

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Councilmember Graham, introduced the following bill, which was referred to the Committee on

To amend the Advisory Neighborhood Commissions Act of 1975; the District of Columbia Government Comprehensive Merit Personnel Act of 1978; the District of Columbia Election Code of 1955; the Office of Human Rights Establishment Act of 1999; the District of Columbia Health Occupations Revision Act of 1985; the Homeless Services Reform Act of 2005; the Office of Citizen Complaint Review Establishment Act of 1998; the Mental Health Consumers' Rights Protection Act of 2001; Title 16 of the District of Columbia Official Code; An Act To Establish a Code of Law for the District of Columbia; the Bias-Related Crime Act of 1989; the National Capital Revitalization and Self-Government Improvement Act of 1997; An Act To Establish a Board of Indeterminate Sentence and Parole for the District of Columbia and To Determine Its Functions, and for other purposes; the Prohibition of Discrimination in the Provision of Insurance Act of 1986; the Insurance Trade Economic Development Amendment Act of 2000; the Retail Electric Competition and Consumer Protection Act of 1999; and the Employment Services Licensing and Regulation Act of 1984; to prohibit discrimination based on gender identity or expression.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Prohibition of Discrimination on the Basis of Gender Identity and Expression Amendment Act of 2007".

Sec. 2. Section 14(f) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.11(f)), is amended by striking the phrase "or sexual orientation" and inserting the phrase "sexual orientation, or gender identity or expression, as defined in D.C. Official Code § 2-1401.02(12A)" in its place.

1 Sec. 3. Section 103(b)(5) of the District of Columbia Government Comprehensive Merit
2 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code, § 1-
3 601.2(b)(5)), is amended by striking the phrase “sexual orientation or preference” and inserting
4 the phrase “sexual orientation, gender identity or expression, as defined in D.C. Official Code §
5 2-1401.02(12A)” in its place.

6 Sec. 4. Section 9(d)(2) of the District of Columbia Election Code of 1955, approved
7 August 12, 1955 (69 Stat. 699; D.C. Official Code, § 1-1001.09(d)(2)), is amended by striking
8 the phrase “sexual orientation” and inserting the phrase “sexual orientation, gender identity or
9 expression, as defined in D.C. Official Code § 2-1401.02(12A)” in its place.

10 Sec. 5. Section 203 of the Office of Human Rights Establishment Act of 1999, effective
11 October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 2-1411.02), is amended by striking the
12 phrase “sexual orientation” and inserting the phrase “sexual orientation, gender identity or
13 expression, as defined in D.C. Official Code § 2-1401.02(12A)” in its place.

14 Sec. 6. Section 831(b)(2)(C)(ii) of the District of Columbia Health Occupations Revision
15 Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-
16 1208.31(b)(2)(C)(ii)), is amended by striking the phrase “sexual orientation” and inserting the
17 phrase “sexual orientation, gender identity or expression, as defined in D.C. Official Code § 2-
18 1401.02(12A)” in its place.

19 Sec. 7. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C.
20 Law 16-35; D.C. Official Code § 4-754.01 *et seq.*, is amended as follows:

21 (a) Section 9(2) (D.C. Official Code § 4-754.11(2)) is amended by striking the
22 phrase “sexual orientation” and inserting the phrase “sexual orientation, gender identity or
23 expression, as defined in D.C. Official Code § 2-1401.02(12A)” in its place.

1 (b) Section 12(10) (D.C. Official Code § 4-754.21(10)) is amended by striking the
2 phrase “sexual orientation” and inserting the phrase “sexual orientation, gender identity or
3 expression, as defined in D.C. Official Code § 2-1401.02(12A)” in its place.

4 Sec. 8. Section 8(a)(4) of the Office of Citizen Complaint Review Establishment Act of
5 1998, effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1107(a)(4)), is
6 amended by striking the phrase “sexual orientation” and inserting the phrase “sexual orientation,
7 gender identity or expression, as defined in D.C. Official Code § 2-1401.02(12A)” in its place.

8 Sec. 9. Section 204(b) of the Mental Health Consumers' Rights Protection Act of 2001,
9 effective December 18, 2001 (D.C. Law 14-56; D.C. Official Code § 7-1231.04(b)), is amended
10 by striking the phrase “sexual orientation” and inserting the phrase “sexual orientation, gender
11 identity or expression, as defined in D.C. Official Code § 2-1401.02(12A)” in its place.

12 Sec. 10. Section 16-914(a)(1) of Title 16 of the District of Columbia Official Code is
13 amended by striking the phrase “or sexual orientation” and inserting the phrase “sexual
14 orientation, or gender identity or expression, as defined in D.C. Official Code § 2-1401.02(12A)”
15 in its place.

16 Sec. 11. Section 801a(b)(7) of An Act To Establish a Code of Law for the District of
17 Columbia, approved March 3, 1901 (31 Stat. 1321; D.C. Official Code § 22-2104.01(b)(7)), is
18 amended by striking the phrase “or sexual orientation” and inserting the phrase “sexual
19 orientation, or gender identity or expression, as defined in D.C. Official Code § 2-1401.02(12A)”
20 in its place.

21 Sec. 12. The Bias-Related Crime Act of 1989, effective May 8, 1990 (D.C. Law 8-121;
22 D.C. Official Code § 22-3701 *et seq.*), is amended as follows:

1 (a) Section 2(1) (D.C. Official Code § 22-3701(1)) is amended by striking the
2 phrase “sexual orientation” and inserting the phrase “sexual orientation, gender identity or
3 expression, as defined in D.C. Official Code § 2-1401.02(12A)” in its place.

4 (b) Section 5(a) (D.C. Official Code § 22-3704(a)) is amended by striking the
5 phrase “sexual orientation” and inserting the phrase “sexual orientation, gender identity or
6 expression, as defined in D.C. Official Code § 2-1401.02(12A)” in its place.

7 Sec. 13. Section 11212(d)(1) of the National Capital Revitalization and Self-Government
8 Improvement Act of 1997, approved August 5, 1997 (111 Stat. 741; D.C. Official Code § 24-
9 112(d)(1)), is amended by striking the phrase “and sexual orientation” and inserting the phrase
10 “sexual orientation, and gender identity or expression, as defined in D.C. Official Code § 2-
11 1401.02(12A)” in its place.

12 Sec. 14. Section (b-2)(2)(A) of An Act To Establish a Board of Indeterminate
13 Sentence and Parole for the District of Columbia and To Determine Its Functions, and for other
14 purposes, approved July 15, 1932 (47 Stat. 697; D.C. Official Code § 24-403.01(b-2)(2)(A)) is
15 amended by striking the phrase “national origin or sexual orientation” and inserting the phrase
16 “national origin, sexual orientation, or gender identity or expression, as defined in D.C. Official
17 Code § 2-1401.02(12A)” in its place.

18 Sec. 15. The Prohibition of Discrimination in the Provision of Insurance Act of 1986,
19 effective August 7, 1986 (D.C. Law 6-132; D.C. Official Code § 31-1601 *et seq.*), is amended as
20 follows:

21 (a) Section 4(b)(1) (D.C. Official Code § 31-1603(b)(1)) is amended by striking
22 the phrase “sexual orientation” and inserting the phrase “sexual orientation, gender identity or
23 expression, as defined in D.C. Official Code § 2-1401.02(12A)” in its place.

1 (b) Section 4(b)(2) (D.C. Official Code § 31-1603(b)(2)) is amended by striking
2 the phrase “sexual orientation” and inserting the phrase “sexual orientation, gender identity or
3 expression, as defined in D.C. Official Code § 2-1401.02(12A)” in its place.

4 (c) Section 11(a) (D.C. Official Code § 31-1610(a)) is amended by striking the
5 phrase “sexual orientation” and inserting the phrase “sexual orientation, or gender identity or
6 expression, as defined in D.C. Official Code § 2-1401.02(12A)” in its place.

7 (d) Section 11(b) (D.C. Official Code § 31-1610(b)) is amended by striking the
8 phrase “sexual orientation shall not” and inserting the phrase “Neither sexual orientation, nor
9 gender identity or expression, as defined in D.C. Official Code § 2-1401.02(12A), shall” in its
10 place.

11 (e) Section 11(c) (D.C. Official Code § 31-1610(c)) is amended by striking the
12 phrase “sexual orientation” and inserting the phrase “sexual orientation, or gender identity or
13 expression, as defined in D.C. Official Code § 2-1401.02(12A)” in its place.

14 (f) Section 11(d) (D.C. Official Code § 31-1610(d)) is amended by striking the
15 phrase “sexual orientation” and inserting the phrase “sexual orientation, gender identity or
16 expression, as defined in D.C. Official Code § 2-1401.02(12A)” in its place.

17 Sec. 16. The Insurance Trade Economic Development Amendment Act of 2000, effective
18 April 3, 2001 (D.C. Law 13-265; D.C. Official Code § 31-2231 *et seq.*), is amended as follows:

19 (a) Section 111(c) (D.C. Official Code § 31-2231.11(c)) is amended by striking
20 the phrase “sexual orientation” and inserting the phrase “sexual orientation, gender identity or
21 expression, as defined in D.C. Official Code § 2-1401.02(12A)” in its place.

1 (b) Section 113(d) (D.C. Official Code § 31-2231.13(d)) is amended by striking
2 the phrase “sexual orientation” and inserting the phrase “sexual orientation, gender identity or
3 expression, as defined in D.C. Official Code § 2-1401.02(12A)” in its place.

4 Sec. 17. Section 107 of the Retail Electric Competition and Consumer Protection Act of
5 1999, effective May 9, 2000 (D.C. Law 13-107; D.C. Official Code § 34-1507(f)), is amended by
6 striking the phrase “or sexual orientation” and inserting the phrase “sexual orientation, or gender
7 identity or expression, as defined in D.C. Official Code § 2-1401.02(12A)” in its place.

8 Sec. 18. Section 9 of the Employment Services Licensing and Regulation Act of 1984,
9 effective March 13, 1985 (D.C. Law 5-136; D.C. Official Code § 32-408), is amended by
10 striking the phrase “sexual orientation” and inserting the phrase “sexual orientation, gender
11 identity or expression, as defined in D.C. Official Code § 2-1401.02(12A)” in its place.

12 Sec. 19. Fiscal impact statement.

13 The Council adopts the fiscal impact statement in the committee report as the fiscal
14 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
15 approved December 24, 1973 (84 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

16 Sec. 20. Effective date

17 This act shall take effect following approval by the Mayor (or in the event of veto by the
18 Mayor, action by the Council to override the veto), a 60-day period of Congressional review as
19 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
20 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
21 Columbia Register.