



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-3769/1
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2021 SENATE BILL 443

July 7, 2021 - Introduced by Senators AGARD, CARPENTER, ERPENBACH, JOHNSON, LARSON, ROYS, SMITH and L. TAYLOR, cosponsored by Representatives SNODGRASS, CABRERA, NEUBAUER, SPREITZER, ANDERSON, BROSTOFF, CONLEY, CONSIDINE, EMERSON, GOYKE, HEBL, HESSELBEIN, HONG, S. RODRIGUEZ, SHANKLAND, SHELTON, SINICKI, STUBBS and VINING. Referred to Committee on Government Operations, Legal Review and Consumer Protection.

- 1 **AN ACT relating to:** establishing a task force to study the legal and societal
2 barriers to equality for transgender, intersex, nonbinary, and gender
3 nonconforming individuals.

Analysis by the Legislative Reference Bureau

This bill creates the Transgender Equality Task Force. The task force is required to study the legal and societal barriers to equality for transgender, intersex, nonbinary, and gender nonconforming individuals in Wisconsin and provide recommendations to the governor and the legislature on how to ensure the equality and improve the lives of those individuals. The recommendations must address the following areas:

1. Health care.
2. Long-term care.
3. Education in primary and secondary schools.
4. Higher education.
5. Housing, including the prevention and reduction of homelessness among transgender, intersex, nonbinary, and gender nonconforming youth and adults.
6. Employment.
7. Criminal justice, policing, and prisons.
8. Any other issue the task force considers relevant.

The task force consists of the following members:

1. A representative of the Office of the Commissioner of Insurance whose duties or expertise includes insurance services and policies as applied to transgender, intersex, nonbinary, and gender nonconforming individuals.

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2. A representative of the Department of Financial Institutions whose duties or expertise includes financial services and policies as applied to transgender, intersex, nonbinary, and gender nonconforming individuals.

3. Three members appointed by the secretary of health services, one of whom is a representative of the Department of Health Services whose duties or expertise includes protecting the rights of transgender, intersex, nonbinary, and gender nonconforming individuals or eliminating discrimination in departmental programs, policies, or initiatives; one of whom is a physician who specializes in transgender, intersex, nonbinary, and gender nonconforming health issues; and one of whom is a member of the Wisconsin Transgender Health Coalition.

4. A representative of the Department of Public Instruction whose duties or expertise includes protecting the rights of transgender, intersex, nonbinary, and gender nonconforming students or eliminating discrimination in educational programs, policies, or initiatives.

5. Two members appointed by the president of the University of Wisconsin System, one of whom is a representative of the University of Wisconsin System whose duties or expertise includes protecting the rights of transgender, intersex, nonbinary, and gender nonconforming students in the University of Wisconsin System or eliminating discrimination in higher educational programs, policies, or initiatives and one of whom is a representative of the Trans Counseling Advocacy Research and Education Lab at the University of Wisconsin-Madison.

6. A representative of the Technical College System whose duties or expertise includes protecting the rights of transgender, intersex, nonbinary, and gender nonconforming students in the Technical College System or eliminating discrimination in higher educational programs, policies, or initiatives.

7. A representative of the Department of Children and Families whose duties or expertise includes expanding access by lesbian, gay, bisexual, transgender, intersex, nonbinary, and gender nonconforming youth to the department's services or eliminating discrimination in departmental programs, policies, or initiatives with respect to lesbian, gay, bisexual, transgender, intersex, nonbinary, and gender nonconforming youth.

8. A representative of the Department of Corrections whose duties or expertise includes protecting the safety of transgender, intersex, nonbinary, and gender nonconforming populations or eliminating discrimination in departmental programs, policies, or initiatives.

9. A representative of the Department of Workforce Development whose duties or expertise includes expanding access by transgender, intersex, nonbinary, and gender nonconforming populations to the department's services or eliminating discrimination in departmental programs, policies, or initiatives.

10. A representative of the Division of Equal Rights whose duties or expertise includes expanding access by lesbian, gay, bisexual, transgender, intersex, nonbinary, and gender nonconforming individuals to the division's services or eliminating discrimination against lesbian, gay, bisexual, transgender, intersex, nonbinary, and gender nonconforming individuals in the division's programs, policies, or initiatives.

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11. One member appointed by the attorney general who is a representative of the LGBT Bar Association of Wisconsin.

12. Two members appointed by the speaker of the assembly who are transgender, intersex, nonbinary, or gender nonconforming individuals.

13. Two members appointed by the minority leader of the assembly who are transgender, intersex, nonbinary, or gender nonconforming individuals.

14. Two members appointed by the majority leader of the senate who are transgender, intersex, nonbinary, or gender nonconforming individuals.

15. Two members appointed by the minority leader of the senate who are transgender, intersex, nonbinary, or gender nonconforming individuals.

16. Two members appointed by the governor, one of whom is a representative of a social service agency that provides services and support to transgender, intersex, nonbinary, and gender nonconforming individuals and one of whom is a representative of Fair Wisconsin.

17. A representative of the American Civil Liberties Union of Wisconsin, appointed by the executive director of the American Civil Liberties Union of Wisconsin.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1. Nonstatutory provisions.**

2 (1) TRANSGENDER EQUALITY TASK FORCE.

3 (a) *Creation.* There is created a committee called the transgender equality task
4 force for the purpose of studying the legal and societal barriers to equality for
5 transgender, intersex, nonbinary, and gender nonconforming individuals in this
6 state and making recommendations to improve their lives. The task force shall
7 consist of the following members:

8 1. A representative of the office of the commissioner of insurance, appointed by
9 the commissioner of insurance, whose duties or expertise includes insurance services
10 and policies as applied to transgender, intersex, nonbinary, and gender
11 nonconforming individuals.

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1 2. A representative of the department of financial institutions, appointed by
2 the secretary of financial institutions, whose duties or expertise includes financial
3 services and policies as applied to transgender, intersex, nonbinary, and gender
4 nonconforming individuals.

5 3. Three members appointed by the secretary of health services, one of whom
6 is a representative of the department of health services whose duties or expertise
7 includes protecting the rights of transgender, intersex, nonbinary, and gender
8 nonconforming individuals or eliminating discrimination in departmental
9 programs, policies, or initiatives; one of whom is a physician who specializes in
10 transgender, intersex, nonbinary, and gender nonconforming health issues; and one
11 of whom is a member of the Wisconsin Transgender Health Coalition.

12 4. A representative of the department of public instruction, appointed by the
13 state superintendent of public instruction, whose duties or expertise includes
14 protecting the rights of transgender, intersex, nonbinary, and gender nonconforming
15 students or eliminating discrimination in educational programs, policies, or
16 initiatives.

17 5. Two members appointed by the president of the University of Wisconsin
18 System, one of whom is a representative of the University of Wisconsin System whose
19 duties or expertise includes protecting the rights of transgender, intersex, nonbinary,
20 and gender nonconforming students in the University of Wisconsin System or
21 eliminating discrimination in higher educational programs, policies, or initiatives
22 and one of whom is a representative of the Trans Counseling Advocacy Research and
23 Education Lab at the University of Wisconsin–Madison.

24 6. A representative of the technical college system, appointed by the technical
25 college system board, whose duties or expertise includes protecting the rights of

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1 transgender, intersex, nonbinary, and gender nonconforming students in the
2 technical college system or eliminating discrimination in higher educational
3 programs, policies, or initiatives.

4 7. A representative of the department of children and families, appointed by
5 the secretary of children and families, whose duties or expertise includes expanding
6 access by lesbian, gay, bisexual, transgender, intersex, nonbinary, and gender
7 nonconforming youth to the department's services or eliminating discrimination in
8 departmental programs, policies, or initiatives with respect to lesbian, gay, bisexual,
9 transgender, intersex, nonbinary, and gender nonconforming youth.

10 8. A representative of the department of corrections, appointed by the secretary
11 of corrections, whose duties or expertise includes protecting the safety of
12 transgender, intersex, nonbinary, and gender nonconforming populations or
13 eliminating discrimination in departmental programs, policies, or initiatives.

14 9. A representative of the department of workforce development, appointed by
15 the secretary of workforce development, whose duties or expertise includes
16 expanding access by transgender, intersex, nonbinary, and gender nonconforming
17 populations to the department's services or eliminating discrimination in
18 departmental programs, policies, or initiatives.

19 10. A representative of the division of equal rights in the department of
20 workforce development, appointed by the secretary of workforce development, whose
21 duties or expertise includes expanding access by lesbian, gay, bisexual, transgender,
22 intersex, nonbinary, and gender nonconforming individuals to the division's services
23 or eliminating discrimination against lesbian, gay, bisexual, transgender, intersex,
24 nonbinary, and gender nonconforming individuals in the division's programs,
25 policies, or initiatives.

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1 11. One member appointed by the attorney general who is a representative of
2 the LGBT Bar Association of Wisconsin.

3 12. Two members appointed by the speaker of the assembly who are
4 transgender, intersex, nonbinary, or gender nonconforming individuals.

5 13. Two members appointed by the minority leader of the assembly who are
6 transgender, intersex, nonbinary, or gender nonconforming individuals.

7 14. Two members appointed by the majority leader of the senate who are
8 transgender, intersex, nonbinary, or gender nonconforming individuals.

9 15. Two members appointed by the minority leader of the senate who are
10 transgender, intersex, nonbinary, or gender nonconforming individuals.

11 16. Two members appointed by the governor, one of whom is a representative
12 of a social service agency that provides services and support to transgender, intersex,
13 nonbinary, and gender nonconforming individuals and one of whom is a
14 representative of Fair Wisconsin.

15 17. A representative of the American Civil Liberties Union of Wisconsin,
16 appointed by the executive director of the American Civil Liberties Union of
17 Wisconsin.

18 (b) *Organization and administration.*

19 1. The transgender equality task force shall organize as soon as practicable
20 following the appointment of its members but not later than the 30th day following
21 the appointment of its members. Upon its organization, the task force shall elect a
22 steering committee from among its members. The steering committee shall consist
23 of 5 members, at least 3 of whom shall be transgender, intersex, nonbinary, or gender
24 nonconforming individuals. The task force may meet and hold meetings at the times
25 and places it designates or upon the call of the steering committee. A majority of the

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1 members shall constitute a quorum. The task force may conduct business without
2 a quorum present but may vote on a recommendation only when a quorum is present.
3 Except as provided under subd. 3., the members of the task force shall serve without
4 compensation but shall be reimbursed for actual and necessary expenses, including
5 mileage costs, incurred in the performance of their duties as members of the task
6 force.

7 2. The transgender equality task force shall receive assistance and services
8 from any state, county, or local department, board, office, commission, or agency, as
9 the task force considers necessary to effectuate the purposes of this act.

10 3. From the appropriation under s. 20.505 (1) (a), the department of
11 administration shall staff and provide funding for the transgender equality task
12 force. The physician member appointed under par. (a) 3. and each member appointed
13 under par. (a) 11. to 15. shall be paid a stipend at the hourly rate of \$15 for time
14 necessarily spent in the performance of their duties, unless the member is an
15 employee of the state performing those duties while on state time.

16 (c) *Duties.* The transgender equality task force shall study the legal and
17 societal barriers to equality for transgender, intersex, nonbinary, and gender
18 nonconforming individuals in this state and shall provide recommendations in a
19 report, submitted to the governor and the legislature in the manner required under
20 par. (d), on how to ensure the equality and improve the lives of transgender, intersex,
21 nonbinary, and gender nonconforming individuals. Those recommendations shall
22 address the following areas:

23 1. Health care, including increased access to health care and insurance
24 providers that are competent in transgender, intersex, nonbinary, and gender
25 nonconforming services and care.

