



# COMBATING ANTI-TRANS LEGISLATION

A 6-MONTH RETROSPECTIVE  
JANUARY 2023 - JULY 2023

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# INTRODUCTION & EXECUTIVE SUMMARY

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Trans and gender expansive people are under legislative attack in the United States. Since 2015, there has been a dramatic increase in the number of anti-trans bills introduced each year. In the first half of 2023 (January 1, 2023 - July 1, 2023), 558 anti-trans bills were introduced, making 2023 the fourth consecutive record-breaking year for anti-trans legislation.

Although legislation targeting non-cisgender and non-heterosexual people is not new in the United States, the current wave of anti-trans legislation and rhetoric can be traced to the fights over access to single-gender bathrooms in Houston in 2015 and North Carolina in 2016. Anti-trans political sentiments only grew with the 2016 presidential primaries and eventual election of Donald Trump.

Since then, the scope and range of anti-trans legislative attacks have expanded to all other areas of life. This retrospective report aims to identify anti-trans legislative trends in the United States and provide policy recommendations for communities and organizations involved in trans liberation advocacy. Because SPARK Reproductive Justice NOW! is a Reproductive Justice organization that prioritizes the safety and well-being of Black women and trans people, the policy recommendations in this report utilize a Reproductive Justice framework that centers the needs of Black people, Indigenous people, and people of color.

If the last seven years of anti-trans legislation is any indication of the future for the United States, it is necessary for advocates to continue organizing and mobilizing to keep our trans and gender expansive (TGE) communities safe. We hope this guide is a helpful tool for communities and organizers alike to use when strategizing for the future of trans liberation.

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# LEGISLATIVE OVERVIEW

SPARK identified 558 pieces of anti-trans legislation introduced across the United States between January 1, 2023, through July 1, 2023. This is a 321% increase from the 174 anti-trans bills introduced during the entirety of 2022.

The rate at which anti-trans legislation is being introduced is rapidly increasing. In 2015, 19 anti-trans bills were introduced across the entire United States. Eight years later, in 2023, nearly 31 times the amount of bills were introduced in only six months. 2023 is the fourth consecutive record-breaking year for anti-trans legislation.

Most anti-trans legislation was introduced on the state level (~95%). Southern and Midwestern states were more likely to introduce anti-trans legislation, however legislation was introduced in all states except Delaware (Appendix C). This confirms what we already know: the introduction and passage of anti-trans legislation is an issue across the entire country and should not be taken lightly, even in “safe” states.

SPARK identified six major categories of anti-trans legislation: Healthcare, Education, Sports, Drag Performances, Bathroom Access, and Other. Legislation that falls in the Other category is further subcategorized and analyzed later in this report. Around 30% of anti-trans legislation fell into the Healthcare category, with the vast majority limiting youth access to gender-affirming care.

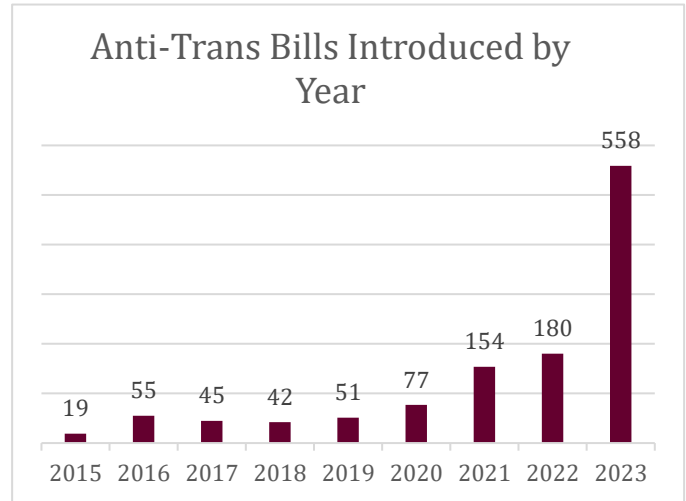


Figure 1. Anti-Trans Bills Introduced by Year

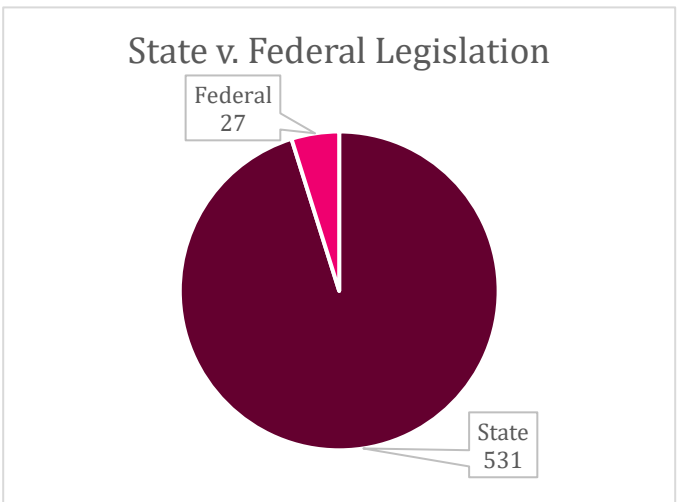


Figure 2. State v. Federal Legislation

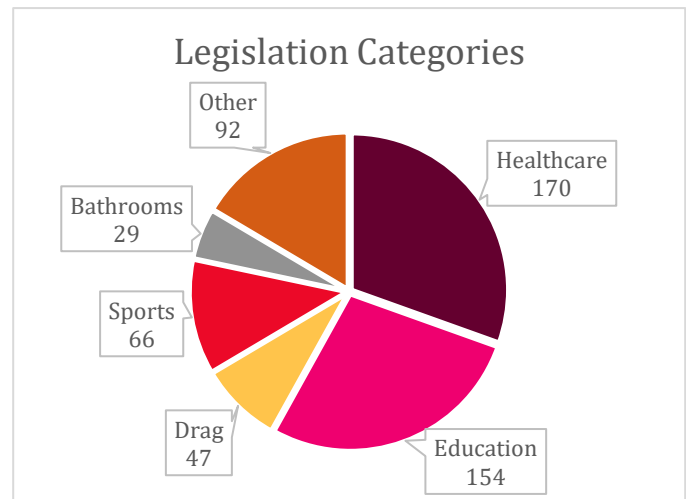


Figure 3. Legislation Categories

## THE REPRODUCTIVE JUSTICE FRAMEWORK

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SPARK Reproductive Justice NOW! is a reproductive justice organization centering Black queer women, trans people, and people living outside the gender binary. Reproductive justice frameworks guide all our work. This policy report uses a reproductive justice framework to examine the current state of anti-trans legislation and as a tool for envisioning a future of trans liberation.

Although Black women, Indigenous women, women of color, and TGE people have always utilized community-centered approaches when fighting for bodily autonomy, the reproductive justice framework was formally created during a Black women's caucus in 1994. These women named themselves Women of African Descent for Reproductive Justice and created a comprehensive framework that addressed the reproductive needs of Black women in a way that mainstream White-centered movements had yet to do.

Reproductive justice is defined as the human right to maintain personal bodily autonomy, rooted in the belief that people should have the power and resources to make liberatory decisions about their bodies, genders, sexualities, lives, families, and communities. The reproductive justice framework applies an intersectional analysis to social issues by recognizing the full context of a person's life and social conditions, including racism, sexism, classism, homophobia, transphobia, ableism, and more. In doing this, reproductive justice works to center the voices and experiences of marginalized individuals and communities.

SPARK's reproductive justice is trans inclusive and gender expansive. Reproductive justice is not exclusive to cisgender women; all people are addressed under the reproductive justice framework, including TGE people of all genders. As a community-centered approach to fighting for bodily autonomy, reproductive justice must be accepting and inclusive of TGE communities. Because of this, SPARK defines trans liberation as a reproductive justice issue both in this report and in all SPARK's advocacy and organizing work.

## ANTI-TRANS LEGISLATION AND BIPOC

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Anti-trans legislation disproportionately impacts Black TGE people, Indigenous TGE people, and TGE people of color (TGE BIPOC). TGE BIPOC navigate the intersections of racial oppression, anti-Blackness, settler colonialism, Christian nationalism, U.S. imperialism, and anti-immigrant sentiments alongside issues of sexism, homophobia, transphobia, and transmisogyny. TGE BIPOC may also navigate other intersecting oppressions as well, such as ableism, poverty, HIV/AIDS criminalization, and sex work criminalization. To fully address the impacts that anti-trans legislation has on all TGE people, it is necessary to identify how anti-trans legislation disproportionately and uniquely affects TGE BIPOC.

Anti-trans legislation is an extension of the United States' history of [White supremacy](#), anti-Blackness, and settler colonialism. Because racism, transphobia, and homophobia are all enforced by systems of White supremacy, TGE BIPOC are disproportionately harmed by anti-trans legislation and rhetoric. For example, as with any legislation that relies on the criminal legal system for enforcement, anti-trans legislation that criminalizes TGE engagement in public life (such as Florida's [HB 1521](#)) [disproportionately impacts](#) TGE BIPOC, specifically Black trans women. Similarly, legislation that requires incarcerated trans women to be housed in men's facilities disproportionately affects Black and Indigenous trans women, who are [more likely](#) than White trans women to be involved with the criminal legal system.

These disparities are seen in all areas of life for TGE BIPOC, not only in criminal law. Anti-trans sports legislation targeting trans women [hurts](#) cis, trans, and intersex Black women and girls the most because of [systemic misogynoir](#) in athletics. Many of the "Don't Say Gay" laws banning educators from teaching about gender or sexual orientation in classrooms [also ban](#) educators from teaching accurate Black and Indigenous histories. Legislation that punishes

parents for providing gender-affirming care to their TGE children will [disproportionately impact](#) Black and Indigenous families, including both [Native American/Alaska Native](#) families and [Native Hawaiian/Pacific Islander](#) families, as they are more likely to be involved with the child welfare system than other ethnic and racial groups due to systemic inequality.

TGE BIPOC and their families living in states with dangerous anti-trans laws in effect are less likely to be able to relocate to other states because TGE BIPOC are more likely to live in [poverty](#), be [unemployed](#), and experience [homelessness](#) than White TGE people. This is a significant issue, as the 2015 U.S. Trans Survey found that [Black](#), [Native American/Alaska Native](#), [Native Hawaiian/Pacific Islander](#), [Asian American](#), and [Latine](#) TGE people are likely to live in the regions where the [worst](#) pieces of anti-trans legislation are being introduced and signed into law.

The current rise in anti-trans legislation has also harmed the mental health of BIPOC TGE youth. TGE youth have [reported](#) experiencing anxiety surrounding the current rise in anti-trans legislation. TLGBQ2S+ BIPOC youth report [high rates](#) of anxiety and depression symptoms, as well as [higher rates](#) of suicidality than White TLGBQ2S+ youth. Although there is no data regarding the mental health outcomes for TGE BIPOC youth specifically, it can be inferred from available data that TGE BIPOC are likely experiencing high rates of anxiety, depression, and suicidality, impacted by the current trends in anti-trans legislation and publicly rhetoric.

As TGE BIPOC are disproportionately harmed by anti-trans legislation, it is necessary for any advocacy and organizing to center the voices and needs of Black TGE people, Indigenous TGE people, and TGE people of color. True trans liberation necessitates centering those living at the margins of our White supremacist society. None of us can be free until all of us are free.

## METHODOLOGY & LIMITATIONS

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**Methodology:** This report provides a review of anti-trans legislation introduced across the United States between January 1, 2023, and July 1, 2023. This report follows both federal and state legislation.

Anti-trans legislation was identified by both searching keyword terms through a legislative tracker (Appendix B) and by utilizing external anti-trans legislative trackers ([Trans Legislation Tracker](#), [Track Trans Legislation](#), and the [ACLU](#)). Once legislation was identified, it was manually sorted into one of the categories covered in the report. Legislation falling within the “Other” category was further reviewed and sorted into subcategories. Legislation that fell within multiple categories was sorted based on the primary target of the legislation. For example, a bill limiting a trans student’s access to single-gender bathroom at school was sorted into the “Bathrooms” category although it impacts both bathroom access and education.

**Limitations:** This report only covers anti-trans legislation introduced in the first half of 2023 (January 1, 2023, to July 1, 2023). It is likely that more anti-trans legislation will be introduced following the publication of this report. However, due to the retrospective nature of this report, we hope that this report will be a tool in strategic policy planning and organizing around trans liberation.

This report does not follow the judicial outcomes of passed anti-trans legislation nor does it cover non-legislative anti-trans attacks. Additionally, because of internal capacity, this guide does not cover legislation that may harm TGE people but does not explicitly target this population.

Any policy recommendations made within this report are made from a reproductive justice perspective. There will undoubtedly be gaps in policy recommendations made here, so SPARK encourages community members and organizations fighting for trans liberation to use the frameworks and tactics that best serve your communities.

## ANTI-TRANS LEGISLATION: HEALTHCARE LEGISLATION

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Of the 558 pieces of anti-trans legislation introduced, 170 (~30%) targeted access to gender-affirming healthcare for TGE people. This makes healthcare bans the most introduced category of anti-trans legislation. Most of these bans were introduced on the state level (~94%).

Gender-affirming care is defined as any medical care used to affirm the gender identity of TGE individuals. For TGE people who desire access to care, gender-affirming care is lifesaving. Gender-affirming care [improves quality of life](#), [decreases suicidality](#), and improves symptoms of [depression](#), [anxiety](#), and other negative mental health outcomes for TGE people. This is particularly true for TGE youth; access to desired gender-affirming care is associated with a [significant decrease](#) in depression and suicidality for TGE youth in both the [short term](#) and [long term](#). Because of this, [every major medical organization](#) in the United States recognizes gender-affirming care as a medical necessity and supports access to age-appropriate care for TGE people. Gender-affirming care is a life-saving medical necessity for many TGE people.

The majority of legislative attacks on access to gender-affirming care seek to limit or completely prohibit care for youth under eighteen.<sup>1</sup> These bans often target physicians who provide gender-affirming care to minors by creating administrative, civil, and criminal penalties for following medical standards of care.<sup>2</sup> Most of the bills targeting access to care for minors include exceptions that explicitly allow for the continuation of [non-consensual surgeries](#) on intersex youth.<sup>3</sup>

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<sup>1</sup> Example: passed in [Florida](#), [Georgia](#).

<sup>2</sup> Example: passed in [Indiana](#).

<sup>3</sup> Example: passed in [Georgia](#).

Some attacks on gender-affirming care for minors targeted parents and guardians of TGE youth as well. In [Florida](#), passed legislation grants state family courts the power to [temporarily set aside](#) another state's custody determination if a minor's parent authorizes gender-affirming medical care. Failed legislation in [Missouri](#) attempted to define "child abuse" to include gender-affirming care, which would have resulted in the imprisonment of parents of TGE youth and the removal of TGE children from their homes.

Bans were also introduced that create [additional barriers](#) to gender-affirming care for youth who have been diagnosed with certain mental health conditions or developmental disabilities, such as Autism, depression, PTSD, or psychotic disorders.<sup>4</sup> These bills often refer to developmental disabilities and mental health conditions as "[causes](#)" for a trans identity, a claim that is scientifically untrue. These bills also feed into ableist beliefs that Autism and other developmental disabilities can and should be "cured," [harming](#) developmentally disabled youth of all gender identities.

Other attacks on gender-affirming care for both minors and adults include creating burdensome written consent requirements for accessing care,<sup>5</sup> requiring in-person physicians to prescribe hormone replacement therapy,<sup>6</sup> prohibiting Medicaid reimbursement for gender-affirming care,<sup>7</sup> prohibiting the use of state funds for gender-affirming care,<sup>8</sup> and creating administrative, criminal, or civil penalties for providers of gender-affirming care for patients up until the age of 26.<sup>9</sup> States have also passed laws banning gender-affirming surgery for TGE people who are incarcerated.<sup>10</sup>

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<sup>4</sup> Example: passed in [Arkansas](#).

<sup>5</sup> Example: passed in [Florida](#).

<sup>6</sup> Example: passed in [Florida](#).

<sup>7</sup> Example: passed in [Missouri](#). Introduced in [Texas](#).

<sup>8</sup> Example: introduced in [Texas](#).

<sup>9</sup> Example: introduced in [Texas](#), [Kansas](#), [South Carolina](#), [Oklahoma](#).

<sup>10</sup> Example: passed in [Missouri](#), [Indiana](#).



## **POLICY RECCOMENDATIONS**

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- **Rescind gender-affirming healthcare bans for TGE minors.** Access to gender-affirming care is medically necessary and often lifesaving. Lawmakers should not be making decisions about the healthcare of TGE youth, especially when age-appropriate gender-affirming care is the standard for every major medical association in the United States.
- **Pass “Sanctuary State” legislation** that protects physicians and families providing TGE youth with access to gender-affirming care in trans-supportive states. This legislation helps protect physicians, TGE people, and families in-state and those who are required to travel from out-of-state for gender-affirming care.
- **Expand Medicaid coverage of gender-affirming procedures.** Federal law does not currently require states to include gender-affirming care under their state Medicaid programs. Because of this, some states have chosen to include gender-affirming care, while others remain silent or expressly prohibit coverage. Expanding Medicaid coverage of gender-affirming care on the state and Federal levels would expand access to care for TGE people, especially low-income and TGE BIPOC.
- **Require private insurance to cover gender-affirming healthcare,** especially for TGE minors. This is necessary to reduce barriers to accessing gender-affirming care.
- **Deschedule testosterone** to further decriminalize gender-affirming care. Testosterone is currently classified as a Schedule III substance under the [Anabolic Steroids Control Act](#). This makes testosterone more difficult to access and creates unnecessary barriers to gender-affirming care. The current scheduling of testosterone also contributes to the criminalization, discrimination, and harassment of TGE people, particularly TGE BIPOC, through Prescription Drug Monitoring Programs. For TGE people who will be forced to access testosterone under non-prescription means due to gender-affirming care bans, the current scheduling of testosterone only increases the risk of criminalization, especially for TGE BIPOC. By descheduling or even rescheduling testosterone, barriers to testosterone replacement therapy will be reduced for TGE people.

# ANTI-TRANS LEGISLATION: EDUCATION LEGISLATION

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Of the 558 pieces of anti-trans legislation introduced, 154 (~28%) targeted education and education institutions. Most anti-trans education legislation was introduced at the state level (~96%). Around 15% of this legislation additionally prohibited TGE youth from using bathrooms, locker rooms, or housing on overnight field trips consistent with their gender identities.<sup>11</sup>

## TLGBQ2S+ LESSON BANS AND BOOK BANS

The majority of anti-trans education legislation limited or prohibited TLGBQ2S+ inclusive classroom discussions.<sup>12</sup> This legislation impacts all age groups, in some instances banning classroom discussions of gender identity and sexual orientation up through grade 12.<sup>13</sup> Legislation often required that TLGBQ2S+ inclusive discussions are “age-appropriate or developmentally appropriate for students.”<sup>14</sup> In some instances, legislation prevents educators and school staff from discussing TLGBQ2S+ topics with students who approach them for support.<sup>15</sup> Legislation was also introduced that creates burdensome parental notification and consent requirements before TLGBQ2S+ inclusive lessons can take place, creating unnecessary work for educators.<sup>16</sup> These requirements make it difficult for educators and school administrators to navigate state law, often resulting in the removal of TLGBQ2S+ inclusive lessons entirely.

Book bans were also introduced that limited or prohibited books containing certain gender, sexual orientation, and sex education topics from being present in classrooms or school libraries.<sup>17</sup> In some instances, this included books that discussed topics of “non-procreative sex.”<sup>18</sup> Like other anti-trans legislation, anti-trans book bans rely on the belief that trans

identity and TLGBQ2S+ topics are inappropriate for children and teens. Not only are book bans the [most prevalent](#) example of censorship in the United States, but they also further isolate TGE and other marginalized students by removing access to the resources and representation provided in many books.

## SEX EDUCATION BANS

Like bans on classroom discussions of gender and sexuality, many pieces of anti-trans education legislation also included bans on certain classroom discussions of sex and comprehensive sex education. These bans commonly prohibited sex education lessons for certain grades<sup>19</sup> or created parental notification requirements for teachers.<sup>20</sup> Some require parents to opt their children into sex education lessons,<sup>21</sup> while many allow parents to remove their children from sex education lessons entirely.<sup>22</sup>

Bans on comprehensive sex education often explicitly prohibit instruction on HIV/AIDS, non-abstinence methods of preventing pregnancy, and information about non-monogamy.<sup>23</sup> They also often require sex education to be explicitly trans exclusionary, teaching that male and female are biological binary opposites and that sex and gender cannot differ from roles assigned at birth.<sup>24</sup> In addition to erasing queer and trans ways of being, these bans [harm](#) all students by withholding the information necessary for young people to make informed choices about their sexualities and relationships.

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<sup>11</sup> Examples: passed in [Kentucky](#), [North Dakota](#). Examples also include eight bills that did not pass into law.

<sup>12</sup> Examples: passed in [Arkansas](#), [Florida](#), [Iowa](#), [Kentucky](#). Examples also include 38 bills that did not pass into law.

<sup>13</sup> Example: introduced in [Texas](#).

<sup>14</sup> Example: passed in [Florida](#).

<sup>15</sup> Examples: introduced in [Georgia](#), [New Mexico](#), [Texas](#).

<sup>16</sup> Example: passed in [Kentucky](#).

<sup>17</sup> Examples: passed in [Florida](#), [Montana](#), [North Dakota](#).

<sup>18</sup> Example: introduced in [Oklahoma](#).

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<sup>19</sup> Example: passed in [Indiana](#).

<sup>20</sup> Example: introduced in [New Jersey](#).

<sup>21</sup> Example: introduced in [Oklahoma](#).

<sup>22</sup> Example: introduced in [Missouri](#).

<sup>23</sup> Example: passed in [Florida](#).

<sup>24</sup> Example: passed in [Florida](#).

## NAME AND PRONOUN BARRIERS

A large portion of the education legislation introduced also required parental consent to use a TGE youth's chosen name and pronouns at school.<sup>25</sup> In some instances, a legal name change order was required in addition to parental consent.<sup>26</sup> Legislation also prohibited schools from mandating that teachers and students use the chosen name and pronouns of TGE students regardless of parental consent.<sup>27</sup>

Requiring parental consent to use a TGE youth's name or pronouns at school only creates unnecessary barriers to potentially lifesaving gender affirmation. [Research](#) shows that respecting a TGE youth's chosen name and pronouns is linked with decreased rates of depression and suicidality. Many TGE youth do not have accepting parents, are not ready to come out to their parents, or may even just want to test out a new name or pronouns at school before using them at home. Requiring a legal name change order can create even more unnecessary monetary barriers, even for youth with affirming parents.

In some instances, legislation extended to educators as well. States introduced legislation prohibiting TGE teachers and school staff from sharing their pronouns or otherwise talking about their gender identity with students.<sup>28</sup> Not only does this harm TGE teachers by requiring them to be misgendered by their students, but it furthers the anti-trans narrative that TGE people and identities are unsafe for youth.

## FORCED OUTING OF TGE YOUTH

Multiple states introduced and passed laws promoting or requiring the forced outing of TGE youth to their parents regardless of potential harmful consequences.<sup>29</sup> Forced outing legislation requires or encourages teachers and school administrators to report to parents that a TGE child is using or asks to use a chosen name, different pronouns, or begins presenting in a way that differs from stereotypical gender norms while at school. In some cases, this legislation does not specifically mention pronouns or a TGE identity but requires parental notification of "changes in mental health,"<sup>30</sup> which will likely include changes in gender identity and expression.

The forced outing of TGE youth is dangerous. In addition to violating a TGE youth's autonomy, outing TGE youth to unsupportive parents could result in mistreatment, neglect, or abuse, including being subjected to [conversion "therapy,"](#) and can increase the [risk of suicide](#) for TGE youth.

The forced outing of TGE youth could also result in an increase in TGE youth homelessness. TGE youth of all genders report [high rates](#) of homelessness and housing instability due to mistreatment related to their TGE identity. Forcibly outing TGE youth to unsupportive parents will only increase the rate at which TGE youth are kicked out of their homes or are forced to leave for their own safety.

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<sup>25</sup> Examples: passed in [Arkansas](#), [Montana](#), [North Dakota](#), [Utah](#). Examples also include 22 bills that did not pass into law.

<sup>26</sup> Example: introduced in [Virginia](#).

<sup>27</sup> Examples: passed in [Arkansas](#), [Florida](#), [Kentucky](#), [Montana](#), [North Dakota](#), [Tennessee](#).

<sup>28</sup> Example: passed in [North Dakota](#); vetoed in [Louisiana](#).

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<sup>29</sup> Examples: passed in [Indiana](#), [Iowa](#), [Kentucky](#), [North Dakota](#), [Utah](#).

<sup>30</sup> Example: introduced in [Ohio](#).

## “CRT” AND DEI BANS

Many TLGBQ2S+ classroom discussion bans also banned discussions of systemic racism, oppression, privilege, implicit bias, and truthful histories of Black people, Indigenous peoples, and people of color in the United States.<sup>31</sup>

These classroom discussions are commonly misidentified in legislation as “critical race theory.”<sup>32</sup> “CRT” bans seek to ban truthful teachings and discussions of the United States’ racist policies and legacies.

Many “CRT” bans either completely prohibited<sup>33</sup> lessons on topics of systemic racism and oppression or created parental consent requirements making it significantly more difficult for educators to teach about these topics.<sup>34</sup> In some instances, these bans extended to college and university as well, prohibiting state-funded higher education institutions from requiring general education classes that teach about topics of oppression, systemic racism, and privilege.<sup>35</sup>

Legislation was also introduced that prohibited or restricted diversity, equity, and inclusion (“DEI”) trainings at higher education institutions. These bans often prohibited the use of state funds for hiring DEI officers and holding mandatory TLGBQ2S+ inclusive DEI trainings.<sup>36</sup> Like “CRT” bans, DEI bans prohibit policies and practices that promote the equitable treatment of marginalized students and faculty.

## POLICY RECOMMENDATIONS

- **Create gender affirming policies for TGE students.** TGE youth deserve to feel safe and affirmed while at school. To create an educational environment that allows for TGE to thrive, TGE youth must be respected. This includes allowing TGE youth to use their chosen names and pronouns with minimal barriers and to use single-gender facilities that align with their gender identity.

<sup>31</sup> Example: passed in [Florida](#); introduced in [Illinois](#), [Missouri](#), [Oklahoma](#).

<sup>32</sup> Example: referred to as “critical theory” in [Mississippi](#) and “critical race theory” in [Oklahoma](#).

<sup>33</sup> Example: introduced in [Missouri](#).

<sup>34</sup> Example: introduced in [Mississippi](#).

<sup>35</sup> Example: passed in [Florida](#).

<sup>36</sup> Examples: passed in [Florida](#), [Texas](#), [Utah](#).

- **Reverse bans on topics of gender, sexuality, racism, and oppression.** Bills seeking to ban discussions and teachings of gender identity and sexual orientation often mirror or even include bills that target discussions and teachings about systemic racism and the histories of Black and Indigenous people in the United States. In the interest of abolishing anti-Blackness and uplifting trans liberation, we must recognize that the fight against transphobia and homophobia is intricately linked with and cannot be separated from the anti-racist fight against white supremacy, anti-Blackness, and settler colonialism. All legislation that attempts to censor and whitewash discussions of history, race, racism, gender identity, and sexual orientation within school classrooms must be reversed.
- **Require comprehensive sex education in schools.** Providing everyone with the tools to make informed decisions around sexuality, pleasure, and reproduction is necessary in the expansive project of Reproductive Justice. This means providing information that is accurate, relevant, and comprehensive, and creating meaningful access to sexual education that centers marginalized groups and celebrates rather than shames sexuality. Students should be provided comprehensive, secular, trauma-informed, BIPOC inclusive, disability inclusive, and TLGBQ2S+ inclusive sexual education.
- **Reverse book bans.** The [majority](#) of book bans target stories by and about BIPOC and TLGBQ2S+ people. These censorship laws limit youth access to diverse views, stories, and experiences. When books about trans people are banned from schools, all students suffer.

# ANTI-TRANS LEGISLATION: DRAG LEGISLATION

Of the 558 pieces of anti-trans legislation introduced, 46 (~8%) targeted drag performers and venues hosting drag performances. All drag legislation introduced was at the state level.

Most drag bans introduced define drag as “adult oriented,” “adult cabaret,” “sexually oriented,” or otherwise sexually explicit and create penalties for drag performances held on public property or where minors are present.<sup>37</sup> These penalties include fines,<sup>38</sup> civil causes of action<sup>39</sup>, and even criminal charges<sup>40</sup> for drag performers and venues hosting drag performances. Often, these bills included provisions specifically banning Drag Story Hour from public libraries or other public spaces.<sup>41</sup>

Legislation was also introduced that regulates when drag shows can be held,<sup>42</sup> creates onerous permit<sup>43</sup> and notice<sup>44</sup> requirements for drag performances, prohibits minors from performing in drag shows,<sup>45</sup> and defines venues that host drag shows as “sexually oriented businesses” requiring increased regulation.<sup>46</sup>

Some bills were even more extreme. A bill vetoed in Arizona sought to define drag performances in front of minors as a “dangerous crime against children,” potentially carrying a charge of 10 years in prison and registration as a sex offender. Other legislation sought to change state definitions of child abuse and neglect to punish parents who allow their children to attend drag performances.

Many of these bills were vague or overbroad, banning performers who “adopt[] a flamboyant or parodic feminine [or male] persona with glamorous or exaggerated costumes and makeup.”<sup>47</sup> These bans raise clear First Amendment concerns by limiting the ability of

performers and TGE people to freely express themselves through music, dance, and fashion. Tennessee’s drag ban, ruled unconstitutional by a Federal judge for restricting free speech, simply banned “male or female impersonators” from public appearance. This definition of drag is particularly dangerous for TGE people, as it has the potential to ban TGE people from public life altogether.

Drag bans negatively impact the entire TLGBQ2S+ community. Pride celebrations and drag performances have been forced to cancel or cancel events for the safety of performers. This legislation is not only an attack on drag performers, but an attack on all communal celebrations of queerness and gender nonconformity.

## THE ANTI-BLACKNESS OF DRAG BANS

Attacks on drag performers are attacks on Black TGE communities. Drag as an art and celebration of gender expression in the United States is intrinsically linked with Black queer and trans communities. Drag balls originated in Harlem in the 1860’s, where Black gender expansive and gender transgressive people came together to perform and celebrate variant gender expressions. William Dorsey Swann, who often hosted elegant drag balls, was the first known person to adopt the title of “queen of drag.” During this time, celebrations of transgressive gender expression and drag balls were often met with police raids and imprisonment. Swann was jailed multiple times for hosting balls and is even reported to have clashed with police during a raid, making this one of the first known instances in the United States of violent resistance on behalf of gender expansive and TLGBQ2S+ communities.

Black drag performers have continued throughout history to be at the forefront of TLGBQ2S+ liberation movements. Drag queen Marsha P. Johnson and drag king Stormé DeLarverie were some of the most influential activists of the Stonewall Uprising. To this day, Black drag performers, many of whom are TGE, still continue to fight for the liberation of all TLGBQ2S+ communities.

<sup>37</sup> Examples: passed in Arkansas, Tennessee, Texas, Montana.

<sup>38</sup> Example: passed in Texas.

<sup>39</sup> Example: passed in Montana.

<sup>40</sup> Example: passed in Tennessee.

<sup>41</sup> Example: passed in Montana.

<sup>42</sup> Example: introduced in Arizona.

<sup>43</sup> Example: introduced in Tennessee.

<sup>44</sup> Example: introduced in Utah.

<sup>45</sup> Example: introduced in West Virginia.

<sup>46</sup> Example: introduced in Texas.

<sup>47</sup> Example: passed in Montana.

## POLICY RECOMMENDATIONS

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- **Reverse drag bans.** Any drag bans currently in place must be reversed. Drag bans harm drag performers, TGE people, and anyone with variant gender expressions. The celebration of gender nonconformity through drag performance should not be censored or threatened with criminal punishment.
- **Create policies that protect drag performers and all forms of public gender expression.** Laws that punish and criminalize drag performers and venues are dangerous. They infringe on our First Amendment rights and target gender variance in all forms. The safety of trans people and gender nonconforming people of all genders is necessary for any true TGE liberation.

# ANTI-TRANS LEGISLATION: BATHROOM LEGISLATION

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Of the 558 pieces of anti-trans legislation introduced, 29 (~5%) targeted access to bathrooms and other single-gendered public facilities such as changing rooms for TGE people. This number does not include education centered legislation containing additional bathroom restrictions. All bathroom legislation was introduced at the state level.

Most anti-trans bathroom legislation required TGE students at public schools to use single-gender facilities associated with their sex assigned at birth.<sup>48</sup> In many cases, this requirement extended to single-gender housing provided on overnight field trips.<sup>49</sup> Anti-trans bathroom legislation was not exclusive to elementary and secondary schools, in some instances extending to public colleges and universities.<sup>50</sup> Some legislation also created a civil cause of action against a school district for any cisgender student who encounters a TGE student in the “incorrect” bathroom.<sup>51</sup>

Anti-trans bathroom legislation also weaponized criminal law against TGE people. [Florida’s](#) anti-trans bathroom law prohibits all TGE people from using single-gender public facilities consistent with their gender identity. Under the law, if a TGE person refuses to leave the public facility when asked by a cisgender person, they can be charged with criminal trespassing. [Arkansas’s](#) bathroom ban uses sexual indecency laws to prohibit TGE people from using single-gender facilities at the same time as a minor. This law will not only further remove TGE people from public life by eliminating access to restrooms, but also furthers the anti-trans narrative that TGE people are a physical threat to minors.

Introduced legislation often used arbitrary and inconsistent guidelines to determine a TGE person’s sex. Methods of determining sex varied by state, including internal or external reproductive anatomy,<sup>52</sup> reproductive

capabilities,<sup>53</sup> chromosomes,<sup>54</sup> or the gender marker on an original birth certificate.<sup>55</sup> All of these methods harm both TGE and intersex people by creating and enforcing legal definitions based on characteristics that are not determinative of sex.

## HISTORY OF ANTI-TRANS BATHROOM BANS

Bathroom bans, although they may seem minor, represent a much larger attempt to remove TGE people from the public sphere. Without access to public bathrooms, TGE people are unable to fully participate in public life.

The current wave of anti-trans bathroom bans began in 2014 in [Houston](#) after the overturning of a bill expanding discrimination protections for TLGBQ2S+ people in employment, housing, and public accommodations. Critics of the law argued that such protections would allow men to enter women’s bathrooms with the purpose of assaulting women and children, despite the lack of evidence backing this claim. Following the nationwide legalization of same-sex marriage in 2015, “bathroom bills” became the major focus of anti-TLGBQ2S+ attacks, with [North Carolina](#) becoming the first state to ban TGE youth from using gender consistent bathrooms in 2016.

Bans on bathroom access are not unique to anti-trans movements. Since the emergence of public bathrooms in the 19th century, bathroom access has been at the center of political disputes. Informed by White supremacy and anti-Blackness, White (cis) women in the Jim Crow South were positioned as victims of the “threat” of integrated bathrooms. At the time, anti-Black racism taught that the integration of public facilities meant that Black men, by proxy of Black women, would have sexual access to White women. Since then, access to public bathrooms has remained at the center of public safety fearmongering that frames the most vulnerable populations (Black women, gay men,

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<sup>48</sup> Examples: passed in [Arkansas](#), [Idaho](#), [Iowa](#), [North Dakota](#).

Examples also include 11 bills that did not pass into law.

<sup>49</sup> Examples: passed in [Arkansas](#), [Idaho](#), [Iowa](#), [Kansas](#).

<sup>50</sup> Example: passed in [North Dakota](#).

<sup>51</sup> Examples: passed in [Arkansas](#), [Idaho](#), [Iowa](#).

<sup>52</sup> Examples: passed in [Idaho](#), [Kansas](#), [North Dakota](#).

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<sup>53</sup> Example: passed in [Florida](#).

<sup>54</sup> Example: passed in [Idaho](#).

<sup>55</sup> Example: passed in [Oklahoma](#).

trans women) as threats to White (cisgender) women and children.

We know that trans women and girls are not a threat to cisgender women and girls. There is [no evidence](#) that prohibiting TGE people from using gender consistent bathrooms prevents sexual assault. In fact, TGE teens face [greater rates](#) of sexual assault when prevented from using bathrooms and locker rooms consistent with their gender identity at school. [Research](#) has also shown that anti-trans bathroom legislation and exclusionary bathroom policies contribute to poor mental health outcomes for TGE youth.

Exclusionary bathroom restrictions only contribute to the marginalization of TGE people. It is important to challenge the belief that cis (White) women are threatened by the very existence of marginalized people when challenging anti-trans bathroom bills.

## **POLICY RECCOMENDATIONS**

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- **Reverse bathroom bans and create proactive legal protections for TGE people.** TGE people should not face criminalization or discrimination when attempting to use the bathroom. This is especially true for TGE young people attempting to use gender consistent bathrooms at school. Bathroom bans must be reversed, and legislation must be passed that creates legal protections for TGE people that are just trying to use the bathroom consistent with their gender identity or expression.
- **Enact policies that create more gender inclusive and gender-neutral bathrooms in public spaces.** Although the implementation of gender-neutral bathrooms will not ensure full and equal participation in public life for TGE people, it can be an important short-term solution that offers TGE people of all genders safer alternatives to single-gender bathrooms.



## ANTI-TRANS LEGISLATION: SPORTS LEGISLATION

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Of the 558 pieces of anti-trans legislation introduced, 66 targeted TGE participation in sports (~12%). Most legislation was introduced at the state level (97%). Ten pieces of sports legislation were introduced in Missouri, making it the state with the most sports bans introduced (~15%). In this report, “sports legislation” includes all legislation that prohibits TGE people from participating in gendered sports leagues consistent with their gender identities or otherwise requires TGE athletes to play on gendered sports leagues based on their sex assigned at birth.

The majority of anti-trans sports legislation specifically prohibited trans girls and transfeminine-spectrum students from playing on girls sports teams.<sup>56</sup> Additional legislation introduced prohibited all TGE students from playing on teams that do not correspond with the student’s sex assigned at birth.<sup>57</sup> The legislation introduced impacts students in elementary school through students in college and university.<sup>58</sup>

Anti-trans sports legislation used multiple different approaches to banning TGE students from gender-consistent sports teams. Often, this legislation created private causes of action by the parents of cis students against a school allowing trans girls to play on a girls team.<sup>59</sup> Some legislation also created legal protections for schools that ban TGE students from playing on gender-consistent sports teams by prohibiting action against the school.<sup>60</sup> In some cases, legislation required that parents provide a student’s birth certificate when enrolling in school sports<sup>61</sup> and, in extreme cases, required that students accused of being TGE undergo physical examinations to “confirm” their sex assigned at birth.<sup>62</sup>

TGE sports bans are rooted in the [transmisogynistic belief](#) that trans girls have an unfair biological advantage in girls’ sports, therefore causing harm to cisgender girls. This rhetoric often relies on the argument that testosterone provides trans girls with inherent strength and athletic ability, an assumption that is [scientifically untrue](#). While there is [no meaningful evidence](#) that transfeminine participation in sports materially harms cisgender athletes, there is evidence that excluding TGE youth from affirming spaces, including sports teams, contributes to [higher rates](#) of poor mental health and suicidality.

Anti-trans sports bans subject already vulnerable children to heightened levels of scrutiny by their schools, peers, and the parents of their peers. Rooted in trans-misogyny, transphobia, sexism, and anti-Blackness, these bans further the narrative that trans girls and transfeminine children are a threat to the cisgender girls around them. When the state or athletic governing bodies are given the ability to decide who is sufficiently female and who is not, Black women are the [overwhelming targets](#) of gendered scrutiny. These attacks on Black women and girls reflect the long history of [misogynoir](#) in the United States that deems Black women and girls to be “too masculine” compared to White women and girls. These bans not only hurt transfeminine youth, but all children and teens that do not perform gender in a way that is mandated under the law’s anti-trans White supremacist standards.

### POLICY RECOMMENDATIONS

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- **Pass TGE-inclusive sports participation legislation that allows TGE athletes, especially trans girls, to play on teams consistent with their gender identities.** These policies should not require proof of surgery, puberty blockers, or hormone replacement therapy to participate in the appropriate sports league, as this only creates unnecessary and harmful barriers to full athletic participation for TGE youth.

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<sup>56</sup> Examples: passed in [Kansas](#), [Kentucky](#), [North Dakota](#), [North Dakota](#). 34 additional bills were introduced but did not pass into law.

<sup>57</sup> Examples: passed in [Alabama](#), [Missouri](#), [Tennessee](#). 12 additional bills were introduced but did not pass into law.

<sup>58</sup> Example: passed in [Alabama](#).

<sup>59</sup> Example: passed in [Kansas](#).

<sup>60</sup> Example: passed in [Wyoming](#).

<sup>61</sup> Example: passed in [Utah](#).

<sup>62</sup> Example: introduced in [Hawaii](#).

- **Create policies that require coaches and athletic staff to undergo TGE-inclusive trainings** about how to navigate existing anti-trans policies and how to ensure TGE-inclusive athletic environments. Many coaches, athletic staff, and even school administrators are unaware of how anti-trans sports bans impact their teams and schools. The creation of comprehensive trainings would allow for staff to understand how the sports bans in their states operate, how to navigate these bans, how anti-trans sports bans harm youth, and how to create TGE-inclusive athletic environments.
- **Pass legislation that prohibits discrimination based on gender identity and sexual orientation in schools, including school sports teams.** Anti-trans legislation often seeks to exclude TGE sports bans from state definitions of discrimination. This should be countered with legislation that clearly prohibits discrimination on the basis of gender identity and sexual orientation in public schools, including in school athletics, in line with the ruling in [\*Bostock v. Clayton County\*](#) and its [applicability](#) to Title IX protections.

## OTHER ANTI-TRANS LEGISLATION

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Of the 558 pieces of anti-trans legislation introduced, 92 (~16%) were categorized as “Other.” This legislation, while not falling into one of the main categories of anti-trans legislation, is still just as harmful to TGE people across the United States. Below are some of the most prevalent subcategories of this legislation.

### LEGAL DEFINITIONS OF SEX AND GENDER

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24 pieces of legislation created legal definitions of sex and gender that harm TGE people, intersex people, and anyone who does not fall into strict binary stereotypes of male and female.

Most of this legislation defined sex, gender, male, female, and other gendered terms to erase TGE and intersex people. “Sex” was usually defined to mean sex assigned at birth,<sup>63</sup> while gender, if defined at all, was generally defined to be interchangeable with sex assigned at birth.<sup>64</sup> Male, man, and father were usually defined to be interchangeable and based on a reproductive system that produces sperm, while female, woman, and mother were defined to be interchangeable and based on a reproductive system that produces ova.<sup>65</sup> In some instances, chromosomes were used to legally define sex.<sup>66</sup>

### POLICY RECOMMENDATIONS

- **Expand legal definitions of sex and gender to include TGE people.** When legal definitions create rigid sex and gender binaries, TGE and intersex people are erased from the law entirely. Any legislation introduced that attempts to define sexed and gendered terms should be TGE-inclusive and should not rely on a person’s reproductive capabilities, chromosomes, or anatomy.

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<sup>63</sup> Examples: passed in [Kansas](#), [Tennessee](#). Introduced in [New Hampshire](#), [South Carolina](#).

<sup>64</sup> Examples: passed in [North Dakota](#).

<sup>65</sup> Examples: passed in [Kansas](#), [North Dakota](#).

<sup>66</sup> Example: introduced in [Oklahoma](#).

### IDENTITY DOCUMENTS

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16 pieces of anti-trans legislation targeted access to identity documents (IDs) such as driver’s license and birth certificates for TGE people.

For many TGE people, access to accurate IDs can be life changing. IDs are necessary when seeking a new job, finding housing, opening a bank account, accessing public benefits, enrolling in school, and traveling. For TGE people, presenting an ID with inaccurate or inconsistent information can lead to [discrimination](#) and, in some cases, even [harassment and violence](#).

Anti-trans legislation surrounding IDs often prohibit changing gender markers on birth certificates for TGE people<sup>67</sup> or requires birth certificates to list sex assigned at birth.<sup>68</sup> Legislation also often seeks to prohibit the use of gender neutral makers on state-issued IDs<sup>69</sup> or require proof of medical transition to change a gender marker.<sup>70</sup> These barriers to accessing accurate and consistent IDs put TGE people in danger and contribute to issues of homelessness, poverty, and unemployment.

### POLICY RECOMMENDATIONS

- **Pass legislation that allows for TGE people to self-select their gender on all identity documents and government records.** In [some states](#), TGE people are required to provide a letter from a doctor certifying they have undergone medical transition or have been diagnosed with gender dysphoria to change their gender marker on a state ID. Allowing TGE people to self-select their gender markers on IDs and records without proof of medical intervention removes some of these unnecessary and harmful barriers. This should include access to an “X” or other gender-neutral marker.

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<sup>67</sup> Examples: passed in [North Dakota](#), [Utah](#). Introduced in [Hawaii](#), [Indiana](#), [Indiana](#), [Missouri](#), [South Carolina](#), [Texas](#).

<sup>68</sup> Example: passed in [North Dakota](#). Introduced in [Texas](#).

<sup>69</sup> Examples: introduced in [Connecticut](#), [Kentucky](#), [Rhode Island](#), [West Virginia](#).

<sup>70</sup> Examples: passed in [Utah](#). Introduced in [South Carolina](#).

- **Increase access to passports as a form of identification.** There is no requirement of medical intervention to change a gender marker on a US passport. Passports also allow for “X” gender markers. Strategies should be developed to remove barriers to passport access for TGE people.
- **Begin the conversation around removing gender makers from birth certificates and other identity documents.** Even with consistent and accurate gender markers on IDs, requiring TGE people to disclose their gender every time they present their ID still puts people at risk of discrimination and harm. Government entities and institutions should evaluate whether there is a legitimate need for gender markers on IDs. If there is no legitimate need, these markers should be removed entirely.

## DISCRIMINATION PROTECTION ROLLBACKS

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14 pieces of anti-trans legislation targeted existing discrimination protections for TGE people.

Most of this legislation excluded protection based on gender identity or expression from state civil rights laws.<sup>71</sup> Other legislation created exemptions that permit discrimination against TLGBQ2S+ people based on religious beliefs.<sup>72</sup> Some states also introduced legislation that, if passed, would ban same-sex marriage under state law.<sup>73</sup>

This legislation is strategic. Although TGE people are currently protected from workplace discrimination under *Bostock v. Clayton County (2020)* and same-sex marriage is currently protected under *Obergefell v. Hodges (2015)*, if the Supreme Court were to overturn these cases, these discriminatory laws would immediately go into effect.

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<sup>71</sup> Examples: passed in [Montana](#). Introduced in [Arizona](#), [Oklahoma](#).

<sup>72</sup> Examples: passed in [Arkansas](#). Introduced in [Iowa](#), [Michigan](#), [South Carolina](#).

<sup>73</sup> Introduced in [Iowa](#), [South Carolina](#).

## POLICY RECOMMENDATIONS

- **Expand civil rights laws to clearly prohibit gender identity and expression discrimination.** As part of the fight against anti-trans legislation, discrimination laws must protect TGE people in all areas of life. As the Supreme Court continues to overturn previous case law, we know that judicial precedent cannot be the only legal protection for TGE people.

## INCARCERATION

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8 pieces of anti-trans legislation required trans women and, often other TGE people, who are incarcerated to be housed according to their sex assigned at birth.<sup>74</sup>

This legislation is dangerous. Black and Indigenous trans women, already experience high rates of harassment, discrimination, and assault while incarcerated. Requiring trans women to be housed in men’s facilities creates additional safety risks.

## POLICY RECOMMENDATIONS

- **Create short-term changes to protect TGE people who are incarcerated.** This should include eliminating solitary confinement, ending prisoner strip searches, providing incarcerated people with access to safer sex options, creating clear guidelines for allowing TGE incarcerated people to access gender-affirming care, and establishing safer housing options for TGE people.
- **Implement policy reforms to reduce incarceration with the goal of total abolition.** Criminalization hurts marginalized people the most. For true TGE liberation, the prison industrial complex must be abolished. Community-based transformative justice practices should be utilized to prevent harm and violence before it occurs.

Follow [Black & Pink National](#) for more information about abolishing the criminal punishment system and liberating TLGBQ2S+ people and people living with HIV/AIDS.

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<sup>74</sup> Examples: passed in [Kansas](#). Introduced in [Indiana](#), [Texas](#), [Washington](#), [US HB1490](#), [US SB752](#).

## CONCLUSION

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As anti-trans legislation and political sentiments continue to advance at alarming rates across the United States, advocates and organizations must create liberatory strategies to combat anti-trans legislative attacks. Although we know that legislative action alone will not and cannot lead to the liberation of trans and gender expansive people, it is an impactful way to change material conditions for our TGE communities when combined with community organizing and power building.

SPARK hopes that this report will provide helpful information about trends in anti-trans legislation in the United States that assists advocacy organizations and community members in strategic policy planning towards a future of trans liberation.

## APPENDIX A: GLOSSARY OF TERMINOLOGY

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**Bill** - draft of a proposed law presented to the legislature for consideration. A bill does not become law until it is passed by the legislature and, in most cases, approved by the executive (the Governor for state legislation and the President for federal legislation).

**Cisgender** - the opposite of trans; describes a person with a gender identity that corresponds with the sex they were assigned at birth.

**Drag** - an artform that subverts and transgresses gender norms through exaggerated and theatrical expression and performance. For many, drag is a way to celebrate queerness and transness, and can even be a way to affirm and explore queer and trans identities.

**Trans(gender)** - an umbrella term used to describe people with a gender identity that differs from the sex they were assigned at birth.

**Gender expansive** - an umbrella term that describes people with gender expressions and identities that differ from cis-normative societal expectations.

**Gender-affirming care** - any medical care used to affirm the gender identity of TGE people; can include hormone replacement therapy, puberty blockers, surgeries, and non-surgical procedures.

**Trans and Gender Expansive (TGE)** - an umbrella term used in this guide to discuss the impact that anti-trans legislation has on people with expansive and transgressive gender identities and expressions.

**TLGBQ2S+** - Trans, Lesbian, Gay, Bisexual, Queer, Two-Spirit, and more. In this report, the “T” is placed at the beginning of the acronym to center TGE people and to begin a dialogue of what meaningful inclusion of TGE people within our communities really looks like.

**Transmisogyny** - a term to describe the intersection of transphobia and misogyny experienced by trans women and transfeminine people. Coined by Julia Serano. More information can be found [here](#).

**Reproductive Justice (RJ)** - a reproductive framework created by Black women and rooted in the belief that people should have the power and resources to make liberatory decisions about their bodies, genders, sexualities, lives, families, and communities. RJ applies an intersectional analysis to social issues by recognizing the full context of a person’s life and social conditions. The RJ framework centers the voices and experiences of marginalized individuals and communities.

## APPENDIX B: KEYWORD SEARCH

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Legislation was searched the using following keywords:

- Bathroom(s)
- Biological Sex
- Birth Certificate(s)
- Changing Facilities
- Conversion therapy
- Female
- Gender
- Gender dysphoria
- Gender identity
- Male
- Opposite sex
- Pronouns
- Restroom(s)
- Sex
- Sex reassignment
- Sexual orientation
- Transgender
- Transvestite

## APPENDIX C: LEGISLATION NUMBERS BY STATE

State	Number of Bills Introduced
Alabama	6
Alaska	4
Arizona	12
Arkansas	9
California	1
Colorado	2
Connecticut	5
Florida	17
Georgia	5
Hawaii	6
Idaho	6
Illinois	5
Indiana	17
Iowa	22
Kansas	18
Kentucky	13
Louisiana	3
Maine	2
Maryland	1
Massachusetts	1
Michigan	8
Minnesota	11
Mississippi	26
Missouri	42
Montana	10
Nebraska	5
Nevada	2
New Hampshire	4
New Jersey	8
New Mexico	4
New York	2
North Carolina	10
North Dakota	17
Ohio	6
Oklahoma	39
Oregon	10
Pennsylvania	3
Rhode Island	5
South Carolina	24
South Dakota	5
Tennessee	22
Texas	64
Utah	10
Vermont	1



State	Number of Bills Introduced
Virginia	11
Washington	3
West Virginia	15
Wisconsin	1
Wyoming	8

## APPENDIX D: HEALTHCARE LEGISLATION

State/Federal	Number of Bills Introduced
Federal Legislation	10
Arizona	1
Arkansas	1
Florida	5
Georgia	3
Hawaii	1
Idaho	1
Illinois	1
Indiana	8
Iowa	4
Kansas	4
Kentucky	3
Louisiana	1
Michigan	3
Minnesota	3
Mississippi	13
Missouri	13
Montana	2
Nebraska	2
New Hampshire	2
New Jersey	1
New Mexico	1
North Carolina	5
North Dakota	3
Ohio	1
Oklahoma	16
Oregon	3
Pennsylvania	1
Rhode Island	1
South Carolina	5
South Dakota	1
Tennessee	8
Texas	26
Utah	2
Virginia	4
Washington	1
West Virginia	6
Wisconsin	1
Wyoming	3

## APPENDIX E: EDUCATION LEGISLATION

State/Federal	Number of Bills Introduced
Federal Legislation	6
Alabama	2
Alaska	2
Arizona	4
Arkansas	4
California	1
Connecticut	1
Florida	5
Georgia	1
Hawaii	2
Idaho	1
Illinois	2
Indiana	4
Iowa	7
Kansas	3
Kentucky	6
Louisiana	2
Maine	1
Massachusetts	1
Minnesota	2
Mississippi	8
Missouri	9
Montana	6
New Hampshire	1
New Jersey	5
New Mexico	1
North Carolina	1
North Dakota	5
Ohio	3
Oklahoma	12
Oregon	2
Pennsylvania	1
Rhode Island	1
South Carolina	9
Tennessee	6
Texas	14
Utah	4
Virginia	3
Washington	1
West Virginia	4
Wyoming	1

## APPENDIX F: DRAG LEGISLATION

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State/Federal	Number of Bills Introduced
Arizona	4
Arkansas	1
Florida	2
Idaho	1
Iowa	1
Kansas	2
Kentucky	1
Minnesota	2
Missouri	5
Montana	1
Nebraska	1
North Carolina	1
North Dakota	1
Oklahoma	2
South Carolina	2
South Dakota	2
Tennessee	4
Texas	8
Utah	1
West Virginia	4

## APPENDIX G: BATHROOM LEGISLATION

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State/Federal	Number of Bills Introduced
Arizona	1
Arkansas	2
Connecticut	1
Florida	2
Georgia	1
Idaho	3
Illinois	1
Indiana	1
Iowa	3
Kansas	1
Kentucky	1
Michigan	2
Minnesota	1
North Dakota	1
Ohio	1
Oklahoma	1
Oregon	2
Rhode Island	1
Texas	4

## APPENDIX H: SPORTS LEGISLATION

State/Federal	Number of Bills Introduced
Federal Legislation	3
Alabama	2
Alaska	2
Colorado	1
Connecticut	2
Hawaii	2
Illinois	1
Kansas	1
Kentucky	1
Maine	1
Maryland	1
Michigan	1
Minnesota	3
Missouri	10
Nebraska	1
Nevada	1
New Jersey	2
New Mexico	2
New York	2
North Carolina	3
North Dakota	2
Ohio	1
Oklahoma	1
Oregon	3
Pennsylvania	1
Rhode Island	1
Tennessee	2
Texas	4
Utah	2
Vermont	1
Virginia	4
Wyoming	2

## APPENDIX I: OTHER LEGISLATION

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State/Federal	Number of Bills Introduced
Federal Legislation	8
Alabama	2
Arizona	2
Arkansas	1
Colorado	1
Connecticut	1
Florida	3
Hawaii	1
Indiana	4
Iowa	7
Kansas	7
Kentucky	1
Michigan	2
Mississippi	5
Missouri	5
Montana	1
Nebraska	1
Nevada	1
New Hampshire	1
North Dakota	5
Oklahoma	7
Rhode Island	1
South Carolina	8
South Dakota	2
Tennessee	2
Texas	8
Utah	1
Washington	1
West Virginia	1
Wyoming	2