SENATE DOCKET, NO. 568 FILED ON: 1/16/2013

# SENATE . . . . . No. 643

## The Commonwealth of Massachusetts

PRESENTED BY:

***Sonia Chang-Diaz***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to equal access in hospitals, public transportation, nursing homes, supermarkets, retail establishments, and all other places open to the public.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|---|---|
| *Sonia Chang-Diaz* | *Second Suffolk* |
| *Benjamin B. Downing* | *Berkshire, Hampshire, Franklin and Hampden* |
| *Cynthia S. Creem* | *First Middlesex and Norfolk* |
| *John F. Keenan* | *Norfolk and Plymouth* |
| *William N. Brownsberger* | *Second Suffolk and Middlesex* |
| *Michael Barrett* | *Third Middlesex* |
| *James B. Eldridge* | *Middlesex and Worcester* |
| *Kenneth J. Donnelly* | *Fourth Middlesex* |
| *Sal N. DiDomenico* | *Middlesex and Suffolk* |
| *Stanley C. Rosenberg* | *Hampshire, Franklin and Worcester* |
| *Harriette L. Chandler* | *First Worcester* |
| *Karen E. Spilka* | *Second Middlesex and Norfolk* |
| *Patricia D. Jehlen* | *Second Middlesex* |
| *Thomas M. McGee* | *Third Essex* |
| *James T. Welch* | *Hampden* |
| *Daniel A. Wolf* | *Cape and Islands* |

| | |
|---|---|
| *Carl M. Sciortino, Jr.* | *34th Middlesex* |
| *Byron Rushing* | *9th Suffolk* |
| *Martha M. Walz* | *8th Suffolk* |
| *Brian R. Mannal* | *2nd Barnstable* |
| *Denise Andrews* | *2nd Franklin* |
| *John J. Lawn, Jr.* | *10th Middlesex* |
| *Denise Provost* | *27th Middlesex* |
| *Thomas P. Conroy* | *13th Middlesex* |
| *Marjorie C. Decker* | *25th Middlesex* |
| *Benjamin Swan* | *11th Hampden* |
| *Mary S. Keefe* | *15th Worcester* |

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# SENATE . . . . . No. 643

By Ms. Chang-Diaz, a petition (accompanied by bill, Senate, No. 643) of Sonia Chang-Diaz, Benjamin B. Downing, Cynthia S. Creem, John F. Keenan and other members of the General Court for legislation relative to equal access to public places regardless of gender identity. The Judiciary.

## The Commonwealth of Massachusetts

An Act relative to equal access in hospitals, public transportation, nursing homes, supermarkets, retail establishments, and all other places open to the public.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Section 92A of chapter 272 of the General Laws, as so appearing, is hereby amended by inserting after the word “sex”, in line 9, the following words:- , gender identity.

SECTION 2. Said section 92A of said chapter 272, as so appearing, is hereby further amended by inserting the following sentence at the end of the second paragraph:-

Any public accommodation including without limitation any entity that offers the provision of goods, services, or access to the public that lawfully segregates or separates access to such public accommodation or other entity based on a person’s sex shall grant all persons admission to and the full enjoyment of such public accommodation or other entity consistent with the person’s gender identity.

SECTION 3. Section 98 of said chapter 272, as so appearing, is hereby amended by inserting after the word “sex”, in line 2, the following words:- , gender identity.

SECTION 4. The term gender identity as used herein shall have the meaning as set forth in clause 59, Section 7 of chapter 4 of the General Laws.

SECTION 5. The Massachusetts Commission Against Discrimination, established by section fifty-six of chapter six, is authorized to adopt, promulgate, amend, and rescind rules and regulations or to formulate policies and make recommendations to effectuate the purposes of this Act.