

# STATE OF NEW YORK

6079

2021-2022 Regular Sessions

## IN SENATE

April 6, 2021

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services

AN ACT to amend the social services law, in relation to a gender-neutral marker for the welfare management system; and to amend the judiciary law, in relation to a gender X option on securing orders in criminal proceedings

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 21 of the social services law is amended by adding  
2 a new subdivision 2-a to read as follows:

3 2-a. The welfare management system and any related state systems  
4 required to process applications for benefits and to distribute such  
5 benefits shall recognize "X" as a valid option when placed in any field  
6 or as a response to a request for an applicant to specify gender or sex.  
7 All application materials, instructions, public guidance, and related  
8 materials associated with the benefits application process, including  
9 electronic and online materials and applications shall be amended and  
10 updated to clarify that nonbinary people can select or indicate a gender  
11 designation of "X". The content of the sex or gender field shall not  
12 delay or otherwise hinder access to services for nonbinary and transgen-  
13 der applicants. For the purposes of this subdivision the term "X" means  
14 a sex designation that is not exclusively male or female.

15 § 2. Subdivision 2 of section 212 of the judiciary law is amended by  
16 adding a new paragraph (cc) to read as follows:

17 (cc) Prescribe forms for the collection of basic demographic informa-  
18 tion for securing orders which shall include options for criminal  
19 defendants to identify as female, male, or gender X.

20 § 3. This act shall take effect on the thirtieth day after it shall  
21 have become a law; provided, however, that the department of social  
22 services shall amend, distribute and make available any printed materi-  
23 als relating to benefits under any program for which the department has

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD10804-02-1

1 supervisory responsibilities, including informational and instructional  
2 materials and applications for benefits, and the chief administrator of  
3 the courts shall amend, distribute and make available securing order  
4 forms which are in compliance with the provisions of section two of this  
5 act within one hundred twenty days of the date on which this act shall  
6 have become a law.