

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.

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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.