

HOUSE No. 4343

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 26, 2016.

The committee on Ways and Means, to whom was referred the Senate Bill relative to transgender anti-discrimination (Senate, No. 735, amended), reports recommending that the same ought to pass with an amendment striking all after the enacting clause and inserting in place thereof the text contained in House document numbered 4343 [Representatives Miceli of Wilmington, Garry of Dracut, Boldyga of Southwick and Dooley of Norfolk dissenting].

For the committee,

BRIAN S. DEMPSEY.

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In the One Hundred and Eighty-Ninth General Court
(2015-2016)

By striking out all after the enacting clause and inserting in place thereof the following:—

1 "SECTION 1. Section 92A of chapter 272 of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by inserting after the word “sex”, in line 9, the following
3 words:- , gender identity.

4 SECTION 2. The second paragraph of said section 92A of said chapter 272, as so
5 appearing, is hereby further amended by adding the following sentence:-

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

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

13 SECTION 4. The Massachusetts Commission Against Discrimination shall adopt,
14 promulgate, amend, and rescind rules and regulations or formulate policies and make
15 recommendations to effectuate the purposes of this act, including when and how gender identity,
16 as defined in clause 59 of section 7 of chapter 4 of the General Laws, may be evidenced. The
17 office of the attorney general shall issue regulations or guidance for referring to the appropriate
18 law enforcement agency or other authority for legal action any person who asserts gender
19 identity for an improper purpose, as defined in clause 59 of section 7 of chapter 4.

20 SECTION 5. This act shall take effect on January 1, 2017."; and by striking out the
21 emergency preamble.