

# Ten Reasons to Vote Against HB474/SB566 "Gender Identity" Bill

**1) Defective.** The bill forces individuals, employers, religious institutions, roommates, schools and public accommodation facilities to ignore reality and disregard a person's legitimate "assigned sex at birth." Johns Hopkins Hospital stopped sex reassignment surgeries because it does not cure Gender Identity Disorder (GID), yet HB474/SB566 enforces ideology over opinions of respected medical professionals and the needs and concerns of the public.

**2) Overreaching Definition:** HB474/SB566 is promoted by special interest groups as a "transgender anti-discrimination bill" but does not even mention the word "transgender" or "transsexual." Even many supporters of rights for those conflicted about their gender identity (transgender) would not provide that same protection for a "drag queen or cross dresser," which this bill does do. HB474/SB566 defines "GENDER IDENTITY" as "A GENDER-RELATED IDENTITY, 'APPEARANCE, EXPRESSION, OR BEHAVIOR' OF AN INDIVIDUAL REGARDLESS OF THE INDIVIDUAL'S ASSIGNED SEX AT BIRTH."

**3) Other protected classes such as race and sex do not change.** How can employees and citizens know what "Gender Choice" is being made or even which pronouns "should be used"?

- **Gender Identity can change at will.** Gender Identity is not an immutable class like other protected classes such as race or sex. A recent public example of a changing "gender identity" is the transitioning of LA Time sportswriter Mike Penner to Christine Daniels – and then back AGAIN to Mike Penner. This bill would give legal protection to a continually changing behavior such as weekend cross-dressers.
- **"Appearance, expression and behavior" can change from moment to moment and with each different situation.** The bill equally empowers "Drag Queens," cross dressing pedophiles and men who enjoy cross-dressing. Cross-dressers are often heterosexual males who obtain sexual arousal from dressing like women. HB474/SB566 prohibits employers and public accommodations managers or their employees from making inquiries about birth sex until after a problem or complaint has been raised. Any cross-dressing man, including cross-dressing sex offenders, voyeurs in women's bathrooms, and/or rapists will be protected from questioning by HB474/SB566. Women will be afraid to complain about males in changing areas and bathrooms, increasing the risk of attacks.

**4) Provides private cause of action against Maryland citizens** who fail to deny "government assigned" sex or refuse to accept cross-dressing. Any individual who thinks he or she is the opposite sex or simply wants to cross-dress on the job can sue a public accommodation or an employer in state court with a jury trial for back wages, compensatory damages up to \$400,000, and punitive damages. Punishment can include imprisonment and fines for housing violations. Since the bill fails to contain a freedom of conscience exemption, it acts as a thought crimes bill taking away the freedom of Marylanders to recognize biology as fact.

**5) Ignores practical safety and living concerns of the entire populace.** Separation by sex has been deemed appropriate and even necessary for safety and privacy in a variety of situations by society. With the bill's vague wording, all an adult male has to do to gain legal access to facilities normally reserved for women and girls is to indicate, verbally or non-verbally, that he has a sense of being female at the moment. If HB474/SB566 passes, the use of sex (male or female biology) in such diverse areas as all-girls' schools, school games, sports teams, **bathrooms, locker areas, showers**, or in sleeping and living areas in homes, prisons, and shelters will become a crime and subject to compensatory damages up to \$400,000, as well as punitive damages. In Washington, DC. where a gender identity bill has already passed, relief from the legislation and its broad definition of "gender identity" has been requested by the DC detention system because the law is unworkable and unsafe.

**6) Unacceptable loss of safety and privacy for women and children.** Under the Portland, Oregon Gender Identity Law, a cross-dressing sex offender entered a woman's locker room and was arrested while changing clothes in front of the children there. Without the Gender Identity law, the perpetrator would not have had such easy access to the female locker room. But with the unreasonable law, businesses could not question why he was there. In Montgomery County, women were afraid and outraged when a man in a blue dress went into female locker areas in a health club. He would have been protected under this proposed law. In Cincinnati, a male asserting a female identity (who has not had a sex change operation) is suing to be allowed to change in the female dressing area.

**7) Promoted by a narrow special interest group at the expense of the rights of minorities such as victims of assault who fear allowing men into female restrooms and showers.** Gender identity bills have been controversial in states such as Maine, Florida, Colorado, and Montgomery County, Maryland. The strength of voters' concern in Montgomery County could be measured by the fact that 26,813 verifiable referendum signatures were obtained in under 90 days. Yet the democratic efforts of the people were attacked by officers and members of Equality Maryland, including Dana Beyer (county council aide and EM vice president), who spent over \$80,000 in legal bills to silence voters and take away their right to vote on the Gender Identity Bill.

**8) Creates a new public policy essentially legalizing Gender Identity Theft and mandating that individuals refuse to recognize one's birth sex, even if it is plainly obvious.** HB474/SB566 is invasive legislation which eliminates gender and renders it a choice at any given day. If the bill is passed, Maryland effectively penalizes the common sense, freedom of conscience, religious liberty, and free speech of constituents. It is a direct attack on our privacy rights, conscience and common sense.

**9) Unexpected 'slippery slope' consequences.** The bill changes societal norms because it takes away the freedom of constituents to disagree with those who cannot accept their gender, mandates acceptance of ideology, paves the way for genderless marriages, and could lead to publicly funded sex change operations.

**10) No one has studied the effect that the bill will have on children's gender identity.** Bills such as these will require schools as "public accommodations" to begin tolerance training. In Montgomery County, children are taught that transgenderism is doing anything outside of the gender norm and that one can change their body to match the way they feel. There is no mention of the risk of steroids, that gender identity confusion is a disorder or that some transsexuals regret their decision. No one has studied the effect on a child's developing gender identity of having a kindergarten teacher begin the school year as a male and end as a female. HB474/SB566 plays Russian roulette with vulnerable children.

<sup>1</sup>Gender Identity Disorder "can be so pervasive that the mental lives of some individuals revolve only around those activities that lessen gender distress." The bill sets up untenable situations for Maryland employers who need a work force who are focused on production and not appearance.  
*Diagnostic and Statistical Manual of Mental Disorders, DSM-IV, fourth Edition.*

**VOTE "NO" ON HB474/SB566**

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