

HOUSE No. 1589

The Commonwealth of Massachusetts

PRESENTED BY:

Byron Rushing and Carl M. Sciortino, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to equal access in hospitals, public transportation, nursing homes, supermarkets, retail establishments, and all other places open to the public.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|---------------------------------|---|------------------|
| <i>Byron Rushing</i> | <i>9th Suffolk</i> | <i>1/16/2013</i> |
| <i>Carl M. Sciortino, Jr.</i> | <i>34th Middlesex</i> | <i>1/25/2013</i> |
| <i>Sonia Chang-Diaz</i> | <i>Second Suffolk</i> | |
| <i>Benjamin B. Downing</i> | <i>Berkshire, Hampshire, Franklin and Hampden</i> | |
| <i>Denise Andrews</i> | <i>2nd Franklin</i> | <i>1/31/2013</i> |
| <i>Cory Atkins</i> | <i>14th Middlesex</i> | |
| <i>Ruth B. Balsler</i> | <i>12th Middlesex</i> | |
| <i>Michael J. Barrett</i> | <i>Third Middlesex</i> | |
| <i>William N. Brownsberger</i> | <i>Second Suffolk and Middlesex</i> | |
| <i>Paul Brodeur</i> | <i>32nd Middlesex</i> | |
| <i>Gailanne M. Cariddi</i> | <i>1st Berkshire</i> | |
| <i>Cheryl A. Coakley-Rivera</i> | <i>10th Hampden</i> | |
| <i>Thomas P. Conroy</i> | <i>13th Middlesex</i> | |
| <i>James B. Eldridge</i> | <i>Middlesex and Worcester</i> | |
| <i>Tricia Farley-Bouvier</i> | <i>3rd Berkshire</i> | |
| <i>Sean Garballey</i> | <i>23rd Middlesex</i> | |

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| <i>Kenneth I. Gordon</i> | <i>21st Middlesex</i> | |
| <i>Danielle W. Gregoire</i> | <i>4th Middlesex</i> | |
| <i>Jonathan Hecht</i> | <i>29th Middlesex</i> | |
| <i>Carlos Henriquez</i> | <i>5th Suffolk</i> | |
| <i>Paul R. Heroux</i> | <i>2nd Bristol</i> | |
| <i>Kevin G. Honan</i> | <i>17th Suffolk</i> | |
| <i>Patricia D. Jehlen</i> | <i>Second Middlesex</i> | |
| <i>Jay R. Kaufman</i> | <i>15th Middlesex</i> | |
| <i>Mary S. Keefe</i> | <i>15th Worcester</i> | |
| <i>Kay Khan</i> | <i>11th Middlesex</i> | |
| <i>Peter V. Kocot</i> | <i>1st Hampshire</i> | |
| <i>Jason M. Lewis</i> | <i>Fifth Middlesex</i> | |
| <i>David Paul Linsky</i> | <i>5th Middlesex</i> | |
| <i>Elizabeth A. Malia</i> | <i>11th Suffolk</i> | |
| <i>Brian R. Mannel</i> | <i>2nd Barnstable</i> | |
| <i>Aaron Michlewitz</i> | <i>3rd Suffolk</i> | |
| <i>James J. O'Day</i> | <i>14th Worcester</i> | |
| <i>Sarah K. Peake</i> | <i>4th Barnstable</i> | |
| <i>Denise Provost</i> | <i>27th Middlesex</i> | |
| <i>Jeffrey Sánchez</i> | <i>15th Suffolk</i> | |
| <i>Tom Sannicandro</i> | <i>7th Middlesex</i> | |
| <i>John W. Scibak</i> | <i>2nd Hampshire</i> | |
| <i>Frank I. Smizik</i> | <i>15th Norfolk</i> | |
| <i>Ellen Story</i> | <i>3rd Hampshire</i> | |
| <i>Benjamin Swan</i> | <i>11th Hampden</i> | |
| <i>Aaron Vega</i> | <i>5th Hampden</i> | |
| <i>Chris Walsh</i> | <i>6th Middlesex</i> | |
| <i>Martha M. Walz</i> | <i>8th Suffolk</i> | |
| <i>Kate Hogan</i> | <i>3rd Middlesex</i> | |
| <i>Gloria L. Fox</i> | <i>7th Suffolk</i> | <i>2/1/2013</i> |

HOUSE No. 1589

By Messrs. Rushing of Boston and Sciortino of Medford, a petition (accompanied by bill, House, No. 1589) of Byron Rushing, Carl M. Sciortino, Jr. and others relative to gender identity and access to public accommodations. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to equal access in hospitals, public transportation, nursing homes, supermarkets, retail establishments, and all other places open to the public.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 92A of chapter 272 of the General Laws, as so appearing, is hereby
2 amended by inserting after the word “sex”, in line 9, the following words:- , gender identity.

3 SECTION 2. Said section 92A of said chapter 272, as so appearing, is hereby further
4 amended by inserting the following sentence at the end of the second paragraph:-

5 Any public accommodation including without limitation any entity that offers the
6 provision of goods, services, or access to the public that lawfully segregates or separates access
7 to such public accommodation or other entity based on a person’s sex shall grant all persons
8 admission to and the full enjoyment of such public accommodation or other entity consistent
9 with the person’s gender identity.

10 SECTION 3. Section 98 of said chapter 272, as so appearing, is hereby amended by
11 inserting after the word “sex”, in line 2, the following words:- , gender identity.

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13 SECTION 4. The term gender identity as used herein shall have the meaning as set forth
14 in clause 59, Section 7 of chapter 4 of the General Laws.

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16 SECTION 5. The Massachusetts Commission Against Discrimination, established by
17 section fifty-six of chapter six, is authorized to adopt, promulgate, amend, and rescind rules and

18 regulations or to formulate policies and make recommendations to effectuate the purposes of this
19 Act.