

Nevada lawmakers debate LGBT legislation

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A state Senate committee unanimously passed a bill on Monday that would ban discrimination based on sexual orientation in restaurants and other public accommodations.

Senate Bill 207, which passed the Senate Commerce and Labor Committee in a seven to zero vote, did not include an amendment that would have added gender identity and expression. This omission came in spite of testimony from transgender Nevadans who described the harassment and even violence they said they have suffered.

"I don't understand why and what the next step will be," David Gordon, political co-chair for the Nevada chapter of the Human Rights Campaign, said "What I can tell you is that HRC is committed to legislation that includes gender identity and expression."

Nevada law already bans discrimination based on sexual orientation, but SB 207, which would make it illegal to ask someone to leave a public space based on any actual or perceived sexual orientation, would allow complaints to be filed with the Nevada Rights Commission and ensure the policy is enforced.

Nevada Families and other anti-gay groups testified against the inclusion of gender identity and expression in the bill. Their representatives argued banning discrimination in public accommodations may allow pedophiles and other criminals to go into bathrooms, locker rooms and schools.

"Those are really just unsubstantiated fears that the opposition has brought to try to get these bills to fail," Patrick Patin, president of the Nevada Stonewall Democratic Caucus in Las Vegas, said. "I would challenge the opposition to show where there is a correlation between bathroom-related crimes (and law protecting gender identity). If they have evidence to the contrary then they should present it."

Some politicians may consider the passage of SB 207 an incremental victory toward equal protections, but Patin disagrees. He cites a study by the National Gay and Lesbian Task Force that shows 15-year lag for legislation to become trans-inclusive. And Patin further noted Assembly Bill 311, a piece of legislation passed in 1999 that made it illegal for certain employers to discriminate against an employee (or a perspective employee's) sexual orientation.

"The sponsor (of the) bill said that it was hard enough to get sexual orientation and get (that they'd) back later to include gender identity," he said. "Incrementalism doesn't work. It's been 10 years and it hasn't passed."

Moreover, Patin added he feels the exclusion of gender identity or expression in SB 207 impacts more than trans Nevadans.

"You can be discriminated against based on your actual or perceived gender identity or expression," he said. "Nevada Stonewall does not support the bill in its current form. We believe it should be fully inclusive."

SB 207 is now awaiting action in the full Nevada Senate. The full Senate may reinstate the amendment on the floor, but the likelihood is uncertain.

Hearings for Senate Bill 283, a domestic partnership measure, Assembly Bill 184, which would prohibit employment discrimination based on gender or gender expression also took place March 27 in Carson City. And both supporters and opponents of these proposals turned out to testify.

"It was incredibly exciting to see so many members of the progressive and the LGBT Community representatives and academia come together to testify in favor of fair-minded legislation for LGBT Nevadans," Gordon said.

Committee members must decide by April 10 whether these bills should go before the legislature for a vote.

"We are cautiously optimistic of our chances although I don't want to make any predictions," Patin said.



Senate Bill 207 would ban anti-gay discrimination in restaurants and other public accommodations.

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