



Legislation Text

File #: 78333, **Version:** 2

Fiscal Note

No fiscal impact.

Title

SUBSTITUTE: Declaring the city of Madison to be a sanctuary for trans and nonbinary individuals

Body

WHEREAS, in the last few years, states have advanced a record number of bills that ~~attach~~ attack LGBTQ+ rights, especially transgender youth; and,

WHEREAS, So far in this year's legislative session, state lawmakers across the country have introduced 556 bills in 49 states (83 passed, 369 active, 104 failed), which restrict fundamentals like health care, education and the freedom of expression for LGBTQ+ people, according to analysis from the American Civil Liberties Union (ACLU); and,

WHEREAS, most bills have advanced to committee and nearly two dozen have passed into law; and,

WHEREAS, that overall tally is up from last year, according to the Human Rights Campaign, when 315 bills were introduced; and,

WHEREAS, The American Civil Liberties Union (ACLU) has tracked legislation which takes many forms, including:

- Bills that attempt to limit the ability to update gender information on IDs and records, such as birth certificates and driver's licenses.
- Bills that attempt to undermine and weaken nondiscrimination laws by allowing employers, businesses, and hospitals to turn away LGBTQ+ people or refuse them equal treatment.
- Bills that restrict how and when LGBTQ+ people can be themselves, limiting access to books about them and trying to ban or censor performances like drag shows.
- Bills that target access to medically-necessary health care for transgender people; ban affirming care for trans youth; create criminal penalties for providing this care; and bills that block funding to medical centers that offer gender-affirming care, or block insurance coverage of health care for transgender people.
- Public accommodations bills seek to prohibit transgender people from using facilities like public bathrooms and locker rooms.
- Bills that prevent trans students from participating in school activities like sports, force teachers to out students, and censor any in-school discussions of LGBTQ+ people and issues.

WHEREAS, trans Americans are four times more likely to be victims of violent crime than their cisgender peers, according to a 2021 study; and,

WHEREAS, trans youth, who have been the primary focus of anti-trans legislation this year, are experiencing a mental health crisis: A 2022 survey by the Trevor Project, a suicide prevention group focused on LGBTQ+ youth, found that 86 percent of trans or nonbinary youth reported negative effects on their mental health stemming from the political debate around trans issues, and nearly half had seriously considered suicide in the past year; and,

WHEREAS, in this hostile environment, some cities and counties across the country are taking steps to support and protect trans and nonbinary individuals; and,

WHEREAS, Kansas City, Missouri, recently approved measures indicating the city will not prosecute or fine any person or organization that seeks, provides, receives or helps someone to receive gender-affirming care such as puberty blockers, hormones or surgery. The resolution also says that if the state passes a law or resolution that imposes criminal or civil punishments, fines or professional sanctions in such cases, personnel in the city will make enforcing those requirements "their lowest priority"; and,

WHEREAS, in Texas, the City of Austin declared last year that it should be considered a sanctuary for transgender youth and their families, and Harris County, home to Houston, declared it would not pursue cases against parents over gender-affirming care; and,

WHEREAS, California, Minnesota and Washington have declared themselves sanctuary states for gender-affirming care, as have the cities of Chicago, Minneapolis and West Hollywood; and,

WHEREAS, the City of Madison values its transgender and nonbinary residents and vigorously opposes measures that would allow legal violence toward trans people in accessing gender-affirming care or expression expressing a gender differing from that assigned at birth;

NOW, THEREFORE, BE IT RESOLVED that the Madison Mayor and Common Council firmly state their commitment to protecting transgender and nonbinary individuals, and believes that access to health care is a fundamental right and all people in Madison and the State of Wisconsin should have access to all health care, including gender affirming care.

BE IT FURTHER RESOLVED that, if the State of Wisconsin passes a law that imposes criminal or civil punishments, fines, or professional sanctions on any person or organization that seeks, provides, receives or helps someone to receive gender-affirming care such as puberty blockers, hormones or surgery, the Madison Common Council urges the Chief of the Madison Police Department to make enforcement their lowest priority.

BE IT FURTHER RESOLVED that Madison be considered a safe place, a sanctuary, for transgender children and adults and their families.

BE IT FINALLY RESOLVED that a copy of this resolution be sent to Governor Tony Evers, U.S. Representative Mark Pocan, and U.S. Senators Tammy Baldwin and Ron Johnson.

Sources

[<https://www.aclu.org/legislative-attacks-on-lgbtq-rights>](https://www.aclu.org/legislative-attacks-on-lgbtq-rights)
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