



NEW YORK STATE SENATOR

Andrea Stewart-Cousins

## Senate Majority Passes GENDA & Ban Conversion Therapy

ANDREA STEWART-COUSINS January 15, 2019

| ISSUE: **GENDA**

The bills, sponsored by Senator Brad Hoylman, are the first significant LGBTQ bills passed by the State Senate since Marriage Equality in 2011.

(Albany, NY) The Senate Majority Conference today passed the Gender Expression Non-Discrimination Act (GENDA) (S.1047) that prohibits discrimination based on gender identity or expression and adds transgender New Yorkers to those protected by the state's Hate Crimes Law. The Senate also passed legislation (S.1046) prohibiting mental health professionals from engaging in sexual orientation change efforts with a patient under the age of eighteen years. Both bills were introduced by New York State Senator Brad Hoylman and have been blocked by the previous Republican Majority.

“One of my proudest moments as a Senator was when we passed the Marriage Equality Act. But that was eight years ago now, and since then the former Senate Republican Majority refused to pass any real protections for the LGBTQ community,” Senate Majority Leader Andrea Stewart-Cousins said. “Now, under the Democratic Majority, this Senate chamber is affirming that we stand with our LGBTQ community. I commend Senator Hoylman for his leadership on these bills and this important issue. I am proud that the Senate Majority has passed these historic bills, and we will continue to move ahead with our ambitious, progressive agenda.”

Bills Sponsor, Senator Brad Hoylman said, “The passage of GENDA--16 years in the making-- and legislation to end so-called conversion therapy will codify our progressive reputation and ensure that all New Yorkers, regardless of their gender identity or sexual orientation are treated with dignity and respect under the law. As the Trump administration continues to rollback protections for LGBTQ Americans, today’s victory sends a strong message to LGBTQ New Yorkers across the state: you are loved, understood, and protected by your state government. We will not let you down.”

“After years of Republican opposition, I am proud to be part of a Democratic Majority that works to safeguard the rights of all New Yorkers,” Senator Hoylman continued. “Thank you Senate Majority Leader Stewart-Cousins, Deputy Leader Gianaris, and my colleagues in the Democratic Majority for leading the charge to protect our LGBTQ community. I am also deeply grateful to my colleagues in the Assembly, Richard Gottfried and Deborah Glick for their persistence and determination over the years.”

While the State Assembly has passed GENDA 10 consecutive times and Governor Cuomo has stated his support, the former Senate Republican Majority refused to allow this legislation for a vote. New York has been the only state in the Northeast without statutory protections for its transgender citizens. A 2016 National Transgender Discrimination Survey showed that 26% of transgender individuals lost a job due to bias, 50% were harassed on the job, 20% were evicted or denied housing, and 78% of transgender students were harassed or assaulted.

The legislation to ban conversion therapy on minors also provides that any sexual orientation change efforts attempted on a patient under the age of 18 by a licensed mental health professional shall be considered unprofessional conduct and shall subject the provider to discipline by the provider's licensing entity. The Assembly has consistently passed this legislation since 2013, but the former Republican-controlled State Senate had blocked it.

Deputy Majority Leader Michael Gianaris said, “Eight years ago I was honored to cast my vote in favor of marriage equality, but have been disappointed we have not considered any legislation since then to combat discrimination against the LGBTQ community. By passing GENDA and banning conversion therapy, the new Senate majority is making the protection of all New Yorkers a priority.”

Senator Joseph P. Addabbo, Jr. said, “I am a long-time advocate and co-sponsor of these important proposals, which will rightly recognize and better protect the civil rights of even more members of our state’s LGBT community. Transgender New Yorkers will now enjoy necessary legal safeguards against discrimination in housing, employment, education and other areas, and lesbian, gay, bisexual and transgender youth will receive protection from callous and potentially dangerous sexual orientation conversion therapy. I am proud to be a part of this effort and to stand up for the diversity of the Empire State.”

Senator Jamaal Bailey said, “The passage of GENDA in the New York State legislature is monumental. With GENDA, gender expression and identity will become a protected class in the state's human right laws. This will finally allow for the prosecution of some of the abhorrent crimes that are committed against the LGBTQ community as a hate crime or human right violation. I'd like to thank Senator Hoylman for his leadership on this crucial issue.”

Senator Alessandra Biaggi said, “Equal treatment is the core of a real democratic society. I am proud that in our first week of passing legislation we are taking on the long overdue task of expanding full rights and equal treatment to the LGBTQ community by passing GENDA. Additionally, by outlawing the outrageous conversion therapy of minors, New York is finally making it clear that being gay is not and never should be treated as anything but normal.”

Senator Brian Benjamin said, “For transgender and gender non-conforming New Yorkers, things many of us take for granted can be a challenge. Finding employment or housing, safely riding public transit or seeing a movie, or even something as simple as comfortably using your name can be a daily struggle, particularly in communities of color, where resources are sometimes scarce. Today, we’re taking an important step in righting that wrong by passing GENDA, which will add gender identity and expression to the New York Human Rights law. I look forward to working with my Democratic colleagues to fighting for the LGBTQ community to ensure that every New Yorker can live a complete, proud life free of discrimination.”

Senator Neil Breslin said, “Passing the Gender Expression Non-Discrimination Act (GENDA) is long overdue here in New York State. This legislation is a significant step forward to protecting the rights of the transgender community. It is imperative that transgender and gender non-conforming individuals have the same rights and justice as other New Yorkers. Additionally, banning conversion therapy on minors here in New York is another long overdue measure. The harm this type of therapy can have on minors is well-documented which is why it is critical we prohibit this practice.”

Senator David Carlucci said, “Hate crimes are on the rise against our LGBTQ+ community, and more and more members are taking their own lives due to discrimination. We have a responsibility to protect transgender and gender non-conforming New Yorkers. Everyone deserves to feel safe, and the passage of GENDA and banning conversion therapy ensures significant LGBTQ+ rights are protected.”

Senator Jim Gaughran said, “Years of dysfunction in Albany have blocked the passage of critical legislation like GENDA. This week we broke the logjam and passed historic protections to root out discrimination with passage of GENDA and end cruel, barbaric practices like conversion therapy. As a conference, we’ve promised one of the most

productive sessions in decades, we're just getting started.”

Senator Andrew Gounardes said, “No one should ever face discrimination because of who they are or who they love and I could not be more proud to co-sponsor these two historic bills today. The archaic and fraudulent practice known as conversion “therapy” of minors will now be banned in New York, and—after the Assembly passed it for 10 consecutive years—GENDA will finally become law. Ensuring full and equal protections for all people must be a top priority.”

Senator Pete Harckham said, “Every citizen in New York State deserves to be treated fairly, equally and with dignity. It’s time to extend the same protections from hate crimes and discrimination that we have extended to other groups, to our transgender and gender non-conforming communities.”

Senator Todd Kaminsky said, “All New Yorkers — regardless of their sexual orientation — deserve equal treatment under the law. I was proud to cosponsor and vote for these two critical pieces of legislation today, which will ensure that all New Yorkers have the same legal protections.”

Senator Anna M. Kaplan said, “At a time when the rights of LGBTQ people are under assault, we need to stand together as New Yorkers and say there is no place for hate in our state. Passing GENDA is a long-overdue first step toward ensuring that transgender people are safe, affirmed, and protected in NY. Additionally, banning conversion therapy is critical to ensuring that LGBTQ youth will no longer be subject to barbaric treatment at the hands of mental health professionals.”

Senator Brian Kavanaugh said, “It is long past time for our state to protect New Yorkers from violence, harassment, and discrimination in employment, housing, public accommodations,

and education and to protect minors from harmful efforts to 'convert' them. I was happy to have the opportunity to vote for these bills as an Assemblymember, and I joined Senator Hoylman and our Democratic Senate colleagues in being dismayed that they have never gotten a vote in the Senate. This is a great day for justice and decency, and I applaud Senator Hoylman for his tireless leadership and advocacy.”

Senator Liz Krueger said, “Since the time of the first Dutch settlers, New York has been a place that celebrates and protects diversity and difference. New York is the birthplace of the LGBTQ rights movement, but in recent years we have allowed the freedom of LGBTQ people to fall by the wayside. Today we make clear that New York is once again taking the lead in ensuring that all people are protected by the laws of our state, regardless of who they love or how they identify their gender. I am so proud of the work of my Senate Democratic colleagues to bring these bills to the floor.”

Senator John Liu said, “The new Senate Democratic majority has taken swift and necessary action to pass two crucial protections for our LGBTQIA community. These two bills, GENDA and a ban on so-called conversion therapy, are the first such civil rights measures to be passed into law in 8 years, since the Marriage Equality Act in 2011. Our state had fallen abysmally far behind the times with its safeguards for our LGBTQIA New Yorkers. Today is a victory for human rights.”

Senator Robert Jackson said, “I'm proud to support the inclusion of gender identity and expression as protected classes against discrimination in New York to make our state safer for trans\* and gender non-binary members of our community. As legislators, we need to take a hard look at the question of who benefits from hate crime laws in light of the concerns raised by advocates for the minority communities these laws are intended to protect. I look forward to joining Senators Ramos and Hoylman and others in that work over this session. Prohibiting conversion therapy for minors marks an important step toward making New

York a state where all are free to love whom they choose.”

Senator Rachel May said, “I proudly cast my vote today to pass GENDA in order to protect transgender New Yorkers from discrimination and violence. This year is the 50th anniversary of Stonewall, when LGBTQ New Yorkers, including trans women of color, joined together to demand better, safer lives. We honor that demand today by making our protections permanent. So much progress has been made, but it has been eight years since New York passed marriage equality. Our votes today to enact GENDA and to outlaw conversion therapy bring New York back into its proper place as a leader on LGBTQ rights.”

Senator Shelley Mayer said, “I am proud to co-sponsor and vote for the Gender Non-Discrimination Act (GENDA), which will expand protections for transgender and gender-nonconforming individuals in New York State’s anti-discrimination laws. I was a co-sponsor of the bill for many years in the Assembly as it passed the chamber, year after year, but the bill was defeated along party lines in the State Senate. Under the new leadership of Majority Leader Andrea Stewart-Cousins and bill sponsor State Senator Brad Hoylman, this is one of the first bills the State Senate passed during this legislative session. Every New Yorker deserves the opportunity to live free of discrimination in their workplace, housing, and daily life. With this bill, the state meets its responsibility to guarantee transgender and gender-nonconforming individuals the protections provided to other protected classes in New York State.”

Senator Zellnor Myrie said, “All too many New Yorkers are denied employment, housing, and safety because of their gender identity. GENDA helps ensure that all New Yorkers, no matter their gender identity or expression, will enjoy equal rights and equal opportunity under the law.”

Senator Kevin Parker said, “On this second historic day of the legislative session, I am proud that my colleagues in the legislature voted to pass the Gender Expression Non-

Discrimination Act (GENDA) to add gender identity and gender expression as a protected classes in our state's human rights and hate crimes laws. The Senate Democratic Conference and the Assembly Democrats have long advocated for prohibiting discrimination in employment, housing, public accommodations, and for enhanced penalties for bias-motivated crimes. Finally today under the poised leadership of Leader Stewart-Cousins and the legislation's prime sponsor, Senator Brad Hoylman, individuals in New York State no longer have to live in fear that there is no recourse for discrimination based on their gender identity or expression.”

Senator Jessica Ramos said, “Transgender rights are human rights. I am proud to represent the largest trans Latinx population in the country and the second largest LGBTQ population in New York, hardworking New Yorkers who deserve nothing more than equality. Their identities must be recognized and protected. I’m also proud to vote in favor of banning conversion therapy in our state, which will ensure every LGBTQ child can be their true selves and reach their full potential. Passing these bills means enshrining into New York State law the protections my community has long waited for.”

Senator Gustavo Rivera said, “Today is a historic day in Albany for New York's LGBTQ+ community as we finally pass GENDA and ban conversion therapy. After 16 long years since GENDA was introduced, every New Yorker will be finally protected by New York State law from the scourge of discrimination because of their gender identity or expression. Further, by banning conversion therapy, we are eradicating an often torturous experience for people who have the right to love in good health just like anyone else. I am proudly standing in support of those New Yorkers who have faced undue challenges because of who they are.”

Senator Diane Savino said, “Thank you to Leader Stewart-Cousins for her leadership in bringing this long overdue bill to the floor. I want to congratulate Senator Hoylman for his steadfast leadership through the years. As someone who has long supported this bill, I am



thrilled that we are taking yet another step forward as a State to ensure equal protections for all our neighbors, especially my friend Bryan from Staten Island who has been one of the leading advocates in the entire City.”

Senator Luis Sepúlveda said, “Through the tireless efforts of advocates combined with the hard work of Democratic legislators, New York made history by passing GENDA and banning the cruel anti-science practice of conversion therapy on minors. These human rights reforms mark important milestones in the march for full LGBT equality. I'm proud to stand with the LGBT community and look forward to continuing our party's work as allies in the New York Senate.”

Senator Jose Serrano said, “Today’s votes send a strong message that New York will not stop until everyone in the LGBTQ community is treated with dignity and respect. By officially including gender identity and expression under our human rights laws, we have taken the long overdue step of protecting transgender and gender non-conforming individuals from harassment and discrimination when it comes to all essential services. In addition, I am heartened that we passed legislation prohibiting so called ‘conversion therapy,’ ensuring that no minor in New York will be exposed to this dangerous, cruel, and discredited practice. I commend Senator Hoylman and for his steadfast commitment to fighting for the rights of all New Yorkers.”

Senator James Skoufis said, “As Chair of the Senate Investigations and Government Operations Committee, I’m proud that the first bill we reported in the new session was GENDA. We know that members of the transgender community are increasingly targeted for hate crimes, and it’s time we fully protect their right to safety and pursuit of happiness under state law. This Senate Majority is going to do right by all New Yorkers, and this bill is just the beginning.”

Senator Toby Ann Stavisky said, “The passage of GENDA and banning conversion therapy marks the beginning of a new day in Albany. The passage of these bills is long overdue. It has been almost 8 years since we passed a major piece of legislation concerning equal rights. I am proud that New Yorkers will be able to express their individuality without fear of discrimination based upon their gender identity or expression. Additionally, we will no longer allow children to be forced into efforts to change who they are. Conversion therapy is a dishonest practice that harms the well-being of our youth. In our country, we believe that all people are created equal and today in New York State we took a step forward to ensuring that reality.”

Senator Kevin Thomas said, “Passing the GENDA bill and the ban on conversion therapy sends the message to all gay, lesbian bisexual and transgender people in New York State that they are supported and empowered to be themselves and will always be protected.”

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#### RELATED LEGISLATION

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### **2019-S1047**

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- Introduced
  
- ◦ In Committee Assembly
  - In Committee Senate
  
- ◦ On Floor Calendar Assembly
  - On Floor Calendar Senate

- ○ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Prohibits discrimination based on gender identity or expression and includes offenses regarding gender identity or expression under the hate crimes statute

January 10, 2019

Signed by Governor

Sponsored by **Brad Hoylman-Sigal**

Do you support this bill?

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## 2019-S1046

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- Introduced
- ○ In Committee Assembly
  - In Committee Senate
- ○ On Floor Calendar Assembly
  - On Floor Calendar Senate

- ○ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
- 

Designates engaging in sexual orientation change efforts by mental health care professionals upon patients under 18 years of age

January 10, 2019

Senate Floor Calendar

Sponsored by **Brad Hoylman-Sigal**

Do you support this bill?