



2021 Georgia Legislative Session Wrap-Up

Anti-Trans Youth Bills

There were several anti-trans bills that were introduced this session, all of which target trans and gender nonconforming children and young people. All of these bills were copycat bills, meaning that they are almost identical to the 79 other transphobic bills introduced in more than 20 other states as part of a coordinated national effort.¹ The organizations that provide template legislation and pressure legislators to introduce these bills are well funded conservative policy organizations that use a variety of tactics to push a transphobic agenda.² The bathroom bills from a few years ago are one of the past tactics used by these organizations. The sports and medical bans are the next generation of this campaign, and have been signed into law in several states this year.

Sports Ban

The sports bans attempt to legally define gender as sex assigned at birth, as reflected by what was written on a child's birth certificate. These bills seek to ban anyone not assigned female at birth from playing on any sex-segregated girls sports team in K-12 schools. This would negatively impact trans girls, intersex kids, and kids who live outside the binary by depriving them of an opportunity to enrich their lives and participate in their communities. Ultimately the logic behind these bills is "if we pretend that trans, intersex and nonbinary people don't exist, they will go away." This is obviously not the case, and is extremely detrimental to young people who do not identify with their sex assigned at birth and the communities that support them.

In Georgia, we had two separate but almost identical bills introduced this session - one in the House and one in the Senate. The Senate bill, SB 366, passed out of committee, but did not pass a vote in the full House before crossover day, which means that it is ineligible to become a law this session. However, because of how Georgia's legislative cycle works, it is very likely to keep moving next year. We are safe until 2022, but will most likely have a lot of work to do opposing this bill next year. The House bill, HB 276, was very similar to the Senate version but didn't make it out of committee this session. Technically, it could come back to life next session, but it's more likely that legislators in favor of a ban will focus energy on the Senate version instead, because it has already passed out of committee.

Medical Ban

The other type of transphobic bill introduced this session was HB 401, which targets doctors and other medical professionals who treat trans and nonbinary kids and young adults under 18. This bill would make it a felony to provide certain types of transition related care -

¹ "2021 Becomes Record Year For Anti-Transgender Legislation." HRC, 13 Mar. 2021, www.hrc.org/press-releases/breaking-2021-becomes-record-year-for-anti-transgender-legislation.

² Avery, Dan. "State Anti-Transgender Bills Represent Coordinated Attack, Advocates Say." NBC News, 17 Feb. 2021, www.nbcnews.com/feature/nbc-out/state-anti-transgender-bills-represent-coordinated-attack-advocates-say-n1258124.

specifically puberty blockers, any form of surgery, or hormone replacement therapy. This would be hugely detrimental to trans youth if passed, because for those who need it, access to the full range of gender affirming care is critical.³ Young people know themselves and their bodies, and should be trusted to make decisions for themselves, especially when it comes to something as personal and important as gender identity.

Thankfully, HB 401 never got a hearing in its assigned committee, and consequently did not make it past crossover day. However, given the two-year legislative cycle, it's possible that it could see some movement next year, so it's something to keep an eye on in 2022. Similar bills have passed in other states and are likely to be challenged in court,^{4 5} so that is something else to watch in the coming months.

Voter Suppression Legislation

There were dozens of voter suppression bills introduced this year in the wake of Georgia's most recent runoff - so many that legislators established a special committee to deal with all of them. Most of them never reached the floor for a vote, but one of them, SB 202,⁶ became a law in late March. SB 202 started out as a relatively small and inoffensive bill, but through revision grew to nearly 100 pages and incorporated aspects of many of the other proposed bills that never made it out of committee. The final omnibus bill included more stringent ID requirements, restrictions on polling places, ballot counting, and early voting. It also makes it illegal to provide folks waiting in line to vote with any food or drink, or provide things like coloring books or other supplies to people waiting in long lines with their children.

This new law and all of the other proposed voter suppression legislation is a reaction to the recent election, and even though the language of the legislation is facially neutral, nearly all of the tactics are strategically targeted at preventing Black and brown voters from participating in elections. They're racist, they're based on false claims of voter fraud, and they're completely unnecessary. It's very likely that the state of Georgia will be sued over this law.

³ "Research Brief: Gender-Affirming Care for Youth." The Trevor Project, The Trevor Project, 29 Jan. 2020, www.thetrevorproject.org/2020/01/29/research-brief-gender-affirming-care-for-youth.

⁴ Conron, Kerith, et al. "Prohibiting Gender-Affirming Medical Care for Youth." Williams Institute, The University of Los Angeles School of Law, 13 Apr. 2021, williamsinstitute.law.ucla.edu/publications/bans-trans-youth-health-care.

⁵ "ACLU Statement on Arkansas Legislature's Vote to Override Veto of Transgender Health Ban." American Civil Liberties Union, 6 Apr. 2021, www.aclu.org/press-releases/aclu-statement-arkansas-legislatures-vote-override-veto-transgender-health-ban.

⁶ Georgia State Legislature, 156th Gen Assembly. SB202, *as signed by Governor*. Available at <https://www.legis.ga.gov/legislation/59827>

Eliminating State Funding for Crisis Pregnancy Centers

In 2016, Georgia passed the Positive Alternatives for Pregnancy and Parenting Grant Program allocating \$2 million a year to crisis pregnancy centers (CPCs). To date, the state has cumulatively sunk more than 6.5 million dollars into funding these organizations. Crisis Pregnancy Centers, also known as pregnancy resource centers, exist for the sole purpose of deterring people from having abortions. They are unregulated, provide limited medical services, and often misinform people seeking care. They attempt to scare pregnant people out of seeking abortions by providing explicitly religious counseling and hyperbolically misleading, if not outright false, information about the purported dangers of birth control and abortion care.

We were really excited that a group of progressive legislators introduced a bill this session that would eliminate state funding for Crisis Pregnancy Centers. Given the current partisan breakdown in the legislature, we knew this had a low likelihood of passing. Predictably, the bill was not given a hearing in its assigned committee. However, because Georgia's legislature works in 2-year cycles, it will still be alive and capable of moving in 2022.

Police Funding

One particularly harmful bill, HB 286, snuck through and passed on Sine Die - the last day of session. This bill is an obvious reaction to calls for defunding police departments and the rise in popularity of prison industrial complex abolition coming out of the Black Lives Matter protests last summer. It will prevent counties from voluntarily reducing their law enforcement budget by more than 5% each year. Like the voter suppression bills, it's another reactionary measure to try to keep a white supremacist status quo in place.

Please Note: This non-exhaustive overview of the status of legislative changes from the 2021 Legislative Session in the Georgia Legislature. We acknowledge that there were many, many, other bills from this session that impact our base and are relevant to the fight for Reproductive Justice - this list is merely a selection of the bills that were most relevant to SPARK's current projects and legislative priorities.