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## Illinois state reps divided over trans issues

by Carrie Maxwell, *Windy City Times*

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While Illinois has been embroiled in budget battles and who should control Chicago Public Schools, two bills were introduced in the Illinois House of Representatives aimed specifically at the transgender community.

State Rep. Greg Harris introduced HB 6073, which would amend the Illinois Vital Records Act to be consistent with other Illinois and federal processes for changing one's sex marker on their Illinois birth certificates. At present, the law requires a person to have proof from a physician that they've had an "operation" before the documents can be updated to reflect one's gender identity.

The bill currently has seven co-sponsors—state Reps. Kelly Cassidy, Will Guzardi, Cynthia Soto, Le Shawn K. Ford, Silvana Tabares, Emanuel Chris Welch and Ann M. Williams.

Illinois has been ahead of the curve in protecting transgender rights, including being one of the first states to ban discrimination on the basis of gender identity and the first state, in 1962, to give transgender individuals a way to change their sex designation on their birth certificate.

In 2007, a version of this bill was introduced by state Rep. Sara Feigenholtz—HB 1732. During the floor debate, a number of GOP state representatives mocked transgender people and the bill subsequently failed to get the votes needed for passage after its third reading.

"As there have been many advances in medical treatment and health care in this and many other areas in the last 50 years, we need to update our statutes to reflect the most current standards of medical practice," said Harris. "That's what this bill does, as well as making Illinois law conform to similar requirements in Federal statutes relating to passports, social security cards and the laws of 11 other states that have modernized their requirements."

"We're hopeful that this year Illinois will modernize our Vital Records Act with this bill," said Owen Daniel-McCarter, Esq., policy and advocacy director of the Illinois Safe Schools Alliance. "Among other things, this will allow many people who currently have mismatched identity documents to align them with their gender identity."

"I'm optimistic that the progress we've made in Illinois educating people about LGBT issues will be reflected in the outcome of this legislation and will do all I can to assist in its passage," said Feigenholtz. "This is common sense legislation."◆

"We applaud Rep. Harris' work to modernize the Illinois Vital Records Act through HB 6073," said Kim Hunt, executive director Pride Action Tank—a project of the AIDS Foundation of Chicago. "The language and spirit of the bill are consistent with the views of medical professionals and the lived experiences of transgender individuals."

"It's an overdue measure we should all welcome, because it responds to the needs of individual trans folks born in Illinois, catching up to the standards already in use by the Illinois Secretary of State on drivers licenses and IDs as well as the State Department on passports," said Christina Karl, ESPN's Major League Baseball editor and writer. "This puts the power where it should be: with the people."

"It's time to bring Illinois in line with the federal standards for gender markers on official documents since many transgender people opt out of gender-confirmation surgery for a variety of reasons: cost, health, the wishes of a partner, family relationships or age," said Toni Weaver, president PFLAG Council of Northern Illinois.

On the other side of the aisle, state Rep. Thomas Morrison has introduced HB 4474. This so-called "bathroom bill" would modify the Illinois School Code to prevent transgender students from using the bathrooms/locker rooms in their schools consistent with their gender identity.

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HB 4474, which currently has 23 co-sponsors, was introduced by Morrison, whose district falls within the boundaries of Township High School District 211, due to the agreement Township High School District 211 made in Dec. 2015 with the Federal Department of Education, Office of Civil Rights after they were found to be in violation of Title IX of the Civil Rights Act. The violation concerned a transgender high school student in the district being barred from using the locker room consistent with her gender identity.

In a response to queries about why he introduced the bill, Morrison said, "It's appropriate and reasonable to have genuine boundaries in these most private of school settings and to delineate them by anatomy. Exceptions to that standard can be respected and accommodated without compromising the legitimate civil rights of all involved. The feelings and privacy concerns of all students need to be considered. I've talked to many parents, students, educators and LGBT activists and allies. This may not be a perfect solution, but it's a reasonable compromise."

"Sadly, this is another regressive attempt at bad public policy that we're seeing the far right try to run in other legislatures," said Harris. "Earlier this month, South Dakota Republican Gov. Dennis Daugaard vetoed a similar attempt there and I hope my colleagues in Illinois do the right thing and vote down this discriminatory bill."

"The bill is an attack on transgender kids who can't defend themselves," said Cassidy. "This is the trend in state legislatures across the country but I feel confident that we can defeat this bill."

"South Dakota recently considered a similar bill," said Daniel-McCarter. "In vetoing this legislation, Gov. Daugaard made it clear that approving such a bill would 'create a certain liability for school districts and the state in an area where no such liability exists today.' HB 4474 would create that same liability for school districts and is an unnecessary distraction."

"Pride Action Tank was one of more than a dozen organizations that denounced HB 4474 earlier this year because it discriminates against transgender and gender nonconforming students," said Hunt. "Furthermore, this bill would undo the work of the many enlightened school districts across the state that are focused on creating safe and affirming environments for all students."

"This is Illinois' entry in a nationwide phenomenon of fear-mongering bills animated either out of genuine ignorance or something uglier, and sometimes both," said Kahrl. "The amazing thing is this bill simultaneously invents a problem that doesn't exist, selectively demonizes a couple hundred kids minding their own business, takes responsibility out of the hands of competent teachers and administrators and puts all public education in the state at risk for losing federal funding for violating Title IX. It's a remarkably stupid piece of legislation, and deserves its likely death in committee."

"Rep. Morrison's bill is ill-conceived and displays fear and ignorance, fear of what he doesn't understand and ignorance of the basic facts about transgender people," said Weaver. "His bill could have horrific consequences for our transgender students for whom any additional stigmatization might prove severely harmful."

"People's support for this bill is based on fear of the unknown," said Mary Genzler, Parents of Transgender Individuals—McHenry County member. "I fully believe that if they met and spent time with transgender individuals, they would realize their fears are unfounded."

"I believe what we're seeing with HB 4474 is a snapshot of where the queer movement needs to turn our attention, to the margins," said Marcus Fogliano, genderqueer president of Peoria Proud. "Even as public opinions around trans issues is improving, public opinion around support for K-12 trans students is sadly in the lower 30 percent range. This is why we must stay vigilant and engaged in the queer movement and increase our education efforts so bills like this don't even get introduced."

Both bills had their first readings and were referred to the rules committee.