Legislation Details (With Text)

File #:	Res 0706-2011	**Version:**	*	**Name:**	NYS Legislature to pass A.5039/S.2873, the Gender Expression Non-Discrimination Act.
Type:	Resolution			**Status:**	Filed
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On agenda:	3/23/2011				
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Title: Resolution calling on the New York State Legislature to pass A.5039/S.2873, the Gender Expression Non-Discrimination Act, which would prohibit discrimination on the basis of gender expression or identity and expand the state's hate crimes statute to include offenses committed against someone on the basis of his or her gender expression or identity.

Sponsors:

Indexes:

Attachments:

Date	Ver.	Action By	Action	Result
3/23/2011	*	City Council	Introduced by Council	
3/23/2011	*	City Council	Referred to Comm by Council	
12/31/2013	*	City Council	Filed (End of Session)	

Res. No. 706

Resolution calling on the New York State Legislature to pass A.5039/S.2873, the Gender Expression Non-Discrimination Act, which would prohibit discrimination on the basis of gender expression or identity and expand the state's hate crimes statute to include offenses committed against someone on the basis of his or her gender expression or identity.

By Council Members Dromm, Van Bramer, Chin, Comrie, Ferreras, Fidler, James, Koppell, Koslowitz, Lander, Mark-Viverito, Mendez, Palma, Recchia and Lappin

Whereas, According to the New York State Department of Health, approximately 300,000 individuals living in the state of New York self-identify as transgender; and

Whereas, Despite the progressive reputations of our city and state, transgender individuals continue to endure discrimination and threats to their physical well-being; and

Whereas, According to a 2010 report by the National Coalition of Anti-Violence Programs, 14 percent of victims or survivors of hate violence in the United States in 2009 were transgender men and women; and

Whereas, In New York City, approximately 13 percent of the reports of hate violence received by the

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New York City Anti-Violence Project in 2009 came from transgender men and women; and

Whereas, According to a 2011 report by the National Gay and Lesbian Taskforce and the National Center for Transgender Equality ("the report"), 90 percent of those surveyed had experienced discrimination at work for reasons related to their gender identity or expression, and 24 percent had lost their jobs for the same reason; and

Whereas, The report also disclosed that 19 percent of respondents had been refused a home or apartment, and 11 percent had been evicted, because of their gender identity or expression; and

Whereas, Transgender individuals are also not safe from anti-trans bias in places of public accommodation, where, according to the report, 53 percent of respondents had experienced harassment and discrimination; and

Whereas, In 2002, the New York City Council passed Local Law 3, which amended the Human Rights Law to define gender as "actual or perceived sex and… a person's gender identity, self-image, appearance, behavior or expression, whether or not traditionally associated with the legal sex assigned to that person at birth," thereby including transgender individuals in the class of people to be protected from bias-related harassment and discrimination in housing, employment and public accommodations; and

Whereas, Although New York City extends many protections to transgender individuals, those living in the rest of the state are not guaranteed the same treatment; and

Whereas, If passed, A.5039/S.2873 (Gottfried/Duane) would address this disparity at the state level by amending the Executive Law, Civil Rights Law and Education Law to prohibit discrimination on the basis of gender identity or expression in housing, employment, public accommodation and other areas; and

Whereas, Known as the Gender Expression Non-Discrimination Act, A.5039/S.2873 would also amend the Penal Law to include gender identity or expression in the list of categories that are currently protected under the state's hate crimes statute; and

Whereas, Thirteen states and the District of Columbia have already enacted laws protecting transgender

individuals from discrimination, as well as several cities and counties in New York State; and

Whereas, Without protection from bias-related harassment and discrimination, transgender individuals are placed at a severe disadvantage in every facet of their lives; and

Whereas, It is imperative that the state of New York protect all of its marginalized communities, including the transgender community; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass A.5039/S.2873, the Gender Expression Non-Discrimination Act, which would prohibit discrimination on the basis of gender expression or identity and expand the state's hate crimes statute to include offenses committed against someone on the basis of his or her gender expression or identity.

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