

## STATE LEGISLATIVE SESSION UPDATE



Photo by Jennifer Grismer on Unsplash

**State legislative sessions are in progress and far right state legislators are wasting no time in advancing their top priority – bullying LGBTQ+ people.**

In just the first six weeks of 2024, already more than 400 anti-LGBTQ+ bills have been introduced in 39 different states. Proposed legislation ranges from banning drag performances and pride flags, to the forced outing of students in schools. Despite the wide angles of attack, the bulk of the legislation targets vulnerable trans and nonbinary youth.

Bills in Florida and Indiana attempt to eliminate transgender people's ability to accurately identify themselves on their state driver's licenses and identification cards. South Carolina is working quickly to push through state legislation that would ban access to medical care to treat gender dysphoria while Iowa seeks to prohibit transgender prisoners from being safely housed.

This legislation causes lasting physical and emotional damage even when the bills do not get signed into law. It is important to highlight that these bills disproportionately harm transgender people of color.

Personal and systemic racial discrimination, compounded with rising levels of transphobia means that transgender people of color and their families don't always have the option to transfer to a more supportive school — or flee their state to seek medical care and to avoid the impact of discriminatory bills and laws.

Yet, our community remains resilient. Transgender people and allies are fighting back and this year, like every year, Lambda Legal is proud to fight for and alongside them. Our attorneys are working with legislators around the country on how to fight both anti-LGBTQ+ legislation and rhetoric, testifying in committee hearings on how these bills are not only unconstitutional but harmful to an already vulnerable population, and preparing for litigation should these bills become law. Key to our success is lifting up the stories of trans people and the people who love and support them.

We have already seen incredible advocacy in the first months of 2024 alone. In Texas, a mother testified to support her son’s access to medically necessary, gender-affirming healthcare. In Missouri, a father spoke about his transgender daughter, urging lawmakers not to pass a ban on trans student-athletes. Lambda Legal is working to support these advocates and amplify their voices, but we need your help. Your support is critical to protecting the humanity of LGBTQ+ people and everyone living with HIV.

## CASE SPOTLIGHTS: Watch this case

### LOUISIANA – *Soe, et al. v. The Louisiana Board of Medical Examiners, et al.*

**OVERVIEW:** Lambda Legal represents five Louisiana youth and their families who are suing a Louisiana state agency to stop the harm caused by the recently enacted “Health Care Ban,” which prohibits the provision of medically necessary care only for transgender minors and *punishes health care providers for providing such care in Louisiana.*

This law took effect on January 1, 2024, after the state legislature overrode Governor John Bel Edwards’ veto last July. Our lawsuit seeks to block the Health Care Ban claiming that it is unconstitutional under the Louisiana state constitution and that it violates transgender adolescents and their parent’s rights to equal protection under the law.

**Plaintiffs:** *Susie Soe, Daniel Doe, Nia Noe, Grant Goe, and Max Moe, ages 9 to 16, in addition to their respective parents and guardians. All identified pseudonymously and reside throughout the state from New Orleans to Terrebonne to Livingston.*

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The Health Care Ban is so upsetting. Growing up, I was intensely self-conscious of my body, which led to a near-constant state of discomfort. Oftentimes I was incredibly uncomfortable and anxious and even found it hard to talk. However, being able to access gender-affirming hormones and be my true self has been a lifesaver. I am now far more comfortable and confident and feel less distress. This health care has allowed me to be happy, healthy, and my true authentic self – the boy I know I am. I am terrified of what the Health Care Ban will do and worry about how my mental health might deteriorate.

**Quote from Plaintiff Max Moe (he/him)**

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This Health Care Ban only stands to harm Louisiana’s trans youth and their families. The transgender young people we represent, along with hundreds of other minors in the state, are at risk of losing necessary, life-saving medical care just because Louisiana has singled them out for discriminatory treatment. Louisiana has prohibited this medical care only for minors who are transgender, despite it being evidence-based, safe, and effective, and being supported by all major medical organizations. Denying medical care to youth just because they are transgender is both unlawful and inhumane – especially when the same treatments remain available to all other minors. The Health Care Ban represents broad government overreach into the relationship between parents, their children, and their health care providers.

**Quote from Omar Gonzalez-Pagan (he/him), Counsel and Health Care Strategist for Lambda Legal**

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## IOWA – *Iowa Safe Schools, et al v. Reynolds*

**OVERVIEW:** In late November 2023, Lambda Legal and ACLU of Iowa filed a lawsuit in federal court to block the implementation of a sweeping Iowa law that seeks to silence LGBTQ+ students, erase any recognition of LGBTQ+ people from public schools, and bans books with sexual or LGBTQ+ content. Further, the law requires school staff to report to their parents or guardians if a student asks to be referred to by names or pronouns that align with their gender identity.

While the law went into effect last fall, penalties for violating portions of the law were scheduled to start January 1, 2024. Just days before, and in response to our lawsuit, a federal district court temporarily blocked the book ban and “Don’t Say LGBTQ+” provisions while the lawsuit proceeds.

The court determined that the book ban likely violates the First Amendment. Additionally, the provision banning programs, “promotion,” and instruction concerning sexual orientation and gender identity is unconstitutionally vague and overbroad. The court declined to rule on the constitutionality of the law’s forced outing provision, citing that the individual plaintiff students could not challenge this provision because they are already out to their families.

**Plaintiffs:** *Iowa Safe Schools, a non-profit organization supporting LGBTQ+ and allied youth, and seven Iowa students and their families affected by the law. The students range from 4<sup>th</sup> to 12<sup>th</sup> graders and reside across the state.*



Lambda Legal client, Puck Carlson (they/them)

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Reading has always been a fundamental part of how I learned to understand the world around me. Every student should have the right to do the same: to be able to learn about people, cultures, and perspectives and to be able to learn about all the world around them—not just parts of it. Furthermore, every student should be able to see themselves in their libraries—so that they not only understand the world around them but that they also belong in it.

**Quote from Plaintiff Puck Carlson (they/them), a high school senior in Iowa City**

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We are glad our clients, Iowa families and students, will be able to continue the school year free from the harms caused by these parts of this unconstitutional law. This decision sends a strong message to the state that efforts to ban books based on LGBTQ+ content, or target speech that sends a message of inclusion to Iowa LGBTQ+ students cannot stand. Lambda Legal and the ACLU of Iowa will continue our fight to ensure Iowa schools are safe for LGBTQ+ students.

**Quote from Nathan Maxwell (he/him), Senior Attorney for Lambda Legal**

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## TEXAS – *Loe, et al. v. Texas, et al.*

**OVERVIEW:** In July 2023, Lambda Legal sued the State of Texas and other state defendants to block Senate Bill 14 from going into effect. This bill bans medical care in Texas for the treatment of gender dysphoria for transgender youth, and it requires the Texas Medical Board to revoke the licenses of physicians who provide the standard of care to their trans patients. The bill’s passage has resulted in families splitting up or planning to leave Texas to continue treatment for their children. Lambda Legal represents families and health care professionals in this lawsuit.

A month later, in August, Judge Maria Cantú Hexsel of Travis County granted a temporary injunction to pause implementation and enforcement of the ban. The court agreed that the law likely violates the Texas Constitution by infringing upon the fundamental right of parents to make decisions concerning the care, custody, and control of their children. Further, the court agreed the law infringes upon Texas physicians’ right of occupational freedom, and discriminates against transgender adolescents because of their sex, sex stereotypes, and transgender status.



However, the state defendants won an appeal from the Supreme Court of Texas, and the law went into effect on September 1. We presented oral arguments to the Texas

Supreme Court this January, asking the Court to affirm the temporary injunction and agree with Judge Cantú Hexsel lower court ruling.

**Plaintiffs:** *Five Texas families with transgender children and teenagers between the ages of 9 and 16 that come from diverse backgrounds and live across the state; doctors Richard Ogden Roberts III, David L. Paul, and Patrick O'Malley, who treat transgender youth with gender dysphoria; and two organizations representing hundreds of Texas families and healthcare providers, PFLAG and GLMA.*

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The idea of growing up as a woman felt so indescribably and inexplicably wrong, and I couldn't picture myself as a young teenage girl. I was constantly unhappy. Being on testosterone has tremendously improved all aspects of my life. I am now able to focus on all of the positives of my life and experience my teenage years to the fullest. I am able to socialize and balance schoolwork without thinking about my gender all the time. I love Texas. This is my community. This is where my family lives. This is the place I grew up and I do not want to leave it because my government has decided to attack people like me.

**Quote from Plaintiff Nathan Noe (he/him), sixteen-year-old transgender boy**

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Bans on medical care for trans youth like Texas' Senate Bill 14 have real and negative consequences for transgender youth and their families. They endanger the health and wellbeing of trans youth, violate the rights of trans youth and their families, and force medical providers to disregard their oaths and well-established, evidence-based standards of care. The Travis County District Court recognized both the real harm of SB 14 and the improper interference of the state in healthcare decisions properly left to parents, children, and their doctors. We welcomed the opportunity today to reinforce that message with the Supreme Court of Texas.

**Quote from Paul Castillo (he/him), Senior Counsel for Lambda Legal**

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**Lambda Legal's Help Desk is a resource for the community we serve in providing general legal information and resources relating to discrimination based on sexual orientation, gender identity and gender expression, and HIV status. To learn more or contact our Help Desk please visit [www.lambdalegal.org/helpdesk](http://www.lambdalegal.org/helpdesk).**



## HERE ARE SOME OF OUR UPCOMING EVENTS:

**4/04/24**

**SCOTTSDALE**  
Lambda Legal in Arizona

**5/17/24**

**SAN FRANCISCO**  
San Francisco Soirée

**7/27/24**

**FIRE ISLAND**  
Lambda Legal in the Pines

**5/10/24**

**CHICAGO**  
Bon Foster Civil Rights Celebration

**5/30/24**

**NEW YORK CITY**  
Liberty Awards National Dinner

**8/01/24**

**SEATTLE**  
Seattle Garden Party

**8/18/24**

**ATLANTA**  
Lambda Legal in Atlanta

**FOR THE FULL LIST AND MORE INFORMATION,  
PLEASE VISIT: [LAMBDALEGAL.ORG/EVENTS](http://LAMBDALEGAL.ORG/EVENTS)**

