

An Act relative to gender identity and nondiscrimination.

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

1           SECTION 1. Section 92A of chapter 272 of the General Laws, as appearing in the 2014  
2 Official Edition, is hereby amended by inserting after the word “sex”, in line 9, the following  
3 words:- , gender identity.

4           SECTION 2. The second paragraph of said section 92A of said chapter 272, as so  
5 appearing, is hereby further amended by adding the following sentence:-

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

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

13          SECTION 4. The Massachusetts Commission Against Discrimination shall adopt,  
14 promulgate, amend, and rescind rules and regulations or formulate policies and make  
15 recommendations to effectuate the purposes of this act, including when and how gender identity,  
16 as defined in clause 59 of section 7 of chapter 4 of the General Laws, may be evidenced. The  
17 office of the attorney general shall issue regulations or guidance for referring to the appropriate  
18 law enforcement agency or other authority for legal action any person who asserts gender  
19 identity for an improper purpose, as defined in clause 59 of section 7 of chapter 4.

SECTION 5. This act shall take effect on January 1, 2017.