
Missouri			1								2		3	0
Montana													0	0
Nebraska									1		1		2	0
Nevada													0	0
New Hampshire	1	1					1					1	2	2
New Jersey	3	4			2		1				1	1	7	5
New Mexico	1	1					1						2	1
New York	3	1	4		2		11		2		4		26	1
North Carolina		2	1		1		1				2		5	2
North Dakota													0	0
Ohio			1								1		2	0
Oklahoma					3			1			1	1	4	2
Oregon													0	0
Pennsylvania		1	1		2						3		6	1
Rhode Island	3	2					5				1		9	2
South Carolina			4		1		1						6	0
South Dakota													0	0
Tennessee										1		3	0	4
Texas													0	0
Utah			1				1	2	1		1		4	2
Vermont	1												1	0
Virginia			3				1				2		6	0
Washington	2	1					3			1			5	2
West Virginia		1	5		1								6	1
Wisconsin			1								3		4	0
Wyoming													0	0
Bill Totals	22	29	46	1	25	0	62	7	7	3	58	16	220	56

2008 STATE BILLS PASSED

	Marriage		Anti-Discrimination		Hate Crimes		Other Relationship Recognition		Parenting		Education/Schools		Good Bill Totals	Bad Bill Totals
	Good	Bad	Good	Bad	Good	Bad	Good	Bad	Good	Bad	Good	Bad		
Alabama													0	0
Alaska													0	0
Arizona		1											0	1
Arkansas													0	0
California			1				1						2	0
Colorado			1										1	0
Connecticut					1								1	0
Delaware													0	0
District of Columbia			1				1						2	0
Florida											1		1	0
Georgia													0	0
Hawaii													0	0
Idaho													0	0
Illinois													0	0
Indiana													0	0
Iowa													0	0
Kansas													0	0
Kentucky											1		1	0
Louisiana											1		1	0
Maine													0	0
Maryland							2				2		4	0
Massachusetts	1												1	0
Michigan													0	0
Minnesota													0	0
Mississippi													0	0
Missouri													0	0
Montana													0	0
Nebraska											1		1	0
Nevada													0	0
New Hampshire													0	0
New Jersey					1								1	0
New Mexico													0	0
New York													0	0
North Carolina													0	0
North Dakota													0	0
Ohio													0	0
Oklahoma													0	0
Oregon													0	0
Pennsylvania													0	0
Rhode Island													0	0
South Carolina													0	0
South Dakota													0	0
Tennessee													0	0
Texas													0	0
Utah								1			1		1	1
Vermont													0	0
Virginia							1						1	0
Washington							1						1	0
West Virginia													0	0
Wisconsin													0	0
Wyoming													0	0
Bill Totals	1	1	3	0	2	0	6	1	0	0	7	0	19	2

LGBT-RELATED BILLS CONSIDERED IN 2008

The following is a categorized listing of LGBT-related bills considered in the 2008 state legislatures. Some bills were carried over from 2007.*

Marriage-Related Bills: Passed.....	11	Hate Crimes Bills: Passed	31
Marriage-Related Bills: Active	11	Hate Crimes Bills: Active	31
Marriage-Related Bills: Dead	14	Hate Crimes Bills: Dead	31
Other Relationship-Recognition Bills: Passed.....	18	Parenting Bills: Active	34
Other Relationship-Recognition Bills: Active	19	Parenting Bills: Dead	34
Other Relationship-Recognition Bills: Dead	19	Schools-Related Bills: Passed.....	35
Anti-Discrimination Bills: Passed	26	Schools-Related Bills: Active.....	36
Anti-Discrimination Bills: Active	27	Schools-Related Bills: Dead.....	38
Anti-Discrimination Bills: Dead	27		

Marriage-Related Bills: **PASSED**

Arizona Senate Concurrent Resolution

1042 — This resolution proposed an amendment to the state constitution providing that “only a union of one man and one woman shall be valid or recognized as a marriage in this state.” (Note that this resolution originally dealt with a Vietnam veterans memorial day.)

Status: On May 12, 2008, this resolution passed the House by a 33-25 vote. On June 25, 2008, the Senate voted 14-11 in favor of the resolution, failing to get the 16 needed for passage. On June 27, 2008, just before the Legislature adjourned, and with 10 senators not present, this resolution passed the Senate by a 16-4 vote. This resolution placed Proposition 102 on the ballot, which was approved by voters on Nov. 4, 2008, and amended the state constitution to bar marriages by same-sex couples.

Massachusetts Senate Bill 800 — This bill repealed the so-called 1913 law that prohibited out-of-state couples from marrying in Massachusetts if their

marriage would be prohibited in their home state.

Status: This bill was introduced Jan. 11, 2007, and referred to the Senate Judiciary Committee. On July 15, 2008, the bill passed the Senate. On July 29, 2008, the bill passed the House. On July 31, 2008, Gov. Deval Patrick signed the bill, which became effective immediately.

Marriage-Related Bills: **ACTIVE**

California House Resolution 5/Senate

Resolution 7 — These resolutions would express the Legislature’s opposition to Proposition 8, which amended the state constitution to eliminate marriage equality. The resolutions would further express the Legislature’s view that Proposition 8 was improperly passed by a simple majority vote on the November ballot; a fundamental revision of the state constitution should have been approved by a 2/3 vote in each house of the Legislature before proceeding to the ballot.

Status: These resolutions were introduced Dec. 2 and Dec. 1, 2008, respectively. There has been no further movement to date.

*NOTE: The last update on the status of these measures was on Dec. 19, 2008.

Illinois House Bill 1615 — This bill would enact the Religious Freedom and Marriage Fairness Act, which would provide marriage equality for same-sex couples under state law and allow marriage licenses to be issued to same-sex couples.

Status: This bill was introduced Feb. 22, 2007, and referred to the Rules Committee. There has been no further movement to date.

Illinois House Joint Resolution

Constitutional Amendment 1 — This resolution proposes to amend the state constitution to provide that only a marriage between a man and a woman is valid or recognized. The resolution further provides that the state and its political subdivisions shall not create or recognize a legal status similar to that of marriage.

Status: This resolution was introduced Jan. 19, 2007, and referred to the Rules Committee.

There has been no further movement to date.

Illinois Senate Joint Resolution

Constitutional Amendment 8 — This resolution proposes to amend the state constitution to provide that only a marriage between a man and a woman is valid or recognized. The resolution further provides that any relationship between persons of the same sex in a civil union, domestic partnership or other similar same-sex relationship shall not be valid or recognized in the state.

Status: This resolution was introduced Jan. 19, 2007, and referred to the Rules Committee.

There has been no further movement to date.

Massachusetts House Bill 1710 — This bill would provide for marriage equality under statutory law. (Note that Massachusetts already recognizes marriage equality as the result of the *Goodridge v. Dept. of Public Health* decision by the Massachusetts Supreme Judicial Court in 2003).

Status: The bill was introduced Jan. 11, 2008, and referred to the House Judiciary Committee. On March 31, 2008, the bill was referred for further study. There has been no further movement to date, and the legislative session is scheduled to end as of Dec. 31, 2008.

Massachusetts Senate Bill 918 — This bill would provide for marriage equality under statutory law. (Note that Massachusetts already recognizes marriage equality as the result of the *Goodridge v. Dept. of Public Health* decision by the Massachusetts Supreme Judicial Court in 2003).

Status: The bill was introduced Jan. 11, 2008, and referred to the Senate Judiciary Committee. On May 1, 2008, the bill was referred for further study. There has been no further movement to date, and the legislative session is scheduled to end as of Dec. 31, 2008.

Massachusetts Senate Bill 926 — This bill would declare that all marriages by same-sex couples performed since May 17, 2004, excepting the plaintiff couples in the *Goodridge* case, are without statutory basis, and no other marriage performed in Massachusetts will be legally binding unless established by Massachusetts statute.

Status: The bill was introduced Jan. 11, 2008, and referred to the Senate Judiciary Committee. On May 1, 2008, the bill was referred for further study. There has been no further movement to date, and the legislative session is scheduled to end as of Dec. 31, 2008.

New Hampshire House Bill 235 — This bill would provide that any marriage legally contracted outside New Hampshire shall be recognized as valid in New Hampshire.

Status: This bill was introduced Jan. 4, 2007. Hearings were held March 5, 2007. On Nov. 19, 2007, the bill was deemed inexpedient to legislate by an 18-1 committee vote.

New Hampshire House Bill 235 — This bill would provide that any marriage or civil union entered into outside of New Hampshire shall not be recognized as valid in New Hampshire. Current law recognizes out-of-state marriages or civil unions by same-sex couples as civil unions in New Hampshire.

Status: This bill was introduced Dec. 10, 2007. Hearings were held Jan. 24, 2007. On Feb. 12, 2008, the bill was deemed inexpedient to legislate by a 16-1 committee vote.

New Jersey Assembly Bill 648 — This bill would prohibit “persons of the same sex” from marrying and further provides that marriages entered into out of state by gay or lesbian couples would be void in New Jersey.

Status: This bill was introduced Jan. 8, 2008, and referred to the Assembly Judiciary Committee. There has been no further movement to date.

New Jersey Assembly Bill 818 — This bill would provide for marriage equality in New Jersey.

Status: This bill was introduced Jan. 8, 2008, and referred to the Assembly Judiciary Committee in each chamber. There has been no further movement to date.

New Jersey Assembly Bill 1687/Senate Bill 577 — This bill would provide that public officials authorized to solemnize marriages or civil unions could refuse to solemnize civil unions “if such solemnization is in conflict with the public official’s conscience or sincerely held moral or religious beliefs.”

Status: This bill was introduced Jan. 8, 2008, and referred to the Assembly and Senate Judiciary Committees, respectively. There has been no further movement to date.

New Jersey Assembly Bill 2978/Senate Bill 1967 — These bills would provide for marriage equality in New Jersey.

Status: These bills were introduced June 16 and June 9, 2008 respectively. The bills were referred to the Assembly and Senate Judiciary Committees, respectively. There has been no further movement to date.

New Jersey Assembly Concurrent Resolution 56 — This resolution proposes a constitutional amendment providing that marriage is solely between a man and a woman unless the Legislature provides otherwise.

Status: This resolution was introduced Jan. 8, 2008, and referred to the Judiciary Committee. There has been no further movement to date.

New Jersey Assembly Concurrent Resolution 120/Senate Concurrent Resolution 30

— These resolutions propose a constitutional amendment providing that marriage is solely between a man and a woman.

Status: These resolutions were introduced Jan. 8, 2008, and referred to the Assembly and Senate Judiciary Committees, respectively. There has been no further movement to date.

New York Assembly Bill 2021 — This bill would replace marriage with civil unions and would make civil unions available to all couples, same-sex and different-sex, on the same terms.

Status: This bill was introduced Jan. 11, 2007, and referred to the Assembly Judiciary Committee. There has been no further movement to date.

New York Assembly Bill 4978/Senate Bill 2800 — These bills would provide that a “marriage or union is absolutely void if contracted by two persons of the same sex” whether the marriage or union is recognized in another jurisdiction.

Status: Assembly Bill 4978 was introduced Feb. 12, 2007, and referred to the Assembly Judiciary Committee. Senate Bill 2800 was introduced Feb. 12, 2007, and referred to the Senate Judiciary Committee. There has been no further movement on either bill to date.

New York Assembly Bill 8590/Senate Bill 5884 — This bill would provide for marriage equality under state law.

Status: On June 19, 2007, the bill passed the Assembly by an 85-61 vote. The bill was delivered to the Senate, but was returned to the Assembly on Jan. 9, 2008. There has been no further movement to date.

New York Senate Bill 5994 — This bill would provide for marriage equality under state law.

Status: This bill was introduced May 31, 2007, and referred to the Senate Rules Committee. On Jan. 9, 2008, the bill was referred to the Senate Judiciary Committee. There has been no further movement to date.

Marriage-Related Bills: DEAD

Delaware Senate Bill 156 — This bill would have proposed to amend the state constitution to prohibit marriage by same-sex couples. It also provides that “the uniting of two persons of the same gender in a civil union, domestic partnership, or other similar same gender legal relationship shall not be valid or recognized,” and declares that a same-sex marriage obtained or recognized outside the state shall not constitute a legal or valid marriage in Delaware.

Status: The bill was introduced June 21, 2007, and referred to the Senate Executive Committee. There was no further movement, and the bill died when the Legislature adjourned June 30, 2008.

Indiana House Joint Resolution 8/Senate Joint Resolution 7 — These resolutions would have proposed to amend the state constitution to prohibit marriage by same-sex couples. They also provide that “Indiana law may not be construed to require that marital status or the legal incidents of marriage be conferred upon unmarried couples or groups.”

Status: The House resolution was introduced Jan. 17, 2008. The Senate resolution was introduced Jan. 8, 2008, and passed the Senate by a 39-9 vote on Jan. 29, 2008. The Senate resolution was referred to the House and referred to the House Committee on Rules and Legislative Procedures.

There was no further movement, and the resolutions died when the Legislature adjourned March 14, 2008.

Iowa House Joint Resolution 8 — This resolution would have proposed to amend the state constitution to provide that “only a marriage between a man and a woman shall be valid or recognized in the State of Iowa.”

Status: This resolution was introduced March 15, 2007. There was no further movement and the resolution died when the Legislature adjourned April 25, 2008.

Iowa Senate Joint Resolution 21 — This resolution would have proposed to amend the

state constitution to provide that “only a marriage between a man and a woman shall be valid or recognized in the State of Iowa.”

Status: This resolution was introduced Jan. 17, 2008, and referred to the Senate State Government Committee. There was no further movement and the resolution died when the Legislature adjourned April 25, 2008.

Maryland House Bill 351/Senate Bill 290

— These bills would have provided for marriage equality under state law.

Status: The House bill was introduced Jan. 25, 2008, and referred to the House Judiciary Committee. Hearings were held Feb. 28, 2008. The Senate bill was also introduced Jan. 25, 2008, and was referred to the Senate Judicial Proceedings Committee. Hearings in the Senate were held Feb. 14, 2008. There was no further movement, and the bills died when the Legislature adjourned April 7, 2008.

Maryland House Bill 631 — This bill would have replaced all existing statutory references to “marriage” with “civil marriage.”

Status: The House bill was introduced Feb. 1, 2008, and referred to the House Judiciary Committee. Hearings were held Feb. 28, 2008. There was no further movement, and the bill died when the Legislature adjourned April 7, 2008.

Maryland House Bill 1345 — This bill would have proposed amending the state constitution to provide that only marriage between a man and a woman is valid or recognized in Maryland. The proposed amendment would also have prohibited “the uniting of two persons in a civil union, domestic partnership, or other similar relationship.”

Status: The bill was introduced Feb. 8, 2008, and referred to the House Judiciary Committee. Hearings were held Feb. 28, 2008. There was no further movement, and the bill died when the Legislature adjourned April 7, 2008.

Maryland Senate Bill 169 — This bill would have proposed amending the state constitution to provide that only marriage between a man and a woman is valid or recognized in Maryland. The proposed amendment would also have prohibited recognition of civil unions or any other “relationship

between individuals of the same sex, by whatever name or title, that confers the benefit of marriage.”

Status: The bill was introduced Jan. 18, 2008, and referred to the Senate Judicial Proceedings Committee. Hearings were held Feb. 14, 2008.

There was no further movement, and the bill died when the Legislature adjourned April 7, 2008.

Minnesota House Bills 1845, 1846, 1847 —

These bills would have proposed amending the state constitution to provide that “only a union of one man and one woman shall be valid or recognized as a marriage in Minnesota. Any other relationship shall not be recognized as a marriage or its legal equivalent by the state or any of its political subdivisions.”

Status: These bills were introduced March 8, 2007. There was no movement, and the bills died when the Legislature adjourned May 18, 2008.

Minnesota House Bill 4248/Senate Bill

3880 — These bills would have provided for marriage equality under state law.

Status: The House bill was introduced May 17, 2008, and referred to the House Public Safety and Civil Justice Committee. The Senate bill was introduced May 16, 2008, and referred to the Senate Judiciary Committee. There was no further movement, and the bills died when the Legislature adjourned May 18, 2008.

Minnesota Senate Bills 2158, 2159, 2160 —

Like the House bills (1845, 1846, 1847, above), these bills would have proposed amending the state constitution to provide that “only a union of one man and one woman shall be valid or recognized as a marriage in Minnesota. Any other relationship shall not be recognized as a marriage or its legal equivalent by the state or any of its political subdivisions.”

Status: These bills were introduced March 27, 2007. There was no movement, and the bills died when the Legislature adjourned May 18, 2008.

Mississippi House Concurrent Resolution

6 — This resolution would have asked the United States Congress to call a constitutional convention to propose an amendment to the United States Constitution defining marriage in the United States

as between a man and a woman only and further provide that neither the U.S. Constitution nor any state constitution may be construed to require that marriage or the legal incidents thereof can be conferred on any union other than the union of a man and a woman.

Status: The resolution was introduced Jan. 22, 2008, and referred to the House Rules Committee. There was no further movement, and the resolution died when the Legislature adjourned April 18, 2008.

New Jersey Senate Bill 112 — This bill would have provided for marriage equality in New Jersey.

Status: This bill was introduced Jan. 8, 2008, and referred to the Judiciary Committee. The bill was withdrawn June 16, 2008.

New Mexico House Bill 47 — This bill would have defined marriage as a civil contract “between one man and one woman.” Current state law is silent as to whether marriage may be between same-sex partners.

Status: This bill was introduced Jan. 15, 2008. There was no movement on the bill, which died when the Legislature adjourned Feb. 14, 2008.

New Mexico House Joint Resolution 3 —

This resolution would have proposed amending the state constitution to define marriage only as the union of one man and one woman.

Status: This resolution was introduced Jan. 17, 2008. There was no movement on the resolution, which died when the Legislature adjourned Feb. 14, 2008.

North Carolina House Bill 493 — This bill would have proposed amending the state constitution to provide that: “Marriage is the union of one man and one woman at one time. This is the only marriage that shall be recognized as valid in this State. The uniting of two persons of the same sex or the uniting of more than two persons of any sex in a marriage, civil union, domestic partnership, or other similar relationship within or outside of this State shall not be valid or recognized in this State. This Constitution shall not be construed to require that marital status or the rights, privileges, benefits, or other legal incidents of marriage be conferred upon unmarried individuals or groups.”

Status: On May 22, 2007, this bill was sent to the House Judiciary Committee for further consideration, effectively killing the bill, as a House floor vote was required by the May 24, 2007, crossover deadline, but did not occur. The bill officially died when the Legislature adjourned July 18, 2008.

North Carolina House Bill 2803 — This bill would have proposed amending the state constitution to provide that: “Marriage is the union of one man and one woman at one time. This is the only marriage that shall be recognized as valid in this State. The uniting of two persons of the same sex or the uniting of more than two persons of any sex in a marriage, civil union, domestic partnership, or other similar relationship within or outside of this State shall not be valid or recognized in this State. This Constitution shall not be construed to require that marital status or the rights, privileges, benefits, or other legal incidents of marriage be conferred upon unmarried individuals or groups.”

Status: This bill was introduced July 1, 2008, and referred to the Committee on Rules, Calendar, and Operation of the House. There was no further movement and the bill died when the Legislature adjourned July 18, 2008.

North Carolina Senate Bill 13 — This bill would have proposed amending the state constitution to provide that: “Marriage is the union of one man and one woman at one time. This is the only marriage that shall be recognized as valid in this State. The uniting of two persons of the same sex or the uniting of more than two persons of any sex in a marriage, civil union, domestic partnership, or other similar relationship within or outside of this State shall not be valid or recognized in this State. This Constitution shall not be construed to require that marital status or the rights, privileges, benefits, or other legal incidents of marriage be conferred upon unmarried individuals or groups.”

Status: This bill was introduced Jan. 25, 2007. There was no movement in 2007, and the bill was effectively killed May 24, 2007, as there was no floor vote prior to the May 24, 2007, crossover deadline. The bill officially died when the Legislature adjourned July 18, 2008.

North Carolina Senate Bill 2608 — This bill would have proposed amending the state constitution to provide that: “Marriage is the union of one man and one woman at one time. This is the only marriage that shall be recognized as valid in this State. The uniting of two persons of the same sex or the uniting of more than two persons of any sex in a marriage, civil union, domestic partnership, or other similar relationship within or outside of this State shall not be valid or recognized in this State. This Constitution shall not be construed to require that marital status or the rights, privileges, benefits, or other legal incidents of marriage be conferred upon unmarried individuals or groups.”

Status: This bill was introduced May 15, 2008, and referred to the Committee on Ways and Means. There was no further movement, and the bill died when the Legislature adjourned July 18, 2008.

Pennsylvania Senate Bill 1250 — This bill would have proposed amending the state constitution to provide that: “No union other than a marriage between one man and one woman shall be valid or recognized as marriage or the functional equivalent of marriage by the Commonwealth.”

Status: This bill was introduced Feb. 14, 2008, and referred to the Judiciary Committee. On April 30, 2008, the bill was re-referred to the Appropriations Committee. On May 5, 2008, the bill passed the Senate Appropriations Committee by an 18-8 vote. After negotiations with the House leadership, which indicated a lack of interest in pursuing this legislation, on May 6, 2008, the bill was laid on the table, effectively killing it. The bill officially died when the Legislature adjourned Nov. 30, 2008.

Rhode Island House Bill 7081 — This bill would have provided that any marriage recognized in any state or possession of the U.S. is eligible for a divorce proceeding in Rhode Island.

Status: This bill was introduced Jan. 9, 2008, and referred to the Judiciary Committee. There was no further movement and the bill died when the Legislature adjourned June 21, 2008.

Rhode Island House Bill 7839 — This bill would have provided for marriage equality under state law.

Status: This bill was introduced Feb. 26, 2008, and referred to the Judiciary Committee. On May 7, 2008, the Judiciary Committee recommended the bill be held for further study. There was no further movement and the bill died when the Legislature adjourned June 21, 2008.

Rhode Island House Joint Resolution 8017

— This bill would have proposed amending the state constitution to define marriage as “a lawful union between one man and one woman.”

Status: This resolution was introduced March 6, 2008, and referred to the Judiciary Committee. On May 7, 2008, the Judiciary Committee recommended the resolution be held for further study. There was no further movement and the resolution died when the Legislature adjourned June 21, 2008.

Rhode Island Senate Bill 2204 — This bill would have provided for marriage equality under state law.

Status: This bill was introduced Jan. 31, 2008, and referred to the Judiciary Committee. There was no further movement and the bill died when the Legislature adjourned June 21, 2008.

Rhode Island Senate Bill 2729 — This bill would have prohibited marriage by same-sex couples and would provide that out-of-state marriages by same-sex couples not be recognized as marriages. Current state law is silent as to whether marriage may be between same-sex partners.

Status: This resolution was introduced Feb. 26, 2008. There was no further movement and the bill died when the Legislature adjourned June 21, 2008.

Vermont House Bill 275/Senate Bill 80

— These bills would have defined marriage as the legally recognized union of two people, recognizing marriage equality under state law.

Status: These bills were introduced Feb. 9, 2007, and referred to the House Judiciary Committee and Senate Judiciary Committee, respectively. There was no further movement, and the bills died when the Legislature adjourned May 3, 2008.

Washington House Bill 1350 — This bill would have recognized marriage equality under state law.

Status: This bill was introduced Jan. 17, 2007, and referred to the House Judiciary Committee. On Jan. 14, 2008, the bill was re-introduced. There was no further movement, and the bill died when the Legislature adjourned March 13, 2008.

Washington Senate Bill 5335 — This bill would have recognized marriage equality under state law.

Status: This bill was introduced Jan. 17, 2007, and referred to the Senate Judiciary Committee. On Jan. 14, 2008, the bill was re-introduced. There was no further movement, and the bill died when the Legislature adjourned March 13, 2008.

Washington Senate Joint Resolution 8219

— This resolution would have proposed amending the state constitution to provide that “Marriage in Washington state shall consist solely of two persons, a male and a female. The uniting of two persons other than a male and a female in any marital relationship is not valid in this state, and, although valid in another jurisdiction, is not recognized as valid in this state. The Legislature may provide for such restrictions or sanctions on marriage related to age or degree of kinship as it deems necessary.”

Status: This resolution was introduced Jan. 29, 2007. On Jan. 14, 2008, the bill was re-introduced. There was no further movement, and the resolution died when the Legislature adjourned March 13, 2008.

West Virginia House Joint Resolution 20/Senate Joint Resolution 16

— These resolutions would have proposed amending the state constitution to provide that: “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: House Joint Resolution 20 was introduced Jan. 9, 2008, and assigned to the House Constitutional Revision Committee. Senate Joint Resolution 16 was introduced Feb. 18, 2008, and referred to the Senate Judiciary Committee. There was no further movement, and the resolutions died when the Legislature adjourned March 16, 2008.

Other Relationship-Recognition Bills: PASSED

California Assembly Bill 2673 — This bill would phase out a provision in county employees retirement law; domestic partners will no longer be treated differently than married spouses for purposes of county employee benefits.

Status: On May 5, 2008, the bill passed the Assembly by a 45-28 vote. On July 2, 2008, the bill passed the Senate by a 23-13 vote. On July 22, 2008, Gov. Arnold Schwarzenegger signed the bill into law, effective Jan. 1, 2009.

District of Columbia Bill 17-135 — This bill, which consolidates several bills relating to rights and responsibilities for domestic partners, extends additional rights and responsibilities to domestic partners under D.C. law, including parental rights and burial rights, providing domestic partners essentially all the rights, responsibilities and benefits provided to spouses under D.C. law.

Status: The bill passed the D.C. Council by a 13-0 vote on June 5, 2008, and was signed by Mayor Adrian Fenty and submitted to Congress June 10, 2008. After the congressional review period ended, the bill became law effective Sept. 12, 2008.

Maryland House Bill 733/Senate Bill 566

— These bills provide certain specified rights to domestic partners (as that term is defined in the bills), including requiring healthcare facilities to permit visitation by domestic partners and relatives of domestic partners and permitting one partner to make medical decisions for his or her incapacitated partner.

Status: On March 18, 2008, Senate Bill 566 passed the Senate by a 30-17 vote. On April 4, 2008, Senate Bill 566 passed the House of Delegates by an 89-45 vote. On May 22, 2008, Gov. Martin O'Malley signed the bill into law, effective July 1, 2008.

Maryland House Bill 746/Senate Bill 597

— These bills exempt domestic partners (as defined by the bills) from recordation and transfer taxes on property. Spouses are already exempt from such taxes.

Status: On March 26, 2008, Senate Bill 597 passed the Senate by a 26-21 vote. On March 30, 2008, Senate Bill 597 passed the House of Delegates, with amendments, by an 86-47 vote. On April 4, 2008, the Senate voted 27-20 to concur with the bill as amended by the House. On May 22, 2008, Gov. Martin O'Malley signed the bill into law, effective July 1, 2008.

Utah Senate Bill 299 — This bill permits municipalities and counties to make benefits available to an unmarried employee's financially dependent or interdependent adult designee, and to create a registry for adult relationships of financial dependence or interdependence. However, municipalities and counties may **not** create a registry that defines, identifies, recognizes or gives legal status or effect to a domestic partnership, civil union or domestic cohabitation relationship other than marriage.

Status: On March 3, 2008, this bill passed the Senate by a 21-7 vote. On March 5, 2008, this bill passed the House by a 61-9 vote. On March 14, 2008, Gov. Jon Huntsman signed the bill into law, effective May 5, 2008.

Virginia House Bill 805—This bill creates a central, online advance healthcare directive registry, permitting any person to file a healthcare power of attorney and other documentation with the registry designating a healthcare decision-maker in the event of incapacity. The registry is accessible to healthcare providers.

Status: On Feb. 12, 2008, this bill passed the House by a 95-4 vote. On Feb. 25, 2008, this bill passed the Senate by a 40-0 vote. On March 4, 2008, Gov. Tim Kaine signed the bill into law, effective July 1, 2008.

Washington House Bill 3104 — This bill expands the state's existing domestic partnership law to provide new rights and responsibilities under state law for registered domestic partners.

Status: On Feb. 15, 2008, this bill passed the House by a 62-32 vote. On March 4, 2008, this bill passed the Senate by a 29-20 vote. On March 12, 2008, Gov. Chris Gregoire signed the bill into law, effective June 12, 2008.

Other Relationship-Recognition Bills: **ACTIVE**

Illinois House Bill 1331 — This bill would permit teachers to designate domestic partners (defined as same-sex partners only) who would be eligible to receive survivor and death benefits through the state pension system in the same manner as a surviving spouse.

Status: This bill was introduced Feb. 20, 2007. On March 22, 2007, it was passed by the House Personnel and Pensions Committee. On Jan. 10, 2008, the bill was re-referred to the House Rules Committee. There has been no further movement to date.

Illinois House Bill 1826 — This bill would create civil unions in Illinois and confer the state-level rights and responsibilities of marriage on parties to a civil union.

Status: This bill was introduced Feb. 23, 2007. On March 21, 2007, the bill passed the House Human Services Committee. There has been no further movement to date.

Illinois House Bill 4301 — This bill would permit teachers to designate domestic partners (same-sex or different-sex) who would be eligible to receive survivor and death benefits through the state pension system in the same manner as a surviving spouse.

Status: This bill was introduced Jan. 9, 2008. There has been no further movement to date.

Illinois House Bill 4731 — This bill would permit teachers to designate domestic partners who would be eligible to receive survivor and death benefits through the state pension system in the same manner as a surviving spouse. Unlike House Bills 4301, House Bill 4731 defines a “domestic partner” as a same-sex partner only.

Status: This bill was introduced Jan. 31, 2008, and assigned to the House Rules Committee. On Feb. 20, 2008, it was assigned to the House Personnel and Pensions Committee. On March 13, 2008, the bill passed the House Personnel and Pensions Committee. There has been no further movement to date.

Illinois Senate Bill 85 — This bill would permit teachers to designate domestic partners (same-sex or different-sex) who would be eligible to receive survivor and death benefits through the state pension system in the same manner as a surviving spouse.

Status: This bill was introduced Jan. 31, 2007, and assigned to the Senate Rules Committee. There has been no further movement to date.

Illinois Senate Bill 362 — This bill would include qualified domestic partners in the definition of dependents for purposes of the state employees group insurance.

Status: This bill was introduced Feb. 7, 2007, and assigned to the Senate Rules Committee. There has been no further movement to date.

Illinois Senate Bill 2263 — This bill would include qualified domestic partners in the definition of dependents for purposes of the state employees group insurance.

Status: This bill was introduced Feb. 14, 2008, and assigned to the Senate Rules Committee. There has been no further movement to date.

Other Relationship-Recognition Bills: **DEAD**

Alaska House Joint Resolution 9 — This measure would have proposed amending the state constitution, which already provides that “To be valid or recognized in this State, a marriage may exist only between one man and one woman,” to further read, “No other union is similarly situated to a marriage between a man and a woman and, therefore, a marriage between a man and a woman is the only union that shall be valid or recognized in this State and to which the rights, benefits, obligations, qualities, or effects of marriage shall be extended or assigned.”

Status: On May 7, 2007, the House voted 22-14 in favor of the resolution — but 27 votes were needed for passage, and the vote failed. The resolution’s sponsor called for reconsideration and the resolution was returned to the House Rules Committee. There was no further movement in 2008, and the resolution died when the Legislature adjourned April 13, 2008.

Alaska Senate Joint Resolution 9 — This is the Senate companion to House Joint Resolution 9, above, and proposed the same amendment to the state constitution.

Status: The resolution was introduced April 27, 2007, and had no movement in 2007 or 2008. The resolution died when the Legislature adjourned April 13, 2008.

Arizona House Bill 2458/Senate Bill 1199

— This bill would have required employers to provide paid family leave benefits when an employee needs leave to care for a newborn or adopted child or to care for a family member with a serious health condition, among other circumstances. “Family member” is defined to include an unmarried domestic partner.

Status: These bills were introduced Jan. 28, 2008, and assigned to the House Rules Committee and Senate Rules Committee, respectively. There was no further movement and the bills died when the Legislature adjourned June 27, 2008.

Arizona House Bill 2743/Senate Bill 1371

— This bill would have permitted unmarried couples, same-sex or different-sex, to register as domestic partners and receive the same rights, responsibilities and benefits as married couples under state law.

Status: These bills were introduced Feb. 21 and Feb. 4, 2008, respectively. The bills were assigned to the House Rules Committee and Senate Rules Committee, respectively. There was no further movement and the bills died when the Legislature adjourned June 27, 2008.

Arizona House Memorial 2004/Senate Memorial 1003

— This memorial would have urged the U.S. Congress to enact the Uniting American Families Act.

Status: These memorials were introduced Feb. 21 and Feb. 5, 2008 respectively. The memorials were assigned to the House Rules Committee and Senate Rules Committee, respectively. There was no further movement and the memorials died when the Legislature adjourned June 27, 2008.

Arizona Senate Bill 1368 — This bill would have amended existing law to provide that domestic partners, as defined by this bill, are treated as spouses for purposes of the state retirement system.

Status: This bill was introduced Feb. 4, 2008, and assigned to the Rules Committee. There was no further movement and the bill died when the Legislature adjourned June 27, 2008.

California Senate Bill 11 — This bill would have allowed any two persons, either opposite-sex or same-sex couples, who are 18 or older and meet other specified criteria, to register as domestic partners. Existing law provides that two unmarried, unrelated adults with a common residence may establish a domestic partnership by filing a declaration with the secretary of state if both persons are members of the same sex or are over 62 years of age.

Status: On June 4, 2007, this bill passed the Senate by a 23-15 vote. On June 26, 2007, the bill passed the Assembly Committee on the Judiciary by a 7-3 vote. There was no further movement and the bill died when the Legislature adjourned Nov. 30, 2008.

California Senate Bill 1066 — This bill would have allowed any two persons, either opposite-sex or same-sex couples, who are 18 or older and meet other specified criteria, to register as domestic partners. Existing law provides that two unmarried, unrelated adults with a common residence may establish a domestic partnership by filing a declaration with the secretary of state if both persons are members of the same sex or are over 62 years of age.

Status: On April 14, 2008, this bill passed the Senate Appropriations Committee by a 16-0 vote. There was no further movement and the bill died when the Legislature adjourned Nov. 30, 2008.

Colorado Senate Joint Memorial 3 — This memorial would have urged the U.S. Congress to create either a tax deduction or a tax credit for health insurance premiums that would extend to employees with unmarried domestic partners the same tax benefits as their married colleagues.

Status: This memorial passed the Senate on May 6, 2008. There was no further movement and the memorial died when the Legislature adjourned May 6, 2008.

Connecticut House Bill 5925 — This bill would have required the commissioner of revenue services to issue a report identifying the legislative changes needed to provide equity to civil union partners receiving health insurance benefits subject to federal taxes. The bill would also have required other state agencies to ascertain any problems experienced by civil union couples when seeking state benefits, protections and responsibilities. Finally, the bill would have recognized civil unions or other similar legal unions legally entered into in other states.

Status: The bill was introduced March 12, 2008, and referred to the Joint Committee on the Judiciary. On March 17, 2008, hearings were held. There was no further movement and the memorial died when the Legislature adjourned May 7, 2008. *Note:* Pursuant to a state Supreme Court decision in October 2008 recognizing marriage equality under the state constitution, gay and lesbian couples now have the freedom to marry in Connecticut, effective Nov. 12, 2008.

Delaware Senate Bill 10 — This bill would have provided domestic partners of state employees with the same employee and retirement benefits available to spouses of state employees.

Status: The bill was introduced Jan. 25, 2007, and assigned to the Senate Finance Committee. There was no further movement and the bill died when the Legislature adjourned June 30, 2008.

Florida House Bill 361/Senate Bill 2550 — These bills would have created a Florida Companion Registry allowing both same-sex and different-sex couples to register and receive limited domestic partner-type benefits, including hospital visitation, healthcare decision-making and pension benefits.

Status: These bills were introduced March 4 and March 20, 2008, respectively. They were assigned to the House Economic Expansion and Infrastructure Council and the Senate Committee on Children, Families, and Elder Affairs, respectively. There was no further movement and the bills died when the Legislature adjourned May 2, 2008.

Florida House Bill 1053 — This bill would have provided domestic partners, as defined by the bill, of public employees with certain insurance and pension benefits.

Status: This bill was introduced March 4, 2008, and assigned to the House Committee on State Affairs. There was no further movement and the bill died when the Legislature adjourned May 2, 2008.

Hawaii House Bill 907/Senate Bill 1062 — These bills would have allowed same-sex or different-sex couples to enter into civil unions. Civil union partners would receive the same rights, responsibilities and benefits as married spouses under state law.

Status: These bills were introduced Jan. 22 and Jan. 19, 2007, respectively. House Bill 907 was assigned to the House Judiciary Committee, and Senate Bill 1062 was assigned to the Senate Committee on Judiciary and Labor. The bills carried over to the 2008 regular session, but there was no further movement and the bills died when the Legislature adjourned May 1, 2008.

Hawaii House Bill 1587/Senate Bill 1096 — This bill would have extended to reciprocal beneficiaries the benefits provided to spouses under the state's employer-union health benefits trust fund.

Status: This bill was introduced Jan. 18, 2007, and assigned to the House Judiciary Committee. The bills carried over to the 2008 regular session, but there was no further movement and the bills died when the Legislature adjourned May 1, 2008.

Hawaii House Bill 2456 — This bill would have excluded from taxable income the value of health insurance and other direct or indirect benefits provided by an employer to an employee due to the employee's status as a reciprocal beneficiary.

Status: This bill was introduced Jan. 18, 2008. The bill passed the House on March 4, 2008. The bill passed the Senate with amendments on April 8, 2008, by a 21-2 vote. The House did not agree to the bill as passed by the Senate, and conferees were appointed April 14, 2008. There was no further movement and the bill died when the Legislature adjourned May 1, 2008.

Indiana Senate Bill 181 — This bill would have provided domestic partners, same-sex or different-sex as defined by the bill, to make medical decisions on behalf of incapacitated partners in an order of priority immediately following spouse.

Status: This bill was introduced Jan. 8, 2008, and assigned to the Committee on Judiciary. There was no further movement and the bill died when the Legislature adjourned March 14, 2008.

Kansas House Bill 2299 — This bill would have prohibited cities and counties from enacting local legislation creating a domestic partnership registry or otherwise establishing or recognizing any domestic partnership relationship not recognized under state law.

Status: On Feb. 23, 2007, this bill passed the House Federal and State Affairs Committee. On Feb. 20, 2008, the bill passed the House Committee of the Whole by a 66-50 vote. There was no further movement and the bill died when the Legislature adjourned May 29, 2008.

Kentucky House Bill 33 — This bill would have permitted patients at healthcare facilities to designate any individual not legally related by marriage or blood to the patient to be considered as an immediate family member.

Status: This bill was introduced Jan. 8, 2008, and assigned to the Health and Welfare Committee. There was no further movement and the bill died when the Legislature adjourned April 15, 2008.

Kentucky Senate Bill 112 — This bill would have prohibited public agencies from providing health benefits to an employee's partner, unless the partner is a legally married spouse under Kentucky law.

Status: On Jan. 30, 2008, this bill passed the Senate by a 30-5 vote. There was no further movement and the bill died when the Legislature adjourned April 15, 2008.

Maryland House Bill 570 — This bill would have allowed same-sex couples to enter into civil unions and receive all the rights, benefits and responsibilities of marriage under state law.

Status: This bill was introduced on Jan. 30, 2008, and referred to the House Judiciary Committee. Hearings were held Feb. 28, 2008. There was no further movement and the bill died when the Legislature adjourned April 7, 2008.

Maryland House Bill 668/Senate Bill 523 — These bills would have exempted domestic partners from inheritance tax (the term "domestic partner" was defined by the bills).

Status: These bills were introduced on Feb. 1, 2008, and referred, respectively, to the House Ways and Means Committee and the Senate Budget and Taxation Committee. Hearings on the bills were held March 6 and March 5, 2008, respectively. There was no further movement and the bills died when the Legislature adjourned April 7, 2008.

Maryland House Bill 848/Senate Bill 689 — These bills would have repealed existing statutory references to "marriage" and replaced them with the term "domestic partner."

Status: These bills were introduced on Feb. 6 and Feb. 1, 2008, respectively. They were referred, respectively, to the House Judiciary Committee and the Senate Judicial Proceedings Committee. Hearings on the bills were held Feb. 28 and Feb. 14, 2008, respectively. There was no further movement and the bills died when the Legislature adjourned April 7, 2008.

Maryland House Bill 1174 — This bill would have permitted couples, same-sex or different-sex, to enter into domestic partnerships and receive all the rights, benefits, and responsibilities afforded to married couples under state law.

Status: This bill was introduced on Feb. 8, 2008, and referred to the House Judiciary Committee. Hearings on the bill were held Feb. 28, 2008. There was no further movement and the bill died when the Legislature adjourned April 7, 2008.

Maryland Senate Bill 560 — This bill would have extended health insurance and other benefits to the domestic partners of state employees.

Status: This bill was introduced on Feb. 1, 2008, and referred to the Senate Budget and

Taxation Committee. Hearings were held March 5, 2008. There was no further movement and the bill died when the Legislature adjourned April 7, 2008.

Minnesota House Bill 219 — This bill would have provided that an employee may use personal sick leave benefits provided by his or her employer for absences due to the illness or injury of a domestic partner, spouse or other family member. The term “domestic partner” is defined by the bill.

Status: This bill was introduced Jan. 18, 2007. On March 1, 2007, the bill passed the House Commerce and Labor Committee. There was no further movement and the bill died when the Legislature adjourned May 18, 2008. **Note:** The bill was removed from an omnibus spending bill that passed separately.

Minnesota House Bill 1618/Senate Bill 1369 — These bills would have required that health insurance benefits be made available to domestic partners of state employees if they are also made available to spouses.

Status: On March 24, 2007, House Bill 1618 passed the House Health and Human Services Committee. On March 12, 2007, Senate Bill 1369 passed the Senate State and Local Government Operations and Oversight Committee. There was no further movement and the bills died when the Legislature adjourned May 18, 2008. **Note:** Both bills were removed from an omnibus spending bill that passed separately.

Minnesota House Bill 1589/Senate Bill 1398 — This bill would have provided that, when a patient is admitted to a healthcare facility, the patient or guardian/conservator must have the opportunity to designate a person as domestic partner who would have the status of patient’s next of kin with respect to visitation and healthcare decisions. The term “domestic partner” is defined by the bill.

Status: On May 2, 2007, Senate Bill 1398 passed the Senate by a 43-22 vote. On May 4, 2007, the House bill was indefinitely postponed, or killed (because the Senate bill will go before the House). The House took no action on the Senate bill, and both bills died when the Legislature adjourned May 18, 2008.

New Hampshire Senate Bill 240 — This bill would have allowed unmarried couples to enter into a “contractual cohabitation” agreement and receive certain specified rights and responsibilities.

Status: This bill was introduced Feb. 15, 2007, and referred to the Senate Judiciary Committee. The bill was killed Jan. 17, 2008. **Note:** Between the date of the bill’s introduction and the date the bill was killed, New Hampshire enacted a civil unions law, providing same-sex couples all the rights, benefits and responsibilities provided to married couples under state law.

New Jersey Assembly Bill 2080/Senate Bill 786 — These bills would have required employers to provide paid leave to employees in order to care for a newborn or to care for a family member with a serious health condition. The bill defines “family member” to include a civil union partner or domestic partner.

Status: Assembly Bill 2080 was introduced Feb. 7, 2008, and referred to the Assembly Labor Committee. On March 6, 2008, Assembly Bill 2080 was withdrawn.

Senate Bill 786 was introduced Jan. 24, 2008, and referred to the Senate Budget and Appropriations Committee. On March 3, 2008, Senate Bill 786 passed the Senate by a 22-16 vote. On March 10, 2008, Senate Bill 786 passed an Assembly Committee by an 8-4 vote. There was no further movement, and the bill died when the Legislature adjourned.

New Mexico House Bill 9 — This bill sought to allow same-sex couples to enter into domestic partnerships with the same rights, protections, benefits and responsibilities provided to married spouses.

Status: On Jan. 24, 2008, the bill passed the House by a 33-31 vote. On Jan. 28, 2008, the bill passed the Senate Public Affairs Committee by a 5-4 vote. There was no further movement, and the bill died when the Legislature adjourned Feb. 14, 2008.

New York Assembly Bill 2196 — This bill would have required employers providing funeral or bereavement leave to employees for the death of a spouse, child, parent or other relative to also provide leave for the death of a same-sex partner.

Status: This bill was introduced Jan. 16, 2007,

and referred to the Assembly Committee on Government Operations. On June 3, 2008, the bill passed the Committee on Government Operations and was referred to the Rules Committee. On June 16, 2008, the bill passed the Rules Committee. There was no further movement, and the bill died when the Legislature adjourned Dec. 31, 2008.

New York Assembly Bill 2309 — This bill would have allowed employees to use sick leave to care for domestic partners and other family members.

Status: This bill was introduced Jan. 16, 2007, and referred to the Assembly Labor Committee. On May 15, 2007, the bill passed the Labor Committee and was referred to the Ways and Means Committee. On June 15, 2007, the bill passed the Ways and Means Committee and was referred to the Rules Committee. There was no further movement, and the bill died when the Legislature adjourned Dec. 31, 2008.

New York Assembly Bill 2883 — This bill would have allowed the surviving spouse or domestic partner of a state employee to use the deceased spouse's or domestic partner's unused sick leave to continue healthcare coverage.

Status: This bill was introduced Jan. 19, 2007, and referred to the Assembly Governmental Employees Committee. There was no further movement, and the bill died when the Legislature adjourned Dec. 31, 2008.

New York Assembly Bill 3251/Senate Bill 3873 — These bills would have required insurers providing family health insurance to offer coverage for the domestic partner of an insured person.

Status: Assembly Bill 3251 passed the Assembly by a 118-21 vote on March 26, 2007. There was no further movement, and the bills died when the Legislature adjourned Dec. 31, 2008.

New York Assembly Bill 3614/Senate Bill 1833 — These bills would have provided a tax exemption for contributions made by an employer to an accident or health plan for benefit of an employee's domestic partner.

Status: These bills were introduced Jan. 26, 2007, and Jan. 25, 2007, respectively. There

was no further movement, and the bills died when the Legislature adjourned Dec. 31, 2008.

New York Assembly Bill 3785 — This bill would have provided a tax exemption for benefits provided by an employer to an employee's domestic partner.

Status: This bill was introduced Jan. 29, 2007, and referred to the Assembly Ways and Means Committee. The bill passed the Assembly Ways and Means Committee on June 10, 2008, and was referred to the Assembly Rules Committee. There was no further movement, and the bill died when the Legislature adjourned Dec. 31, 2008.

New York Assembly Bill 3869/Senate Bill 1992 — These bills would have recognized domestic partnerships and provided specified rights, benefits and responsibilities.

Status: These bills were introduced Jan. 27, 2007, and referred to the Assembly Judiciary Committee and Senate Judiciary Committee, respectively. There was no further movement, and the bills died when the Legislature adjourned Dec. 31, 2008.

New York Assembly Bill 3976/Senate Bill 1981 — These bills would have required hospitals to permit patients to designate a domestic partner with the same visitation privileges and decision-making rights as next-of-kin.

Status: These bills were introduced Jan. 30, 2007, and referred to the Assembly Health Committee and Senate Health Committee, respectively. There was no further movement, and the bills died when the Legislature adjourned Dec. 31, 2008.

New York Assembly Bill 5845 — This bill would have amended disability benefits law to include domestic partners in certain provisions.

Status: This bill was introduced Feb. 26, 2007, and referred to the Assembly Labor Committee. There was no further movement, and the bill died when the Legislature adjourned Dec. 31, 2008.

New York Assembly Bill 6993 — This bill would have permitted family members, including spouses or domestic partners, to make medical decisions on behalf of an incapacitated spouse or partner.

Status: This bill was introduced March 23, 2007, and referred to the Assembly Health Committee. On April 17, 2007, the bill passed the Health Committee and was referred to the Codes Committee. On June 21, 2007, the bill passed the Codes Committee and was referred to the Rules Committee. There was no further movement, and the bill died when the Legislature adjourned Dec. 31, 2008.

New York Senate Bill 3377 — This bill would have provided that when a retired member of the police or fire department dies, his or her spouse or domestic partner has the right to the same health insurance used by the retired spouse or partner.

Status: This bill was introduced March 5, 2007, and referred to the Senate Cities Committee. There was no further movement, and the bill died when the Legislature adjourned Dec. 31, 2008.

North Carolina House Bill 1323 — This bill would have repealed an 1805 law prohibiting “cohabitation” by unmarried couples.

Status: The bill was introduced April 5, 2007, and referred to the House Committee on the Judiciary. There was no further movement, and the bill died when the Legislature adjourned July 18, 2008.

Oklahoma Senate Joint Resolution 21 — This resolution would have proposed to amend the state constitution to prohibit civil unions.

Status: The resolution was introduced Feb. 5, 2007, and referred to the Senate Judiciary Committee. There was no further movement, and the bill died when the Legislature adjourned May 23, 2008.

Rhode Island House Bill 7711 — This bill would have provided certain benefits to domestic partners, as that term is defined by the bill — for instance, with regard to hospital visitation and funeral arrangements.

Status: This bill was introduced Feb. 26, 2008, and referred to the House Judiciary Committee. On May 7, 2008, the committee recommended the bill be held for further study. There was no further movement, and the bill died when the Legislature adjourned June 21, 2008.

Rhode Island Senate Bill 2345 — This bill would have extended spousal testimonial privileges in judicial proceedings (e.g. protection of spousal communications) to include domestic partners, as defined by the bill.

Status: This bill was introduced Feb. 7, 2008, and referred to the Senate Judiciary Committee. There was no further movement, and the bill died when the Legislature adjourned June 21, 2008.

Rhode Island Senate Bill 2498 — This bill would have extended hospital visitation rights for spouses to include domestic partners, as defined by the bill.

Status: This bill was introduced Feb. 13, 2008, and referred to the Senate Judiciary Committee. There was no further movement, and the bill died when the Legislature adjourned June 21, 2008.

Rhode Island Senate Bill 2724 — This bill would have permitted any two unmarried persons who are excluded from marrying in the state to enter into reciprocal beneficiary agreements and receive certain rights and responsibilities, including hospital visitation, insurance benefits, medical decision-making and inheritance without a will.

Status: This bill was introduced Feb. 26, 2008, and referred to the Senate Judiciary Committee. There was no further movement, and the bill died when the Legislature adjourned June 21, 2008.

Rhode Island Senate Bill 2737 — This bill would have provided certain benefits to domestic partners, as that term is defined by the bill — for instance, with regard to hospital visitation and funeral arrangements.

Status: This bill was introduced Feb. 26, 2008, and referred to the Senate Judiciary Committee. There was no further movement, and the bill died when the Legislature adjourned June 21, 2008.

South Carolina Senate Bill 326 — This bill would have permitted same-sex couples to enter into civil unions and receive all the rights, benefits and responsibilities provided to married couples under state law.

Status: This bill was introduced Jan. 24, 2007, and referred to the Senate Judiciary Committee. There was no further movement, and the bill died when the Legislature adjourned June 5, 2008.

Utah Senate Bill 73 — This bill would have expanded the definition of “heirs” to permit identification of a “wrongful death designee” who is designated as such in a will, trust or other notarized written directive and has been in a mutually supportive and dependent relationship with the decedent, including having cohabited with the decedent for at least five years.

Status: This bill was introduced Jan. 23, 2008. On Jan. 29, 2008, the bill passed the Senate Judiciary, Law Enforcement and Criminal Justice Committee by a 4-3 vote. There was no further movement and the bill died when the Legislature adjourned March 5, 2008.

Utah Senate Bill 267 — This bill would have prohibited municipalities from creating domestic partner registries, or recognizing civil unions, or any other domestic relationship other than marriage for any purpose, including to grant a right to healthcare visitation.

Status: This bill was introduced Feb. 6, 2008. On Feb. 11, 2008, the bill passed the Senate Judiciary, Law Enforcement, and Criminal Justice Committee by a 4-1 vote. On Feb. 22, 2008, the bill was returned to the Senate Rules Committee. There was no further movement and the bill died when the Legislature adjourned March 5, 2008.

Washington House Bill 1351 — This bill would have created a domestic partner registry.

Status: The bill was introduced Jan. 17, 2007, and referred to the House Judiciary Committee. On Feb. 7, 2007, it passed the Senate Judiciary Committee. There was no further movement and the bill died when the Legislature adjourned March 13, 2008. **Note:** A separate bill *was* passed in 2007 and enacted, which created a domestic partner registry. In 2008, the Legislature passed and the governor signed into law House Bill 3104 (please see above), which provided additional rights and responsibilities to registered domestic partners under state law.

Washington Senate Bill 6716 — This bill would have provided additional benefits and responsibilities to registered domestic partners.

Status: The bill was introduced Jan. 22, 2008, and referred to the Senate Committee on Government Operations and Elections. On Feb. 4, 2008, it passed the Senate Committee on Government Operations and Elections. There was no further movement and the bill died when the Legislature adjourned March 13, 2008. **Note:** The Legislature passed and the governor signed into law a very similar bill, House Bill 3104 (please see above), which provided additional rights and responsibilities to registered domestic partners under state law.

Anti-Discrimination Bills: **PASSED**

California Assembly Bill 2654 — This bill requires local agencies regulating construction to require that contractors and subcontractors provide equal opportunity without discrimination as to sexual orientation, gender identity or other personal characteristics. It also prohibits certain insurers from discriminating based on sexual orientation or gender identity. It would further prohibit discrimination based on sexual orientation or gender identity against court-appointed special advocates in juvenile court.

Status: On May 27, 2008, the bill passed the Assembly by a 48-30 vote. On Aug. 7, 2008, the bill passed the Senate by a 23-15 vote. On Sept. 30, 2008, Gov. Arnold Schwarzenegger signed the bill, which becomes effective Jan. 1, 2009.

Colorado Senate Bill 200 — The bill adds sexual orientation and gender identity to existing anti-discrimination laws in the areas of housing, public accommodations, credit transactions, juror service, issuance of license to practice law and other areas. (Colorado law already prohibits employment discrimination based on sexual orientation or gender identity).

Status: On April 21, 2008, the bill passed the Senate by a 20-15 vote. On May 2, 2008, the bill passed the House, with amendments, by a 38-26 vote. On May 5, 2008, the bill, as

amended by the House, passed the Senate. On May 29, 2008, Gov. Bill Ritter signed the bill, which became effective immediately.

District of Columbia Bill 17-330 — The bill adds gender identity to several areas of existing anti-discrimination laws. (**Note:** D.C. law already prohibits employment discrimination based on gender identity).

Status: The bill passed the D.C. Council by a 13-0 vote on March 4, 2008 and was signed by Mayor Adrian Fenty and submitted to Congress April 1, 2008. After the congressional review period ended, the bill became law effective June 25, 2008.

Anti-Discrimination Bills: **ACTIVE**

Massachusetts House Bill 1722 — This bill would (a) expand existing anti-discrimination laws to prohibit discrimination in employment, places of public accommodation, real estate and education based on gender identity or expression and (b) expand existing hate crimes laws to cover crimes based on gender identity or expression.

Status: This bill was introduced Jan. 11, 2007. On March 31, 2008, the bill was referred for investigation and study. There has been no further movement to date and the Legislature is scheduled to adjourn as of Dec. 31, 2008.

Massachusetts House Bill 3725 — This bill would provide that veterans discharged from the United States military for consensual behavior between legal adults or under Chapter 37 of Title 10 of the U.S. Code, Section 654, shall not be denied state benefits to which they are otherwise entitled.

Status: This bill was introduced Jan. 11, 2007. On March 31, 2008, the bill was referred for investigation and study. There has been no further movement to date, and the Legislature is scheduled to adjourn as of Dec. 31, 2008.

Massachusetts Senate Bill 928 — This bill would strike all references to “sexual orientation” in the Massachusetts General Laws.

Status: This bill was introduced Jan. 11, 2007. On March 27, 2008, the bill passed the House

Committee on Veterans and Federal Affairs. There has been no further movement to date, and the Legislature is scheduled to adjourn as of Dec. 31, 2008.

Michigan House Bill 928 — This bill would add sexual orientation and gender identity to the state’s existing anti-discrimination laws.

Status: This bill was introduced Jan. 30, 2007. There has been no further movement to date and the Legislature is expected to adjourn Dec. 30, 2008.

Anti-Discrimination Bills: **DEAD**

Arizona House Bill 2002 — This bill would have added sexual orientation and gender identity to the state’s existing anti-discrimination laws.

Status: This bill was introduced Jan. 14, 2008. The bill died when the Legislature adjourned June 27, 2008.

Arizona House Bill 2668/Senate Bill 1241 — These universal healthcare bills would have prohibited healthcare practitioners or healthcare facilities from discriminating against or refusing to furnish healthcare to a beneficiary on the basis of sexual orientation, gender identity or other personal characteristics.

Status: These bills were introduced Feb. 14 and Jan. 29, 2008, respectively. The bills died when the Legislature adjourned June 27, 2008.

Arizona House Bill 2712/Senate Bill 1416 — These bills would have added sexual orientation and gender identity to the state’s existing anti-discrimination laws.

Status: These bills were introduced Feb. 13 and Feb. 5, 2008, respectively. The bills died when the Legislature adjourned June 27, 2008.

Arizona House Bill 2775 — This bill would have created a bill of rights for children in foster care, which would include protection against unfair treatment based on sexual orientation or gender identity.

Status: This bill was introduced Feb. 14, 2008. The bill died when the Legislature adjourned June 27, 2008.

Colorado House Bill 1080 — This bill would have required religious entities that accept government funds to comply with prohibitions against employment discrimination regarding the employment of any person whose position is funded by government funds, including prohibitions against discrimination based on sexual orientation or gender identity. Current law exempts certain religious entities from compliance with employment discrimination laws with regard to certain positions.

Status: This bill was introduced Jan. 10, 2008. The bill died when the Legislature adjourned May 6, 2008.

Connecticut House Bill 5723 — This bill would have added gender identity to existing anti-discrimination laws.

Status: This bill was introduced Jan. 10, 2008. On March 24, 2008, the bill passed the Joint Judiciary Committee by a 37-6 vote. On April 9, 2008, the Legislative Commissioner's Office issued a favorable report. There was no further movement, and the bill died when the Legislature adjourned May 7, 2008.

Delaware Senate Bill 141 — This bill would have added sexual orientation to the state's existing anti-discrimination laws.

Status: This bill was introduced June 14, 2007, and carried over to the 2008 session. There was no movement in 2008 and the bill died when the Legislature adjourned June 30, 2008.

Florida House Bill 47 — This bill would have added sexual orientation to the state's existing anti-discrimination laws.

Status: This bill was prefiled Aug. 1, 2007, and withdrawn Nov. 2, 2007, prior to formal introduction.

Florida House Bill 191 — This bill would have added sexual orientation and gender identity to the state's existing anti-discrimination laws.

Status: This bill was introduced March 4, 2008. There was no movement in 2008 and the bill died when the Legislature adjourned May 3, 2008.

Florida Senate Bill 572 — This bill would have added sexual orientation to the state's existing anti-discrimination laws.

Status: This bill was introduced March 4, 2008. On April 8, 2008, the bill passed the Senate Commerce Committee by a 7-1 vote. There was no further movement and the bill died when the Legislature adjourned May 3, 2008.

Florida House Bill 3328 — This bill would have added gender identity to the state's existing employment discrimination law.

Status: This bill was introduced Jan. 23, 2008. There was no movement and the bill died when the Legislature adjourned May 1, 2008.

Idaho Senate Bill 1323 — This bill would have added sexual orientation and gender identity to the state's existing anti-discrimination laws.

Status: This bill was introduced Jan. 21, 2008. There was no movement and the bill died when the Legislature adjourned April 2, 2008.

Indiana House Bill 1358 — This bill would have added sexual orientation and gender identity to the state's existing anti-discrimination laws.

Status: This bill was introduced Jan. 16, 2008. There was no movement and the bill died when the Legislature adjourned March 14, 2008.

Kansas Senate Bill 163 — This bill would have added sexual orientation and gender identity to the state's existing anti-discrimination laws.

Status: This bill was introduced Jan. 24, 2007, and carried over to the 2008 session. There was no movement in 2008 and the bill died when the Legislature adjourned May 29, 2008.

Kentucky House Bill 274/Senate Bill 55 — These bills would have added sexual orientation and gender identity to the state's existing anti-discrimination laws.

Status: These bills were introduced Jan. 10 and Jan. 8, 2008 respectively. There was no movement and the bills died when the Legislature adjourned April 15, 2008.

Louisiana House Bill 443 — This bill would have prohibited employment discrimination based on sexual orientation or gender identity.

Status: This bill was pre-filed March 19, 2008. There was no movement and the bill died when the Legislature adjourned June 23, 2008.

Louisiana House Bill 981 — This bill would have prohibited employment discrimination in state government based on sexual orientation.

Status: This bill was pre-filed March 21, 2008. There was no movement and the bill died when the Legislature adjourned June 23, 2008.

Maryland House Bill 1598/Senate Bill 976 — These bills would have added gender identity to existing anti-discrimination laws.

Status: These bills were introduced March 3, 2008. A hearing was held March 19, 2008, in the House of Delegates. There was no further movement, and the bills died when the Legislature adjourned April 7, 2008.

Missouri House Bill 1776/Senate Bill 824 — These bills would have added sexual orientation and gender identity to the state's existing anti-discrimination laws.

Status: These bills were introduced Jan. 22 and Jan. 9, 2008, respectively. The bills died when the Legislature adjourned May 30, 2008.

New York Assembly Bill 1613 — This bill would have prohibited discrimination and harassment of youth by Office of Children and Family Services employees based on sexual orientation, gender identity and other personal characteristics.

Status: This bill was introduced Jan. 10, 2007. On Feb. 6, 2008, the bill passed the Assembly. The bill was delivered to the Senate, but there was no action there and the bill died when the Legislature adjourned Dec. 31, 2008.

New York Assembly Bill 3483 — This bill would have amended existing law prohibiting discrimination in the underwriting of insurance policies to add sexual orientation as a protected category.

Status: This bill was introduced Jan. 6, 2007. On May 31, 2007, the bill passed the Assembly. The bill was delivered to the Senate, but there was no action there and the bill died when the Legislature adjourned Dec. 31, 2008.

New York Assembly Bill 6584/Senate Bill 3753 — These bills would have added gender identity to the state's existing anti-discrimination laws.

Status: These bills were introduced March 14, 2007. On June 3, 2008, the Assembly bill

passed the Assembly by a 108-34 vote. The bill was delivered to the Senate, but there was no action there and both bills died when the Legislature adjourned Dec. 31, 2008.

New York Senate Bill 1807 — This bill would have amended existing law prohibiting discrimination in hiring employees for state and municipal public works contracts to add sexual orientation as a protected category.

Status: This bill was introduced Jan. 25, 2007, and referred to the Senate Labor Committee. There was no further movement, and the bill died when the Legislature adjourned Dec. 31, 2008.

North Carolina House Bill 1789/Senate Bill 1534 — These bill would have amended the State Personnel Act to prohibit employment discrimination against state government and General Assembly employees based on sexual orientation or gender identity.

Status: These bills were introduced April 18 and March 28, 2007, respectively. The bills died when the Legislature adjourned July 18, 2008.

Ohio House Bill 502/Senate Bill 305 — These bills would have added sexual orientation and gender identity to the state's existing anti-discrimination laws.

Status: These bills were introduced March 11, 2008. The bills died when the Legislature adjourned Dec. 30, 2008.

Pennsylvania House Bill 1400/Senate Bill 761 — These bills would have added sexual orientation and gender identity to the state's existing anti-discrimination laws.

Status: These bills were introduced June 18 and April 12, 2007. Public hearings for this legislation were held for the first time since this legislation was initially introduced in 2002. The bills died when the Legislature adjourned Nov. 30, 2008.

South Carolina Senate Bill 438 — This bill would have added sexual orientation and gender identity to the state's existing employment discrimination law.

Status: This bill was introduced Feb. 14, 2007. The bill died when the Legislature adjourned June 5, 2008.

South Carolina Senate Bill 441 — This bill would have added sexual orientation and gender identity to the state's existing fair housing law.

Status: This bill was introduced Feb. 14, 2007. The bill died when the Legislature adjourned June 5, 2008.

South Carolina Senate Bill 442 — This bill would have added sexual orientation and gender identity to the state's existing public accommodations law.

Status: This bill was introduced Feb. 14, 2007. The bill died when the Legislature adjourned June 5, 2008.

South Carolina Senate Bill 443 — This bill would have added sexual orientation and gender identity to the state's existing anti-discrimination laws and would also require healthcare facilities to establish protocols allowing hospital visitation for same-sex partners.

Status: This bill was introduced Feb. 14, 2007. The bill died when the Legislature adjourned June 5, 2008.

Utah House Bill 89 — This bill would have added sexual orientation and gender identity to the state's existing employment discrimination law.

Status: This bill was introduced Jan. 21, 2008. The bill died when the Legislature adjourned March 5, 2008.

Virginia House Bill 36 — This bill would have added sexual orientation and gender identity to the state's existing fair housing law.

Status: This bill was pre-filed Dec. 7, 2007. The bill died when the Legislature adjourned March 13, 2008.

Virginia House Bill 675 — This bill would have permitted Fairfax County to prohibit discrimination based on sexual orientation in various areas of the law, including employment, housing and public accommodations.

Status: This bill was introduced Jan. 9, 2008. The bill died when the Legislature adjourned March 13, 2008.

Virginia House Bill 1493 — This bill would have prohibited discrimination in state government employment based on sexual orientation and other

personal characteristics.

Status: This bill was introduced Jan. 17, 2008. The bill died when the Legislature adjourned March 13, 2008.

West Virginia House Bill 2860 — This bill would have added sexual orientation to the state's existing anti-discrimination laws.

Status: This bill was introduced Jan. 9, 2008. The bill died when the Legislature adjourned March 16, 2008.

West Virginia House Bill 3211 — This bill would have added sexual orientation and gender identity to the state's existing anti-discrimination laws.

Status: This bill was introduced Jan. 9, 2008. The bill died when the Legislature adjourned March 16, 2008.

West Virginia House Bill 4164 — This bill would have added sexual orientation and gender identity to the state's existing anti-discrimination laws.

Status: This bill was introduced Jan. 9, 2008. The bill died when the Legislature adjourned March 16, 2008.

West Virginia Senate Bill 600 — This bill would have added sexual orientation and gender identity to the state's existing anti-discrimination laws.

Status: This bill was introduced Feb. 7, 2008. On Feb. 26, 2008, the bill passed the Senate. On March 5, 2008, the bill passed the House Judiciary Committee. There was no further movement, and the bill died when the Legislature adjourned March 16, 2008.

West Virginia Senate Bill 608 — This bill would have added sexual orientation and gender identity to the state's existing anti-discrimination laws.

Status: This bill was introduced Feb. 7, 2008. The bill died when the Legislature adjourned March 16, 2008.

Wisconsin Senate Joint Resolution 2 —

This resolution would have amended the state constitution to provide that no law shall discriminate on the basis of sexual orientation or other protected categories.

Status: This resolution was introduced Jan. 9, 2007. The bill died when the regular legislative business concluded March 13, 2008.

Hate Crimes Bills: **PASSED**

Connecticut Senate Bill 604 — This bill makes it a discriminatory practice and misdemeanor or class D felony, depending on the nature of the violation, to place a noose on public property or private property without the owner's written consent with the intent to intimidate or harass any person on account of sexual orientation or other personal characteristics.

Status: On April 24, 2008, the bill passed the House by a 146-0 vote. On April 16, 2008, the bill passed the Senate by a 35-0 vote. On May 7, 2008, Gov. Jodi Rell signed the bill, which became effective Oct. 1, 2008.

New Jersey Senate Bill 2975 — This bill amends existing hate crimes law to add gender identity as a category (sexual orientation was already included). The bill also established a commission on bullying in the schools.

Status: On Jan. 3, 2008, the bill passed the Senate by a 35-0 vote. On Jan. 7, 2008, the bill passed the Assembly by a 63-12 vote. On Jan. 13, 2008, Gov. Jon Corzine signed the bill, which became fully effective March 13, 2008 (part was effective immediately).

Hate Crimes Bills: **ACTIVE**

Massachusetts House Bill 1722 — This bill would (a) expand existing anti-discrimination laws to prohibit discrimination in employment, places of public accommodation, real estate and education based on gender identity or expression and (b) expand existing hate crimes laws to cover crimes motivated by the victim's gender identity or expression.

Status: This bill was introduced Jan. 11, 2007. On March 31, 2008, the bill was referred for investigation and study. There has been no further movement to date, and the Legislature is scheduled to adjourn as of Dec. 31, 2008.

Michigan House Bill 6341 — This bill would add sexual orientation and gender identity to the state's existing hate crimes law.

Status: This bill was introduced July 23, 2008.

On Nov. 13, 2008, it passed the House by an 81-18 vote. The Legislature is expected to adjourn Dec. 30, 2008.

Michigan Senate Bill 610 — This bill would add sexual orientation and gender identity to the state's existing hate crimes law.

Status: This bill was introduced June 27, 2008, and referred to the Senate Judiciary Committee. The Legislature is expected to adjourn Dec. 30, 2008.

Michigan Senate Bill 1455 — This bill would add sexual orientation and gender identity to the state's existing hate crimes law.

Status: This bill was introduced Sept. 9, 2008, and referred to the Senate Judiciary Committee. The Legislature is expected to adjourn Dec. 30, 2008.

Hate Crimes Bills: **DEAD**

Alabama House Bill 829 — This bill would have amended existing hate crimes laws to cover crimes motivated by the victim's sexual orientation.

Status: This bill was introduced April 8, 2008, and referred to the House Judiciary Committee. On May 6, 2008, the bill passed the House by a 46-44 vote and was referred to the Senate Judiciary Committee. On May 8, 2008, the bill passed the Senate Judiciary Committee. There was no further movement and the bill died when the Legislature adjourned May 31, 2008.

Alaska Senate Bill 6 — This bill would have provided penalties for offenses motivated by prejudice, bias or hatred based on the victim's sexual orientation or other personal characteristics. This bill would also have created a civil cause of action for discriminatory harassment based on, among other things, the victim's sexual orientation.

Status: This bill was introduced Jan. 16, 2008, and assigned to the Senate Committee on Health, Education and Social Services. There was no further movement and the bill died when the Legislature adjourned April 13, 2008.

Arizona House Bill 2752/Senate Bill 1483

— These bills would have amended existing law to require collection of information concerning criminal offenses manifesting evidence of prejudice based on gender identity or expression.

Status: These bills were introduced Feb. 11 and Feb. 4, 2008, respectively, and assigned to the House Rules Committee and Senate Rules Committee, respectively. There was no further movement and the bills died when the Legislature adjourned June 27, 2008.

Arizona House Memorial 202/Senate Memorial 102

— These memorials would have urged Congress and the president to adopt the Matthew Shepard Local Law Enforcement Hate Crimes Prevention Act.

Status: These memorials were introduced Feb. 18 and Feb. 4, 2008 respectively, and assigned to the House Rules Committee and Senate Rules Committee, respectively. There was no further movement and the memorials died when the Legislature adjourned June 27, 2008.

Arizona Senate Bill 1367 — This bill would have provided that, if a criminal defendant is convicted of a misdemeanor offense and the court finds the crime was motivated by malice based on the victim's sexual orientation or other personal characteristics, then the court shall state its findings on the record and may increase the sentence.

Status: This bill was introduced Feb. 4, 2008, and assigned to the House Rules Committee. There was no further movement and the bill died when the Legislature adjourned June 27, 2008.

Georgia Senate Bill 211 — This bill would have required judges imposing sentences in a criminal case to increase the penalty for crimes in which the victim was intentionally selected because of sexual orientation or another personal characteristic described in the bill.

Status: This bill was introduced Feb. 22, 2007. On March 19, 2007, it was favorably reported by Senate committee. On Jan. 14, 2008, the bill was recommitted. There was no further movement and the bill died when the Legislature adjourned April 4, 2008.

Indiana House Bill 1076 — This bill would have (1) made commission of a crime because of the victim's sexual orientation, gender identity or other personal characteristics an aggravating circumstance the judge can consider in sentencing; (2) required training for law enforcement officers in responding to bias crimes; and (3) allowed victims of bias crimes to bring a civil action to recover damages. (see also Senate Bill 306)

Status: This bill was introduced Jan. 14, 2008, and referred to the House Committee on Courts and Criminal Code. On March 16, 2008, it passed the Committee on Courts and Criminal Code by an 8-3 vote. There was no further movement and the bill died when the Legislature adjourned March 14, 2008.

Indiana Senate Bill 306 — This bill would have (1) made commission of a crime because of the victim's sexual orientation, gender identity or other personal characteristics an aggravating circumstance the judge can consider in sentencing; (2) required training for law enforcement officers in responding to bias crimes; and (3) allowed victims of bias crimes to bring a civil action to recover damages. (see also House Bill 1076)

Status: This bill was introduced Jan. 10, 2008, and referred to the Senate Committee on the Judiciary. There was no further movement and the bill died when the Legislature adjourned March 14, 2008.

Maryland House Bill 80 — This bill would have prohibited a person from placing a noose on another person's property because of the person's sexual orientation, gender identity or other personal characteristics.

Status: This bill was introduced Jan. 10, 2008, and referred to the House Judiciary Committee. Hearings were held Jan. 16, 2008. In March 17, 2007, the House Judiciary Committee issued an unfavorable report. There was no further movement and the bill officially died when the Legislature adjourned April 7, 2008.

New Jersey Assembly Bill 133 — This bill would have amended existing bias intimidation/hate crimes law to add gender identity, also would have provided additional penalties for the crimes of bias

intimidation, and would have established a commission on bullying in schools.

Status: On Jan. 8, 2008, the bill was introduced and referred to the Assembly Judiciary Committee. The bill was withdrawn Jan. 28, 2008. **Note:** Senate Bill 2975, containing similar provisions, passed and became law.

New York Assembly Bill 5633 — This bill would have proscribed certain bias-related crimes, including bias-related crimes motivated by the victim's sexual orientation.

Status: This bill was introduced Feb. 21, 2007, and referred to the Assembly Codes Committee. There was no further movement and the bill died when the Legislature adjourned Dec. 31, 2008.

New York Senate Bill 1209 — This bill would have proscribed certain bias-related crimes, including bias-related crimes motivated by the victim's sexual orientation.

Status: This bill was introduced Jan. 17, 2007, and referred to the Senate Finance Committee. There was no further movement and the bill died when the Legislature adjourned Dec. 31, 2008.

North Carolina House Bill 1631 — This bill would have amended existing hate crimes law to add sexual orientation and gender identity and other personal characteristics as covered categories.

Status: This bill was introduced April 18, 2007, and referred to the House Committee on the Judiciary. There was no further movement and the bill died when the Legislature adjourned July 18, 2008.

Oklahoma House Bill 2913 — This bill would have amended existing hate crimes law to add sexual orientation as a covered category.

Status: This bill was introduced Feb. 4, 2008, and referred to the House Rules Committee. There was no further movement and the bill died when the Legislature adjourned May 23, 2008.

Oklahoma House Bill 3262 — This bill would have amended existing hate crimes law to add gender identity as a covered category.

Status: This bill was introduced Feb. 4, 2008,

and referred to the House Judiciary and Public Safety Committee. There was no further movement and the bill died when the Legislature adjourned May 23, 2008.

Oklahoma Senate Bill 1610 — This bill would have amended existing hate crimes law to add sexual orientation as a covered category.

Status: This bill was introduced Feb. 4, 2008, and referred to the House Rules Committee. There was no further movement and the bill died when the Legislature adjourned May 23, 2008.

Pennsylvania Senate Bill 1294 — This bill would have amended existing hate crimes law to add sexual orientation and gender identity and other characteristics as covered categories.

Status: This bill was introduced Feb. 26, 2008, and referred to the Senate Judiciary Committee. There was no further movement and the bill died when the Legislature adjourned Nov. 30, 2008.

Pennsylvania Senate Bill 1554 — This bill would have amended existing hate crimes law to add sexual orientation and gender identity as covered categories.

Status: This bill was introduced Sept. 12, 2008, and referred to the Senate Judiciary Committee. There was no further movement and the bill died when the Legislature adjourned Nov. 30, 2008.

South Carolina House Bill 3738 — This bill would have created a hate crimes law applicable to criminal offenses motivated by various personal characteristics, including sexual orientation and gender identity.

Status: This bill was introduced March 20, 2008, and referred to the House Judiciary Committee. There was no further movement and the bill died when the Legislature adjourned June 5, 2008.

West Virginia House Bill 2851 — This bill would have amended existing hate crimes law to add sexual orientation and disability as covered categories.

Status: This bill was introduced Jan. 9, 2008, and referred to the House Judiciary Committee. There was no further movement and the bill died when the Legislature adjourned March 16, 2008.

Parenting Bills: ACTIVE

District of Columbia Bill 17-328 — This bill would provide that a registered domestic partner's name be included on the birth certificate of a child born to either domestic partner.

Status: This bill was introduced July 10, 2007, and referred to the Committee on Health. The bill carried over to 2008, but there has been no further action to date. The Legislature is expected to adjourn Dec. 31, 2008.

Michigan House Bill 4259 — This bill would permit two unmarried persons to petition for adoption.

Status: This bill was introduced Feb. 13, 2007, and referred to the House Judiciary Committee. On May 9, 2007, the bill passed the Judiciary Committee. The bill carried over to 2008, but there has been no further action to date. The Legislature is expected to adjourn Dec. 30, 2008.

Michigan Senate Bill 666 — This bill would permit two unmarried persons to petition for adoption.

Status: This bill was introduced Aug. 1, 2007, and referred to the Senate Judiciary Committee. On May 9, 2007, the bill passed the Judiciary Committee. The bill carried over to 2008, but there has been no further action to date. The Legislature is expected to adjourn Dec. 30, 2008.

Parenting Bills: DEAD

Florida House Bill 45/Senate Bill 200 —

These bills would have modified current law prohibiting "homosexuals" from adopting to allow adoptions in certain circumstances including (a) if the prospective parent has resided with the child, the child recognizes the prospective parent as his or her parent, and a family court finds that the child's best interest will be served by the adoption or (b) the child's parents are both deceased and the prospective parent is the child's guardian, as per the parents' wishes.

Status: These bills were introduced March 4, 2008, and referred to the House Committee on Healthy Families and Senate Committee on Children, Families, and Elder Affairs, respectively. There was no further movement, and the bills died when the Legislature adjourned May 2, 2008.

Mississippi Senate Bill 2766 — This bill would have "clarified" that unmarried adults "cohabitating" outside of marriage with one or more sexual partners may not adopt, and that Mississippi courts shall not recognize an adoption from another state by more than one unmarried individual. Mississippi law currently prohibits adoption by couples of the same gender.

Status: On Feb. 20, 2008, this bill passed the Senate by a 41-8 vote. The bill was transferred to the House and referred to the House Judiciary Committee. There was no further movement, and the bills died when the Legislature adjourned April 18, 2008.

Nebraska Legislative Bill 571 — This bill would have provided for adoption by two persons jointly, regardless of their marital status. The bill would also have provided that any parent of a minor child can consent to adoption of the child by the parent's spouse or another adult who will share parental responsibilities, without the parent having to relinquish legal rights to the child.

Status: This bill was introduced Jan. 17, 2007, and referred to the Judiciary Committee. The bill carried over to 2008, but there was no further movement, and the bill died when the Legislature adjourned April 17, 2008.

New York Assembly Bill 7449/Senate Bill 7321 — These bills would have provided for adoption by any two unmarried adults.

Status: These bills were introduced April 16, 2007, and carried over to 2008. There was no further movement, and the bills died when the Legislature adjourned Dec. 31, 2008.

New York Senate Bill 8710 — This bill would have prevented a judge, when making a determination as to the best interests of the child, from prohibiting a parent from undergoing gender reassignment as a condition of receiving custody.

Status: This bill was introduced May 29, 2007, and referred to the Senate Judiciary Committee. There was no further movement, and the bill died when the Legislature adjourned Dec. 31, 2008.

Tennessee House Bill 3713/Senate Bill

3910 — These bills would have prohibited adoption by any individual cohabitating in a sexual relationship outside of a marriage valid in Tennessee.

Status: These bills were introduced Jan. 30, 2008, and referred to the House Children and Family Affairs Committee and Senate Judiciary Committee, respectively. There was no further movement, and the bills died when the Legislature adjourned May 21, 2008.

Utah House Bill 318 — This bill would have repealed the existing prohibition against adoption by cohabiting unmarried adults.

Status: This bill was introduced Jan. 22, 2008, and referred to the House Rules Committee. There was no further movement, and the bill died when the Legislature adjourned March 5, 2008.

Washington House Bill 2347 — This bill would have stated that the Legislature did not intend to create or allow *de facto* parenting rights at common law; the statutory law is the sole method of adjudicating parentage. The bill noted this was proposed in response to a state Supreme Court decision recognizing a common law action to determine parentage, and that a person who is not a biological or adoptive parent can be recognized as a *de facto* parent.

Status: This bill was introduced Feb. 22, 2007, and referred to the House Judiciary Committee. There was no further movement, and the bill died when the Legislature adjourned March 13, 2008.

Schools-Related Bills: PASSED

Florida House Bill 669 — This bill prohibits bullying or harassment of any student or employee of a public K-12 educational institution. The bill refers to sexual, religious or racial harassment, but does not include enumerated categories for sexual orientation or gender identity.

Status: On April 18, 2008, this bill passed the House by a 112-0 vote. On April 30, 2008, the bill passed the Senate by a 40-0 vote. On June 10, 2008, Gov. Charlie Crist signed the bill, which became effective immediately.

Kentucky House Bill 10 — This bill amends existing anti-bullying and anti-harassment laws. Neither the previously existing law nor the amendments in the bill contains enumerated categories.

Status: On Jan. 29, 2008, this bill passed the House by a 96-0 vote. On March 13, 2008, the bill passed the Senate, with amendments, by a 35-0 vote. On March 28, 2008, a conference committee was appointed and issued a report. On April 2, 2008, the bill, as amended following the conference report, passed the Senate by a 30-3 vote and passed the House by a 91-4 vote. On April 15, 2008, Gov. Steve Beshear signed the bill, which became effective July 15, 2008.

Louisiana House Concurrent Resolution

160 — This resolution urges and requests the State Board of Elementary and Secondary Education to study the issue of harassment, intimidation and bullying of students and to submit a written report of its findings to the House and Senate Committees on Education before the beginning of the 2009 legislative session.

Status: On June 13, 2008, this resolution passed the House. On June 17, 2008, the resolution passed the Senate by a 32-0 vote.

Maryland House Bill 199 — This bill requires the State Board of Education to develop a model policy prohibiting bullying, harassment and intimidation in schools. The bill defines bullying, harassment and intimidation in schools to include enumerated categories, including sexual orientation and gender identity.

Status: On March 20, 2008, this bill passed the House of Delegates by a 135-0 vote. On April 2, 2008, the bill passed the Senate, with amendments, by a 35-10 vote. On April 3, 2008, the House passed the bill, as amended by the Senate, by a 141-0 vote. On May 13, 2008, Gov. Martin O'Malley signed the bill, which became effective July 1, 2008.

Maryland House Bill 1158 — This bill authorizes school staff members to report incidents of harassment or intimidation of students, including incidents motivated by various personal characteristics such as sexual orientation or gender identity.

Status: On March 20, 2008, this bill passed the House of Delegates by a 137-0 vote. On April 2, 2008, the bill passed the Senate, with amendments, by a 47-0 vote. On May 22, 2008, Gov. O'Malley signed the bill, which became effective July 1, 2008.

Nebraska Legislative Bill 205 — This bill requires school districts to develop policy concerning bullying prevention. The bill defines bullying, but does not include any enumerated categories.

Status: On Feb. 1, 2008, this bill passed the unicameral Legislature. On Feb. 11, 2008, Gov. Dave Heineman signed the bill, which became effective immediately.

Utah House Bill 325 — This bill requires local school boards and local charter boards to adopt anti-bullying policies. The bill does not include enumerated categories.

Status: On Feb. 27, 2008, this bill passed the House by a 59-8 vote. On March 4, 2008, the bill passed the Senate, with amendments, by a 25-2 vote. On March 5, 2008, the House passed the bill, as amended by the Senate, by a 53-10 vote. On March 17, 2008, Gov. Jon Huntsman signed the bill, which became effective May 4, 2008.

Schools-Related Bills: ACTIVE

Massachusetts House Bill 453 — This bill would amend existing anti-bullying laws to further define bullying and to require each public school district to implement a safe school plan.

Status: This bill was introduced Jan. 11, 2007, and referred to the House Committee on Education. The bill carried over to 2008. There has been no further movement in 2008, and the legislative session is scheduled to end as of Dec. 31, 2008.

Massachusetts House Bill 465 — This bill would require school districts with programs involving human sexual education, human sexuality issues or sexual orientation to provide written notification to parents or legal guardians, providing for the parent or guardian to give written notification if they want their child enrolled in such elective courses. The bill would also provide that no public school teacher or administrator shall be required to participate in any curriculum program and activities primarily involving human sexual education, human sexuality issues or sexual orientation that violate his or her religious beliefs.

Status: This bill was introduced Jan. 11, 2007, and referred to the House Committee on Education. The bill carried over to 2008, and a study order was issued March 13, 2008. There has been no further movement in 2008, and the legislative session is scheduled to end as of Dec. 31, 2008.

Massachusetts House Bill 509 — This bill would require school districts with programs involving human sexual education or human sexuality issues to provide notification to parents or legal guardians, providing for the parent or guardian to give written notification if they want their child enrolled in such elective courses (with exemptions possible for some students).

Status: This bill was introduced Jan. 11, 2007, and referred to the House Committee on Education. The bill carried over to 2008, and a study order was issued March 13, 2008. There has been no further movement in 2008, and the legislative session is scheduled to end as of Dec. 31, 2008.

Massachusetts House Bill 521 — This bill would require school districts with programs involving sex education to provide written notification to parents or legal guardians, providing for the parent or guardian to give written notification if they want their child enrolled in such elective courses. The bill would also provide that no public school teacher or employee shall be required to participate in any sex education curriculum program or activities that violate his or her religious beliefs.

Status: This bill was introduced Jan. 11, 2007, and referred to the House Committee on Education. The bill carried over to 2008, and a study order was issued March 13, 2008. There

has been no further movement in 2008, and the legislative session is scheduled to end as of Dec. 31, 2008.

Massachusetts House Bill 540 — This bill would require school districts to establish anti-bullying policies. The bill does not include enumerated categories.

Status: This bill was introduced Jan. 11, 2007, and referred to the House Committee on Education. The bill carried over to 2008, but there has been no further movement in 2008, and the legislative session is scheduled to end as of Dec. 31, 2008.

Massachusetts House Bill 541 — This bill would require school districts with programs involving human sexual education or human sexuality issues to provide notification to parents or legal guardians, providing for the parent or guardian to give written notification if they want their child enrolled in such elective or mandatory courses.

Status: This bill was introduced Jan. 11, 2007, and referred to the House Committee on Education. The bill carried over to 2008, and a study order was issued March 13, 2008. There has been no further movement in 2008, and the legislative session is scheduled to end as of Dec. 31, 2008.

Massachusetts House Bill 587 — This bill would require school districts to establish anti-bullying policies. The bill does not include enumerated categories.

Status: This bill was introduced Jan. 11, 2007, and referred to the House Committee on Education. The bill carried over to 2008, but there has been no further movement in 2008, and the legislative session is scheduled to end as of Dec. 31, 2008.

Massachusetts Senate Bill 275 — This bill would require school districts to develop a bullying prevention plan. The bill does not include enumerated categories.

Status: The bill was introduced Jan. 11, 2007, and referred to the Senate Committee on Education. There has been no further movement in 2008, and the legislative session is scheduled to end as of Dec. 31, 2008.

Massachusetts Senate Bill 294 — This bill would require school districts to develop a bullying prevention plan. The bill does not include enumerated categories.

Status: The bill was introduced Jan. 11, 2007, and referred to the Senate Committee on Education. There has been no further movement in 2008, and the legislative session is scheduled to end as of Dec. 31, 2008.

Massachusetts Senate Bill 321 — This bill would require local school districts to provide parents and guardians with notice of school programs involving human sexual education, human sexuality issues or “alternative sexual behavior” (defined to include LGBT behavior). The bill would also require that such programs be offered only as non-mandatory elective courses or activities in which parents or guardians could choose to enroll their children through written consent. Finally, the bill would provide that no public school teacher or administrator be required to participate in any school program violating his or her religious beliefs.

Status: The bill was introduced Jan. 11, 2007, and referred to the Senate Committee on Education. There has been no further movement in 2008, and the legislative session is scheduled to end as of Dec. 31, 2008.

Michigan House Bill 4091 — This bill would require the State Department of Education to develop a model anti-bullying policy applicable to grades K-12. The bill does not contain enumerated categories, but it contains a provision stating it would not take effect unless House Bill 4162 (below) is also enacted into law.

Status: On March 28, 2007, this bill passed the House by a 66-43 vote. The bill carried over to 2008, and, on Dec. 10, 2008, passed a Senate committee and was referred to the Senate Committee of the Whole. The Legislature is expected to adjourn Dec. 30, 2008.

Michigan House Bill 4162 — This bill would require the boards of school districts to implement anti-bullying and anti-harassment policies. The bill also would require these policies to follow the model anti-bullying policy adopted by the State Board of Education on Sept. 12, 2006. The model policy contains enumerated categories, including for sexual ori-

entation and gender identity. The bill also contained a provision stating it would not go into effect unless House Bill 4091 (above) is also enacted into law.

Status: On March 28, 2007, this bill passed the House by a 59-50 vote. The bill carried over to 2008, and on Dec. 10, 2008, passed a Senate committee and was referred to the Senate Committee of the Whole. The Legislature is expected to adjourn Dec. 30, 2008.

Michigan Senate Bill 107 — This bill would require school districts to develop policy prohibiting bullying or harassment. The bill contains enumerated categories, including for sexual orientation and gender identity.

Status: On March 28, 2007, this bill passed the House by a 66-43 vote. The bill carried over to 2008, and on Dec. 10, 2008, passed a Senate committee and was referred to the Senate Committee of the Whole. The Legislature is expected to adjourn Dec. 30, 2008.

Schools-Related Bills: DEAD

Alabama House Bill 38 — This bill would have required local school boards to adopt policies prohibiting bullying in grades 6-12. The bill did not include enumerated categories.

Status: This bill was introduced Feb. 5, 2008, and referred to the House Committee on Education Policy. There was no further movement and the bill died when the Legislature adjourned May 31, 2008.

Alabama House Bill 90 — This bill would have set standards for the adoption of policies by public school systems relating to student suicide prevention, violence and harassment by other students. The bill would also have required the state board of education to develop a model policy. The bill did not include enumerated categories. Harassment would have been defined to include harassment based on sexual orientation, among other enumerated categories.

Status: This bill was introduced Feb. 5, 2008, and referred to the House Committee on Education Appropriations. On Feb. 14, 2008, the bill passed the House. On May 6, 2008, the

bill passed a Senate committee. There was no further movement and the bill died when the Legislature adjourned May 31, 2008.

Alabama Senate Bill 96 — This bill would have provided that no student in public school, grades K-12, be subjected to harassment based on, among other enumerated categories, sexual orientation. Each local school system would have been required to adopt a policy prohibiting harassment.

Status: This bill was introduced May 27, 2008, and referred to the Senate Education Committee. On May 28, 2008, the bill passed the Senate Education Committee. There was no further movement and the bill died when the Legislature adjourned May 31, 2008.

California Assembly Bill 2085 — This bill would amend the Education Code to eliminate existing protection against discrimination based on sexual orientation in any school that receives state financial assistance.

Status: This bill was introduced Feb. 19, 2008, and referred to the Assembly Education Committee and Assembly Judiciary Committee. On April 2, 2008, the bill failed to pass the Judiciary Committee, by a 3-6 vote.

California Assembly Bill 2086 — This bill would have required that notice be sent to students' parents or guardians regarding proposed discussion of gender identity or sexual orientation in a class other than one on comprehensive sexual education or HIV/AIDS education. Parents/guardians would also be given the opportunity to have children excused from such discussion.

Status: This bill was introduced Feb. 19, 2008, and referred to the Assembly Education Committee and Assembly Judiciary Committee. On April 2, 2008, the bill failed to pass the Judiciary Committee, by a 3-6 vote.

California Assembly Bill 2762 — This bill would have required school personnel to follow a uniform, statewide reporting protocol with regard to threats or discrimination against or harassment of students.

Status: This bill was introduced Feb. 22, 2008, and referred to the Assembly Education Committee. On May 28, 2008, the bill passed

the Assembly by a 47-31 vote and was referred to the Senate. On June 26, 2008, the bill passed the Senate Appropriations Committee by a 6-2 vote. On July 7, 2008, the bill was placed on the Senate Appropriations Committee suspense file. There was no further movement and the bill died when the Legislature adjourned Nov. 30, 2008.

California Senate Bill 1600 — This bill would have amended the California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act to additionally apply to charter schools.

Status: This bill was introduced Feb. 22, 2008, and referred to the Senate Education Committee. On April 17, 2008, the bill passed the Senate Education Committee by a 6-3 vote and was referred to the Senate Appropriations Committee. There was no further movement and the bill died when the Legislature adjourned Nov. 30, 2008.

Florida House Bill 449/Senate Bill 848 — These bills would have required that any public school receiving state funding, directly or indirectly, and providing information or programs regarding family planning, pregnancy or sexually transmitted infections, including HIV and AIDS, shall provide comprehensive, medically accurate and factual information that is age-appropriate.

Status: These bills were introduced March 4, 2008, and referred to the House Schools and Learning Council. On May 28, 2008, Senate Bill 848 passed the Senate Education Committee. There was no further movement and the bills died when the Legislature adjourned May 3, 2008.

Florida Senate Bill 88 — This bill would have prohibited bullying or harassment of any student or employee of a public K-12 educational institution. The bill referred to sexual, religious or racial harassment, but does not include enumerated categories for sexual orientation or gender identity.

Status: This bill was introduced March 4, 2008, and referred to the Senate Committee on Education Pre-K-12. There was no further movement and the bill died when the Legislature adjourned May 3, 2008. **Note:** House Bill 669, which contains essentially identical

language, was passed by the Legislature and signed into law.

Florida Senate Bill 790 — This bill would have prohibited bullying or harassment of any student or employee of a public K-12 educational institution. The bill referred to sexual, religious or racial harassment, but does not include enumerated categories for sexual orientation or gender identity.

Status: This bill was introduced March 4, 2008, and referred to the Senate Committee on Education Pre-K-12. On March 19, 2008, the bill passed the Senate Committee on Education Pre-K-12 by a 6-0 vote. On April 8, 2008, the bill passed the Senate Committee on Criminal Justice by a 7-0 vote. On April 30, 2008, the bill was laid on the table and House Bill 669 was substituted for it. House Bill 669, which contains essentially identical language, was passed by the Legislature and signed into law.

Georgia House Bill 619 — This bill would have amended existing anti-bullying law to clarify and expand the definition of bullying. Neither this bill nor existing law contains enumerated categories.

Status: This bill was introduced Feb. 28, 2007, and carried over to 2008. There was no further movement and the bill died when the Legislature adjourned April 4, 2008.

Georgia Senate Bill 461 — This bill would have amended existing anti-bullying law to clarify and expand the definition of bullying. Neither this bill nor existing law contains enumerated categories.

Status: This bill was introduced Feb. 14, 2008. On March 11, 2008, it passed the Senate by a 52-0 vote. On March 28, 2008, it passed a House committee. There was no further movement and the bill died when the Legislature adjourned April 4, 2008.

Hawaii House Bill 532/Senate Bill 1168 — These bills would have required the state department of education to adopt policies and procedures to prevent school bullying and cyberbullying. The bills did not contain enumerated categories.

Status: These bills were introduced Jan. 22, 2007. On Feb. 12, 2007, Senate Bill 1168 passed the Senate Committee on Education by a 7-0 vote. There was no further movement in 2007,

and the bills carried over to 2008. There was no further movement in 2008 and the bills died when the Legislature adjourned May 1, 2008.

Hawaii House Bill 533/Senate Bill 1175 —

These bills would have required the state department of education to adopt policies and procedures to prevent school bullying and cyberbullying. The bills did not contain enumerated categories.

Status: These bills were introduced Jan. 22, 2007, and carried over to 2008. There was no further movement and the bills died when the Legislature adjourned May 1, 2008.

Hawaii House Bill 700 — This bill would have prohibited discrimination and harassment in public schools based on sexual orientation, gender identity and other personal characteristics. The bill would also have required the state department of education to adopt rules for responses to discrimination and harassment complaints.

Status: This bill was introduced Jan. 22, 2007, and carried over to 2008. There was no further movement and the bill died when the Legislature adjourned May 1, 2008.

Indiana Senate Bill 311 — This bill would have required instruction in accredited schools on human sexuality or sexually transmitted diseases to be based on factual, medically accurate and age-appropriate information.

Status: This bill was introduced Jan. 10, 2008, and referred to the Senate Committee on Education and Career Development. There was no further movement and the bills died when the Legislature adjourned March 14, 2008.

Indiana Senate Bill 327 — This bill would have required principals to send notice to parents if the school is providing abstinence-only human sexuality courses and allow parents to have their children excused from such courses.

Status: This bill was introduced Jan. 10, 2008, and referred to the Senate Committee on Education and Career Development. There was no further movement and the bills died when the Legislature adjourned March 14, 2008.

Kentucky House Bill 220 — This bill would have required school districts and any organization

or entity receiving funds and offering 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. Parents would have been provided the opportunity to excuse their children from an educational program addressing human sexuality.

Status: This bill was introduced Jan. 8, 2008, and referred to the House Education Committee. There was no further movement and the bills died when the Legislature adjourned April 15, 2008.

Kentucky Senate Bill 12 — This bill would have amended existing anti-bullying and anti-harassment laws. Neither the existing law nor the bill contains enumerated categories.

Status: This bill was introduced Jan. 8, 2008, and referred to the Senate Judiciary Committee. There was no further movement and the bills died when the Legislature adjourned April 15, 2008. **Note:** A very similar bill, House Bill 10, passed both the House and Senate and was signed into law by Gov. Beshear.

Louisiana House Bill 674 — This bill would have amended existing anti-bullying and anti-harassment laws to add enumerated categories, including sexual orientation.

Status: This bill was introduced March 20, 2008, and referred to the House Committee on Education. On April 23, 2008, the bill passed the House Committee on Education by an 11-4 vote. On April 29, 2008, the bill was defeated by a 28-63 vote in the House.

Maryland House Bill 206 — This bill would have required the county boards of education to develop policies prohibiting bullying in schools. The bill defines bullying in schools to include enumerated categories, including sexual orientation and gender identity.

Status: The bill was introduced Jan. 23, 2008, and referred to the Ways and Means Committee. Hearings were held Feb. 20, 2008. There was no further movement and the bills died when the Legislature adjourned April 7, 2008. **Note:** See related legislation, House Bill 199, which was enacted into law.

Maryland House Bill 546 — This bill would have required the county boards of education to develop policies prohibiting bullying, harassment and intimidation in schools. The bill defines bullying, harassment and intimidation in schools to include enumerated categories, including sexual orientation and gender identity.

Status: The bill was introduced Jan. 31, 2008, and referred to the Ways and Means Committee. Hearings were held Feb. 20, 2008. There was no further movement and the bills died when the Legislature adjourned April 7, 2008. **Note:** See related legislation, House Bill 199, which was enacted into law.

Maryland House Bill 732 — This bill would have required the county boards of education to develop policies prohibiting bullying, harassment and intimidation in schools. The bill defines bullying, harassment and intimidation in schools to include enumerated categories, including sexual orientation.

Status: The bill was introduced Feb. 4, 2008, and referred to the Ways and Means Committee. Hearings were held Feb. 20, 2008. There was no further movement and the bills died when the Legislature adjourned April 7, 2008. **Note:** See related legislation, House Bill 199, which was enacted into law.

Minnesota House Bill 3731 — This bill would have created a “responsible family life and sexuality education” program, which would emphasize abstinence while including information about contraception and disease prevention. Parents or guardians would be permitted to excuse children from all or part of the program.

Status: This bill was introduced March 3, 2008, and referred to the House E-12 Education Committee. There was no further movement, and the bill died when the Legislature adjourned May 18, 2008.

Minnesota Senate Bill 3349 — This bill would amend existing law regarding sexually transmitted diseases and infections program by requiring that information provided to students be medically accurate and age-appropriate.

Status: This bill was introduced March 3,

2008, and referred to the Senate Education Committee. On May 7, 2008, the bill passed the Senate Education Committee and was referred to the Senate Committee on Rules and Administration. There was no further movement, and the bill died when the Legislature adjourned May 18, 2008.

Mississippi House Bill 1203 — This bill would have required every public school offering sex-related education to ensure all sexual health information, instruction and materials are medically and scientifically accurate. Schools would also be required to give parents notice of such instruction and the right to excuse their children from such instruction.

Status: This bill was introduced Feb. 4, 2008, and referred to the House Education Committee. There was no further movement, and the bill died when the Legislature adjourned April 18, 2008.

Mississippi House Bill 1307 — This bill would have created the Abstinence Education and Fetal Awareness Education Act, requiring abstinence to be taught in all public elementary, middle and high schools.

Status: This bill was introduced Feb. 4, 2008, and referred to the House Education Committee. There was no further movement, and the bill died when the Legislature adjourned April 18, 2008.

Mississippi Senate Bill 2705 — This bill would have required every public school offering sex-related education to ensure all sexual health information, instruction and materials are medically and scientifically accurate. Schools would also be required to give parents notice of such instruction and the right to excuse their children from such instruction.

Status: This bill was introduced Feb. 4, 2008, and referred to the Senate Education Committee. There was no further movement, and the bill died when the Legislature adjourned April 18, 2008.

Mississippi Senate Bill 2763 — This bill would have created the Abstinence Education and Fetal Awareness Education Act, requiring abstinence to be taught in all public elementary, junior high and high schools.

Status: This bill was introduced Feb. 4, 2008, and referred to the Senate Education Committee. There was no further movement, and the bill died when the Legislature adjourned April 18, 2008.

Missouri House Bill 1751 — This bill would have amended existing anti-bullying law to add enumerated categories, including for sexual orientation and gender identity.

Status: This bill was introduced Jan. 22, 2008, and referred to the House Elementary and Secondary Education Committee. There was no further movement, and the bill died when the Legislature adjourned May 30, 2008.

Missouri House Bill 2272 — This bill would have required that course materials and instruction relating human sexuality and sexually transmitted diseases be based on peer review projects shown to have influenced healthy behavior. Current law requires presenting abstinence as the preferred choice of behavior regarding sexual activity; this bill would have required that students be presented with information regarding contraceptives.

Status: This bill was introduced Feb. 27, 2008, and referred to the House Special Committee on Family Services. There was no further movement, and the bill died when the Legislature adjourned May 30, 2008.

New Hampshire House Bill 1169 — This bill would have provided that no human sexuality instruction be provided without written consent from a parent or guardian.

Status: This bill was introduced Jan. 2, 2008, and referred to the House Education Committee. On Jan. 29, 2008, the House Education Committee voted 10-4 that the bill was inexpedient to legislate. There was no further movement, and the bill died when the Legislature adjourned June 4, 2008.

New Jersey Assembly Bill 794 — This bill would have required each board of education to offer instruction in comprehensive family life education, including education regarding human development and sexuality, family planning and sexually transmitted diseases that is medically accurate and age-appropriate.

Status: This bill was introduced Jan. 8, 2008 and referred to the Assembly Education Committee. There was no further movement, and the bill died when the Legislature adjourned.

New Jersey Senate Bill 1194 — This bill would have excused students with “conflicts of conscience” from certain class requirements of public institutions of higher education.

Status: This bill was introduced Feb. 21, 2008, and referred to the Senate Education Committee. There was no further movement, and the bill died when the Legislature adjourned.

New York Assembly Bill 3496/Senate Bill 1571 — These bills would have prohibited discrimination and harassment of public school students based on enumerated categories including sexual orientation and gender identity.

Status: These bills were introduced Jan. 26 and Jan. 23, 2007, respectively. Assembly Bill 3496 passed the Assembly on April 16, 2007, but died in the Senate on Jan. 9, 2008. Assembly Bill 3496 was returned to the Assembly, and passed the Assembly again on Feb. 27, 2008, by a 130-9 vote. There was no further movement, and the bills died when the Legislature adjourned Dec. 31, 2008.

New York Assembly Bill 4587 — This bill would have prohibited bullying in public schools and would have included enumerated categories, including for sexual orientation.

Status: This bill was introduced Feb. 5, 2007, and referred to the Assembly Education Committee. The bill carried over to 2008, but there was no further movement, and the bill died when the Legislature adjourned Dec. 31, 2008.

New York Senate Bill 6205 — This bill would have mandated that comprehensive, medically accurate and age-appropriate sex education be taught in all grades, 1-12.

Status: This bill was introduced June 13, 2007, and referred to the Senate Rules Committee. The bill carried over to 2008 and was referred to the Senate Education Committee, but there was no further movement, and the bill died when the Legislature adjourned Dec. 31, 2008.

New York Senate Bill 8739 — This bill would have prohibited bullying in public schools and would have included enumerated categories, including for sexual orientation and gender identity.

Status: This bill was introduced Aug. 5, 2008, and referred to the Senate Rules Committee. There was no further movement, and the bill died when the Legislature adjourned Dec. 31, 2008.

North Carolina House Bill 879 — This bill would have amended existing law establishing a school health education program to require abstinence-based comprehensive sexual health education in place of abstinence until marriage education. The bill would further require that instruction and materials not reflect or promote bias against any person based on specified personal characteristics, including sexual orientation and gender identity.

Status: This bill was introduced March 17, 2008, and referred to the House Committee on Education. The bill carried over to 2008, but there was no further movement, and the bill died when the Legislature adjourned July 18, 2008.

North Carolina House Bill 1366 — This bill would have required each local school administrative unit to adopt a policy prohibiting bullying or harassing behavior, including bullying based on sexual orientation or gender identity.

Status: On May 24, 2007, the bill passed the House by a 74-36 vote. On Aug. 2, 2007, the bill, with amendments, passed the Senate by a 40-8 vote. On July 2, 2008, the House voted 60-56 not to concur with the Senate version. Conferees were appointed, and a conference report was issued July 18, 2008, but there was no further movement, and the bill died when the Legislature adjourned July 18, 2008.

Ohio Senate Bill 385 — This bill would have established standards for comprehensive sexual health education and HIV/AIDS prevention education in public schools.

Status: This bill was introduced Nov. 26, 2008, and referred to the Senate Committee on Health, Human Services and Aging. There was no further movement, and the bill died when the Legislature adjourned Dec. 31, 2008.

Oklahoma House Bill 1569 — This bill would have required public schools to notify parents about school clubs and organizations and provide parents with a means to withhold permission for children to participate.

Status: This bill was introduced Feb. 5, 2007, and referred to the House Education Committee. The bill carried over to 2008, but there was no further movement, and the bill died when the Legislature adjourned May 23, 2008.

Oklahoma Senate Bill 1489 — This bill would have required the public schools superintendent to make a good-faith effort to ensure curriculum and materials used to teach sex education are scientifically accurate.

Status: This bill was introduced Feb. 4, 2008, and referred to the Senate Education Committee. There was no further movement, and the bill died when the Legislature adjourned May 23, 2008.

Pennsylvania House Bill 2373 — This bill would have required school districts to develop a bullying and student intimidation prevention plan. The bill did not include enumerated categories.

Status: This bill was introduced March 17, 2008, and referred to the House Education Committee. There was no further movement, and the bill died when the Legislature adjourned Nov. 30, 2008.

Pennsylvania Senate Bill 22 — This bill would have required public school entities to develop a policy relating to bullying. The bill did not include enumerated categories.

Status: This bill was introduced Jan. 29, 2007, and referred to the Senate Education Committee. The bill carried over to 2008, but there was no further movement, and the bill died when the Legislature adjourned Nov. 30, 2008.

Pennsylvania Senate Bill 22 — This bill would have required public school entities to develop a policy relating to bullying. The bill did not include enumerated categories.

Status: This bill was introduced Jan. 29, 2007, and referred to the Senate Education

Committee. On March 12, 2007, the bill passed the Senate by a 42-6 vote. On April 17, 2007, the bill passed the House Judiciary Committee. The bill carried over to 2008, but there was no further movement, and the bill died when the Legislature adjourned Nov. 30, 2008.

Rhode Island House Bill 7814 — This bill would have required that health education for public school students in grades K-12, which includes education on human development and sexuality, include age-appropriate, medically accurate information, including information about contraceptives and sexually transmitted diseases.

Status: This bill was introduced Feb. 26, 2008, and referred to the House Health, Education and Welfare Committee. On March 19, 2008, the bill was held for further study. There was no further movement, and the bill died when the Legislature adjourned June 21, 2008.

Tennessee House Bill 868/Senate Bill 2079

— This bill would have required public school clubs and organizations to provide parents with information about the groups and permit parents to decline permission for their children to participate.

Status: This bill was introduced Feb. 8, 2007, and referred to the House Education Committee. The bill carried over to 2008, but there was no further movement, and the bill died when the Legislature adjourned May 22, 2008.

Tennessee House Bill 905/Senate Bill 1133

— This bill would have required public school clubs and organizations to provide parents with information about the groups and would have required parental permission for students to participate.

Status: This bill was introduced Feb. 8, 2007, and referred to the House Education Committee. On May 2, 2007, the bill passed the House Education Committee and was referred to the House Finance, Ways and Means Committee. The bill carried over to 2008, but there was no further movement, and the bill died when the Legislature adjourned May 22, 2008.

Tennessee House Bill 2997/Senate Bill 3733

— This bill would have prohibited the teaching of or furnishing of materials on human sexuality other than heterosexuality in public schools, grade K-8.

Status: This bill was introduced Jan. 23, 2008, and referred to the House Education Committee. On May 2, 2007, the bill passed the House Education Committee and was referred to the House Finance, Ways and Means Committee. There was no further movement, and the bill died when the Legislature adjourned May 22, 2008.

Virginia House Bill 283 — This bill would have required instruction on FDA-approved methods of contraception to be added to the family life education program in public schools.

Status: This bill was introduced Jan. 9, 2008, and referred to the House Education Committee. There was no further movement, and the bill died when the Legislature adjourned March 13, 2008.

Virginia House Bill 1403 — This bill would have required school boards to distribute information to parents and guardians of students participating in the family life education program. If the curriculum solely consists of abstinence education, the information provided to parents and guardians would have to explain that and further note that such a curriculum does not conform to board of education guidelines. Parents and guardians would also be informed of their right to excuse students from family life education, whether abstinence-only or not.

Status: This bill was introduced Jan. 10, 2008, and referred to the House Education Committee. There was no further movement, and the bill died when the Legislature adjourned March 13, 2008.

Wisconsin Assembly Bill 747 — This bill would have required each school board that provides a program of abstinence-only education to notify each student's parent or guardian of the program and permit students to be excused from such programs.

Status: This bill was introduced Feb. 4, 2008, and referred to the Assembly Committee on Education Reform. The bill was killed in committee on March 21, 2008.

Wisconsin Senate Bill 42 — This bill would have directed the Department of Public Instruction and school boards to develop a model anti-bullying policy. The bill did not contain enumerated categories.

Status: This bill was introduced Feb. 15, 2007, and referred to the Senate Committee on Education. The bill passed the Senate Nov. 8, 2007. The bill passed the Assembly Education

Committee on March 13, 2008. The bill was referred to the Assembly Rules Committee and was killed in committee on March 21, 2008.

Wisconsin Senate Bill 400 — This bill would have required each school board that provides a program of abstinence-only education to notify each student's parent or guardian of the program and permit students to be excused from such programs.

Status: This bill was introduced Jan. 17, 2008 and referred to the Senate Committee on Education. The bill was killed in committee on March 21, 2008.

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Chris Edelson is the state legislative director for the Human Rights Campaign. Edelson, who joined the organization in 2006, works with state and local legislators and lesbian, gay, bisexual and transgender advocacy organizations in pursuing their LGBT-related legislative priorities. He is a member of HRC's field department.

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