



## Legislation Text

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The official copy considered by the City Council is the first reader copy.

### Introductory\*

### City of Baltimore Council Bill R (Resolution)

Introduced by: Councilmember Cohen

#### A Resolution Entitled

#### A Council Resolution concerning **Declaring Baltimore City a Sanctuary for Individuals Receiving Gender-Affirming Care, Their Families, and Providers of Gender-Affirming Care**

For the purpose of declaring Baltimore City a sanctuary city for transgender and nonbinary individuals and calling on all units of City government receiving City funds to safeguard an individual's right to gender-affirming health care by refraining from using City funds or resources to impose criminal punishment, civil liability, administrative penalties, or professional sanctions on recipients, the families of recipients, or providers of gender-affirming health care.

#### Recitals

**Whereas**, the Baltimore City Council rejects discrimination in all forms, values our LGBTQIA+ neighbors, and will safeguard the rights of our transgender and nonbinary residents given our shared belief that all LGBTQIA+ individuals are entitled to respect, compassion, and the blessings of individual liberty that are our common heritage.

**Whereas**, other states may adopt or expand laws that impose criminal punishment, civil liability, administrative penalties, or professional sanctions on health care professionals who provide gender-affirming health care and on persons who seek, receive, or assist another in receiving gender-affirming health care in the City of Baltimore.

**Whereas**, the State of Maryland passed The Trans Health Equity Act in 2023, that expands coverage for gender-affirming treatments for transgender Marylanders.

**Whereas**, Governor Wes Moore signed an executive order Protecting the Right to Seek Gender-Affirming Treatment in Maryland that no State agency shall comply with a subpoena issued by another state, knowing that the subpoena seeks information solely because an individual or entity provided, received, assisted in providing or receiving, sought, inquired or responded to an inquiry about, or traveled to Maryland to obtain gender-affirming treatment that is permitted under the laws of this State for themselves or a child for whom they are the parent or legal guardian.

**Whereas**, 65 percent of LGBTQIA+ youth surveyed by the Trevor Project in 2023 who are receiving gender-affirming care are concerned about losing access to this care, 1 in 3 LGBTQIA+ young people said their mental health was poor most of the time or always due to anti-LGBTQIA+ policies and legislation, and 41 percent of LGBTQIA+ young people seriously considered attempting suicide in the past year.

**Whereas**, the 2022 United States Trans Survey (USTS) of 92,329 transgender and nonbinary adults found that 98 percent of adults who received gender-affirming care were more satisfied with their lives.

**Whereas**, according to Trans Maryland trans and nonbinary people in Maryland experience challenges accessing health care, 20.1 percent have no place to receive health care advice.

**Whereas**, for the purpose of this resolution, gender-affirming health care means any medically necessary treatment consistent with current clinical standards of care prescribed by a licensed health care provider for the treatment of a condition related to the individual's gender identity.

**Whereas**, gender-affirming health care means any medically necessary treatment consistent with current clinical standards of care prescribed by a licensed health care provider in collaboration with their patient for the treatment of a condition related to an individual's gender identity.

**Whereas**, gender-affirming health care is evidence-based, medically necessary, and lifesaving.

**Whereas**, studies have shown that gender transition, including access to gender-affirming health care, improves the overall well-being of transgender and nonbinary people, and that access to gender-affirming health care for youth is associated with better mental health outcomes and lower risks of suicide.

**Whereas**, multiple health care institutions across the country have scaled back or have considered scaling back gender-affirming health care services in response to legal challenges, perception of legal risk, harassment, or threats of violence.

**Whereas**, many institutions providing gender-affirming health care are located in Baltimore and local advocates already report longer wait times and difficulty accessing medically necessary gender-affirming health care.

**Whereas**, the City of Baltimore has consistently declared its commitment to furthering transgender equity and supporting its growing transgender community through City Ordinance 23-0378 that prohibits the wilful use of the incorrect name or pronouns of an individuals.

**Whereas**, health care professionals providing, and individuals seeking, receiving, or assisting another individual who is seeking or receiving gender-affirming health care in the City of Baltimore should be protected from attempts to impose criminal punishment, civil liability, administrative penalties, or professional sanctions based on the laws of other states when gender-affirming health care is lawful in the State of Maryland and meets standards for good professional practice.

**Now, therefore, be it resolved by the City Council of Baltimore,** That the Baltimore City Council declares Baltimore City a sanctuary city for transgender and nonbinary individuals and calls on all units of City government receiving City funds to safeguard an individual's right to gender-affirming health care by refraining from using City funds or resources to impose criminal punishment, civil liability, administrative penalties, or professional sanctions on recipients, the families of recipients, or providers of gender-affirming health care.

**And be it further resolved,** That a copy of this Resolution be sent to Governor Wes Moore, the Director of the Maryland Commission on LGBTQIA+ Affairs, the Baltimore City Delegation to the General Assembly, the LGBTQIA+ Caucus of the Maryland General Assembly, the Mayor, the Director of the Mayor's Office of LGBTQ Affairs, the Office of Equity and Civil Rights, and the Mayor's legislative liaison to the City Council.