



## Court weighs transgender law referendum

Sep 8, 2008

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Maryland's highest court heard arguments Monday on whether to allow Montgomery County to hold a referendum on a new transgender rights law.

The Court of Appeals' ruling will determine whether voters decide in November to keep or overturn the law, which prohibits discrimination based on gender identity in housing, employment, taxi and cable service, and public accommodations.

The law was signed last year by county executive Isiah Leggett. But it was put on hold after opponents collected enough signatures to force a referendum.

The Court of Appeals is considering a challenge to the referendum by Equality Maryland, a gay and transgender rights group.

The court must decide whether Circuit Court Judge Robert Greenberg erred when he ruled in July that Equality Maryland missed a key deadline for its challenge.

Greenberg ruled the challenge should have been filed within 10 days after the elections board accepted the first batch of signatures Feb. 20. Equality Maryland, however, waited until March 14 - eight days after the board formally certified the referendum.

Jonathan Shurberg, an attorney for Equality Maryland, said many residents often aren't aware a petition drive is under way until the board grants certification. He said requiring a challenge before then places an unfair burden on would-be challengers.

But Kevin Karpinski, an attorney for the elections board, noted the transgender legislation received a lot of attention since it was signed into law. "The public was on notice," Karpinski said. "Anyone could have come to the board and asked if a petition was being considered."

If the court decides Equality Maryland's challenge did not come too late, the seven-judge panel must then determine whether the Montgomery County Board of Elections undercounted the number of signatures required to challenge the law.

To force a referendum, the group Citizens for Responsible Government was required to get 25,000 signatures - 5 percent of registered voters. But Equality Maryland argues the total should be increased because the elections board failed to count more than 50,000 inactive voters.

**Thirteen states, Washington, D.C., Baltimore and 90 other local jurisdictions have banned discrimination against transgender people, according to the National Gay and Lesbian Task Force.**

Opponents of Montgomery County's transgender measure say they are concerned the law will give male cross-dressers, for instance, access to women's restrooms and locker rooms.