



NEW YORK STATE SENATOR

Andrea Stewart-Cousins

## Senate Majority Stands Up To Protect LGBTQ Rights

ANDREA STEWART-COUSINS June 11, 2019

| ISSUE: **LGBTQ RIGHTS, LGBTQIA, VETERANS, LGBT RIGHTS**

(Albany, NY) The Senate Majority today will pass legislation that will provide greater protections and services for New York's LGBTQ community. The bills being advanced by the Senate Democratic Majority will establish the Modern Family Act, abolish the use of "Gay Panic or Trans Panic" defense, and create the transgender youth and young adult suicide prevention task force. The Senate Majority will also pass the New York State Restoration of Honor Act that will correct the records of veterans discharged from the military because of their sexual orientation.

"In my opening remarks as the new Senate Majority Leader, I pledged to break down barriers and help make New York a national beacon for hope and progress," **Senate Majority Leader Andrea Stewart-Cousins** said. "In January, the new Senate Democratic Majority passed the first significant LGBTQ bills since marriage equality in 2011, and today we continued our progress by expanding services, support, and protections for the LGBTQ community. I want to recognize and applaud Senator Brad Hoylman who has been an outspoken advocate and leader in the fight for LGBTQ rights and equality, as well as bill sponsors Senator Julia Salazar and Senator Kevin Thomas for advancing this important legislation."

**Senate Deputy Leader Michael Gianaris** said, "In New York State, love always wins. I was honored to cast one of the deciding votes for marriage equality and continued to fight for full equality earlier this session when we passed GENDA and a ban on conversion therapy. Now we proudly march through Pride Month with an additional ambitious agenda to make New York fairer for the LGBTQ community."

**Bill Sponsor, Senator Brad Hoylman** said, "This package of bills marking the 50th anniversary of the birth of the modern LGBTQ civil rights movement is a watershed event in the State

Senate. While only a year ago, bills that were specifically directed to help LGBTQ people couldn't even get a hearing, today thanks to Senate Leader Andrea Stewart-Cousins and my colleagues, we're passing legislation to help LGBTQ New Yorkers build families, ban a vestige of homophobia in the criminal statute, allow LGBTQ vets get the benefits they deserve, track important data about LGBTQ New Yorkers to improve services to them, and address the disturbing trend of suicide among LGBTQ youth. This legislation is a fitting tribute to Stonewall, showing how far the movement has come, and demonstrating the resolve to continue to fight for full LGBTQ equality under the law."

**Andy Cohen, author, television host, and Emmy award winning Executive Producer**, said, "Surrogacy has played an unbelievably important role in my life, bringing me the family that I never imagined possible. I'm grateful for the leadership of the New York State Senate in advancing legislation to repeal the outdated ban on surrogacy and look forward to the day that New Yorkers are free to form their families in whatever way possible.

The historic legislation being passed by the Senate Democratic Majority includes

- **The Modern Family Act:** This bill, [S.2071](#), sponsored by Senator Brad Hoylman, will lift the existing ban on genetic surrogacy and provide clear and decisive legal procedures to ensure children born through assisted reproduction and surrogacy have secure and legally recognized parental relationships with their intended parents.
- **Abolishing "Gay Panic" Defense:** This bill, [S.3293](#), sponsored by Senator Brad Hoylman, will limit the use of extreme emotional disturbance as an affirmative defense, commonly known as the "Gay Panic" or "Trans Panic" defense, to a charge of murder in the second degree.
- **LGBTQ Suicide Prevention Task Force:** This bill, [S.6315](#), sponsored by Senator Julia Salazar, will establish the LGBTQ Youth and Young Adult Suicide Prevention Task Force to examine, evaluate, and determine how to improve mental health and suicide prevention for New York's LGBTQ youth and young adults up to the age of 24.
- **NYS Restoration of Honor Act:** This bill, [S.45-B](#), sponsored by Senator Brad Hoylman, will restore eligibility for state programs and benefits for LGBTQ veterans and veterans with certain qualifying conditions who were less than honorably discharged from military service due solely to their sexual orientation, gender identity or expression or those who received

less than honorable discharges as a result of military sexual trauma, traumatic brain injury, or post-traumatic stress disorder.

- **Gender Identity Data:** This bill, [S.6321](#), sponsored by Senator Kevin Thomas, will require the collection of additional demographic information for an improved understanding of the diversity of the state's LGBTQ community and its needs and experiences.
- **Bill Sponsor, Senator Julia Salazar** said, "Suicide is the second most common cause of death for young people up to 24 years old, and the higher rate of suicide attempts among LGBTQ youth is especially alarming. This is not inevitable; we must take decisive steps to reduce the risk of suicide among LGBTQ youth, and that's what we're doing today. The new suicide prevention task force specifically focused on these young people will directly inform actionable steps and responses needed to protect and empower young LGBTQ New Yorkers."

**Bill Sponsor, Senator Kevin Thomas** said, "There remains a persistent lack of data collection on sexual orientation and gender identity, leaving the unique challenges and needs of New York's lesbian, gay, bisexual, and transgender (LGBTQ) community largely unaddressed. Collecting this data is critical to eliminating disparities in access to public services. I am proud to sponsor legislation that will restructure data collection practices and enhance efforts to improve LGBTQ health and well-being."

**Senator Joseph P. Addabbo, Jr.** said, "I am pleased to stand with my Senate Democratic colleagues in helping to ensure dignity, equality and necessary services for our state's LGBTQ community and their families. As a co-sponsor of the Modern Family Act and the NYS Restoration of Honor Act, I look forward to the day when LGBTQ New Yorkers face fewer barriers to becoming loving parents and when our LGBTQ veterans are able to access programs and benefits they have earned as brave and dedicated members of the armed forces."

**Senator Jamaal Bailey** said, "The LGBTQ community has consistently fought for rights that should be afforded to them. Today the State Senate takes bold action. Today, we passed a series of reforms that would restore benefits to LGBTQ Veterans, abolish the "Gay Panic" defense, and eliminate the ban on genetic surrogacy. In addition to these reforms, bills were passed that would establish an LGBTQ Suicide Prevention Task Force and a collection of gender identity data in order to better understand the needs of the LGBTQ community. I want to thank Majority Leader Andrea Stewart-Cousins, Senator Brad Hoylman and all of

my colleagues for continuously providing a voice for New Yorkers that need it the most.”

**Senator Brian Benjamin** said, “Fifty years ago at Stonewall, brave New Yorkers, led by a group of trans women of color, started something that embodies the spirit of pride: they stood up for themselves and their community, and they made it clear they weren’t going anywhere. I am proud that the State Senate Democrats are continuing that legacy today with this legislation, which will make New York even more equal for LGBTQ families and individuals. Thank you to Senator Hoylman for your leadership, and to Rev. Sloan of the Family Equality Council and all the advocates who have made today possible.”

**Senator Alessandra Biaggi** said, “While the movement for LGBTQAI+ rights has made incredible strides, our work as legislators is never finished – New York state must continuously be looking for ways to create equality and justice for LGBTQAI+ New Yorkers and break down the barriers still standing in the way. This pride month we are lucky to be celebrating the passage of a legislative package that serves to support LGBTQAI+ families, veterans, and youth as we continue the fight for liberation.”

**Senator John E. Brooks** said, “Injustice creates opposition that transforms into a movement, which ultimately begets change. LGBTQ rights and protections have finally become a social, a cultural, and a societal priority and it is now time to institutionalize these hard won advances as law. I take great pride in standing with my colleagues as we pass this important legislation that encapsulates the basic human dignity the LGBTQ community has deserved all along.”

**Senator David Carlucci** said, "This package of bills represents our effort to ensure equal treatment under the law for our LGTBQIA members and families. A LGBTQIA veteran who selflessly serves our country and who is forced to hide who they are, only to lose their eligibility for state programs or benefits is wrong. Proud to support a bill to end this practice and legislation to support all New Yorkers."

**Senator Jim Gaughran** said, “In 2019, it’s absurd that same-sex couples still face challenges and barriers for pursuing an equal and happy life. I am proud to stand with the LGBTQ community and support this package of bills to modernize the most arcane aspects of NY law, including lifting the ban on surrogacy. Thank you Leader Stewart-Cousins for bringing these important bills to the floor today.

**Senator Andrew Gounardes** said, “These bills represent valuable progress in the long road to equal rights for LGBTQIA New Yorkers. It’s well past time that New York State recognize the fundamental rights of LGBTQIA people to become parents through surrogacy. Though we still have a long ways to go to combat discrimination, this legislation represents meaningful steps, and I am proud to vote in favor.”

**Senator Pete Harckham** said, “Our LGBTQ community members deserve strong legal rights and protections to ensure they are treated equally and with dignity. I’m proud to support this legislative package that will better protect the rights of our LGBTQ families in New York State.”

**Senator John Liu** said, “New York State is full of different lived LGBTQ experiences. Legislation must address a wide variety of concerns from our LGBTQ communities, which is what this package aims to do. Whether you are a veteran entitled to benefits for serving your country or a couple wanting to start a family through surrogacy, we recognize the value and importance of these protections.”

**Senator Robert Jackson** said, “We started the session out strong by passing the long-overdue GENDA, and I’m so proud of our Democratic Senate majority for passing this raft of progressive LGBTQ legislation toward the end of session. I’m especially grateful to Senators Hoylman and Salazar for their work on the elimination of the gay/trans panic defense and the creation of the LGBTQ suicide prevention taskforce, respectively. This legislation comes at an important time for queer and trans visibility. As many of us—including myself—are learning to make space for our trans and gender non-binary siblings in our everyday lives, trans womxn of color are still facing alarming rates of violence simply for who they are and too many of our queer youth continue to find no option but to take their own lives. I feel that this legislation sets us on the right path forward.”

**Senator Anna M. Kaplan** said, “At a time when the rights of LGBTQ people are continually under assault, my Senate Majority colleagues and I recognize that we have a long way to go in the fight for equality, and we are taking aggressive action to stand up for LGBTQ New Yorkers. Passing the Modern family act will remove unnecessary barriers that too many families face on the path to parenthood, and undo questions of parental rights created by outdated laws that don’t reflect the reality of what modern families look like. By abolishing the “gay panic” defense, we are sending a strong message that there is no excuse for violence against LGBTQ people. And by passing the Restoration of Honor Act, we are taking care of

our veterans who have suffered injustice due to past prejudice. Taken together, along with the passage of GENDA and the ban on conversion therapy, these are the biggest advancements for LGBTQ New Yorkers since the passage of marriage equality, and I couldn't be more proud of this majority for prioritizing these efforts."

**Senator Tim Kennedy** said, "Since taking control of the Senate in January, the Democratic Majority has aggressively taken long overdue steps to protect the LGBTQ community and ensure equality and acceptance is prioritized in New York State. Through the passage of these bills, we're continuing to provide supportive services that will improve the lives of many, and underscore New York as a progressive national leader on LGBTQ, mental health, and equal rights issues."

**Senator Monica Martinez** said, "New York is made up of families and individuals of all kinds, and I am proud to support the rights and freedoms of the LGBTQ community both today and always. When we uplift and advocate for the rights of marginalized communities, we are uplifting the rights of all people. I commend my colleagues for introducing these pieces of legislation, and it is my hope that we will continue to become a more inclusive state and nation in the years to come."

**Senator Rachel May** said, "Earlier this year, we took major steps toward expanding LGBTQ inclusion in New York. While the federal government takes steps to strip rights away, New York is leading the way with a new wave of protections. It has been fifty years since Stonewall, and it is appropriate that we continue the work we started in January. The Senate majority conference is sending a strong message today to all LGBTQ New Yorkers and around the world that we celebrate Pride -- and we celebrate you."

**Senator Shelley B. Mayer** said, "I am proud to vote for bills that make New York safer for LGBTQ people, support at-risk LGBTQ youth, and restore honor to LGBTQ veterans who were less than honorably discharged from military service due solely to their sexual orientation. I am proud to work with colleagues who are committed to breaking down barriers for LGBTQ New Yorkers. I also commend the many advocates throughout the state who had the fortitude to step into the public sphere to change minds, hearts and policy on issues affecting the LGBTQ community."

**Senator Jen Metzger** said, "I am very proud to support this package of legislation that will advance LGBTQ rights and protections. Legalizing surrogacy in New York State, restoring

rights to LGBTQ veterans, and improving mental health services for LGBTQ youth are among the vital pieces of legislation we pass today to secure full equality and protect the welfare of all New Yorkers, regardless of who you love, what your gender is, or how you identify.”

**Senator Velmanette Montgomery** said, “I am proud to join my colleagues in support of this package of bills to address major inequities in the law as it relates to members of the LGBTQ community and create an opportunity for us to look at how our systems are serving LGBTQ youth across New York State.”

**Senator Zellnor Y. Myrie** said, “At the start of the legislative session, the Senate passed historic LGBTQ rights reforms, and today our conference is standing up for our LGBTQ communities once again. All New Yorkers deserve equal protection under the law, regardless of their sexuality or gender identity. I applaud Senators Hoylman, Salazar, and Thomas for making this a historic Pride Month with this critical legislation.”

**Senator Kevin Parker** said, “No one should be discriminated against due to their sexual orientation, gender identity or expression. I am proud to stand with my colleagues in the Senate Democratic Majority and support legislation that will benefit and offer support to our constituents throughout New York State who identify themselves as part of the LGBTQ community.”

**Senator Jessica Ramos** said, “I am the proud State Senator of the largest Trans Latinx community in the country, and the second largest LGBTQ community in New York. My neighbors have fought hard for their rights for decades and today the New York State Senate affirms to them that we will protect their right to live their lives loud and proud.”

**Senator José M. Serrano** said, “While we sent a strong message after passing Marriage Equality and GENDA, we will continue to address any remaining laws in our books that discriminate against the LGBTQ community. LGBTQ New Yorkers deserve nothing less than equal rights, and today’s actions ensure that LGBTQ youth, veterans, and families are valued and treated with dignity and respect under New York’s laws.”

**Senator James Skoufis** said, “From passing GENDA our first week of legislative activity to passing this package of bills during pride month, we have not stopped advancing legislation to give our LGBTQ+ constituents the rights and respect that they deserve. I’m very proud to

stand for equality and vote in favor of each and every one of the bills in this important package.”

**The Reverend Stan J. Sloan, CEO of Family Equality Council, the organization spearheading the Protecting Modern Families Coalition**, said, “On behalf of the Protecting Modern Families Coalition, we are honored to be standing with the New York State Senate today in its effort to ensure that all families, no matter how they are created, are supported and protected by the law. This is a critical moment for the Child-Parent Security Act and for the hundreds of thousands of New York families who rely on assisted reproductive technology to create a family. We would especially like to thank Senator Andrea Stewart-Cousins for her leadership, and our bill sponsor Senator Brad Hoylman for leading the charge.”

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#### RELATED LEGISLATION

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## 2019-S2071

- 
- Introduced
  - - In Committee Assembly
    - In Committee Senate
  - - On Floor Calendar Assembly
    - On Floor Calendar Senate
  - - Passed Assembly
    - Passed Senate
  - Delivered to Governor
  - Signed By Governor
  -



Relates to judgments of parentage for children conceived through assisted reproduction or pursuant to surrogacy agreements; repealer

January 22, 2019

In Senate Committee [Judiciary](#)

Sponsored by [Brad Hoylman-Sigal](#)

Do you support this bill?

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## 2019-S3293

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
- 

Restricts the nature of extreme emotional disturbance as an affirmative defense to a charge of murder in the second degree

February 05, 2019

Stricken

Sponsored by [Brad Hoylman-Sigal](#)

Do you support this bill?

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## 2019-S6315

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Establishes an LGBT youth and young adult suicide prevention task force; and provides for the repeal of such provisions upon the expiration thereof

June 04, 2019

In Senate Committee **Mental Health and Developmental Disabilities**

Sponsored by **Julia Salazar**

Do you support this bill?

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## 2019-S45B

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- Introduced
  - - In Committee Assembly
    - In Committee Senate
  - - On Floor Calendar Assembly
    - On Floor Calendar Senate
  - - Passed Assembly
    - Passed Senate
  - Delivered to Governor
  - Signed By Governor
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Relates to discharged LGBT veterans

December 21, 2018

Signed by Governor

Sponsored by **Brad Hoylman-Sigal**

Do you support this bill?

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## 2019-S6321

LGBT Rights, Demographic Information

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- Introduced
  - - In Committee Assembly

- In Committee Senate
- ◦ On Floor Calendar Assembly
- On Floor Calendar Senate
- ◦ Passed Assembly
- Passed Senate
- Vetoed By Governor
- Signed By Governor
- 

Requires the collection of certain demographic information by certain state agencies, boards and commissions

June 05, 2019

Vetoed

Sponsored by Kevin Thomas

Do you support this bill?