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For 20th year, lawmakers trying to protect LGBT Missourians, but new obstacle emerges

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JEFFERSON CITY -- Growing up in Cooter, Mo. — population 432 — state Rep. Greg Razer knew how it felt to not fit in.

In the Bootheel town, he said, boys played sports or worked on cars.

“There were certain things you were expected to do,” Razer said. “As a kid interested in history and politics, and who would rather be in a play than on a baseball field, they didn’t really know how to deal with me.”

He came out as gay at age 20 while he was a student at the University of Missouri.

Now Razer, a Kansas City Democrat and one of two openly gay members in the General Assembly, holds as one of his top legislative priorities a bill that LGBT-rights advocates have been trying to enact for 20 years.

Razer thinks his bill, if given a vote, would have enough support to pass this year.

But the measure, known as the Missouri Nondiscrimination Act, faces a new obstacle from another lawmaker who thinks protecting gay, lesbian and bisexual Missourians is fine, but barring discrimination against transgender Missourians would be a step too far.

Because of a 2015 Supreme Court ruling, gay and lesbian couples can get married. But under Missouri law, a person can still be fired, denied housing or kicked out of a restaurant for being gay or transgender — or simply being perceived as gay or transgender.

“LGBT people deserve the same protections that everybody else has,” Razer said. “You can’t be fired from your job because you’re white. But I can be fired from my job because I’m gay. And that’s just fundamentally not fair.”

His bill would add sexual orientation and gender identity alongside things like race, gender, religion and age as protected by the state’s discrimination laws.

Rep. Mike Stephens, a Bolivar Republican, has [sponsored a version](#) that is nearly identical except that it excludes protections for gender identity.

According to the [Human Rights Campaign](#), a group that advocates and lobbies on behalf of the LGBT community, 20 states and the District of Columbia prohibit discrimination based on sexual orientation and gender identity in housing and employment. Two, Wisconsin and New Hampshire, protect only sexual orientation.

No federal law protects LGBT people from discrimination.

Rep. Tom Hannegan, an openly gay St. Charles Republican who is sponsoring [a similar version of Razer's bill](#), said it's time for Missouri to get moving and "treat people equally."

Steph Perkins, executive director of PROMO, a statewide LGBT equal rights organization, said he thinks this will be the year the Missouri Nondiscrimination Act passes, pointing to the fact that Hannegan is the first Republican to sponsor a version of the bill.

"We see support from both Democrats and Republicans," Perkins said. "In 2013, it was passed out of the Senate. It didn't have enough time to go over to the House, but we did pass it out of the Senate with both Democrat and Republican votes."

While LGBT Missourians can legally get married, they still face stigma that could threaten their livelihoods, Razer said.

"There's always this cloud over you, especially if you live in a rural part of the state," he said. "Your boss may not fire you, but the possibility is there. And that causes you to be closeted. It causes you to be less of yourself at work. You're going to be less productive."

According to a [2017 report by the Human Rights Campaign](#), Jefferson City was ranked as one of 11 cities nationwide with the highest inequality for LGBT people. Kansas City, St. Louis and Columbia received perfect scores on the Equality Index.

Jackson and St. Louis counties and twelve cities — Kansas City, St. Louis, Clayton, Columbia, Creve Coeur, Ferguson, Kirksville, Kirkwood, Maplewood, Olivette, Richmond Heights and University City — have local ordinances that prohibit discrimination based on sexual orientation or gender identity.

"It's so important for us to have a state law," Perkins said. "... A statewide law protects LGBT people in every single district all across the state."

Opponents of adding protections aren't giving up their fight.

Sen. Ed Emery, a Lamar Republican and past sponsor of [a bill that would require students to use bathrooms](#) that correspond with their assigned gender at birth, said that even if the bill doesn't include protections for transgender Missourians, he'd still oppose it.

Being gay is a behavior, Emery said, not genetic.

"I don't see genetic differences the same as behavioral differences," Emery said. "That's

basically the bottom line.”

In the past, the bill also has [faced opposition from the Missouri Chamber of Commerce and Industry](#), which worried that additional protected classes could lead to more lawsuits against employers.

With [the passage last year of legislation](#) that makes it more difficult to prove discrimination cases against former employers, it is unclear if the chamber is still opposed. The chamber’s spokeswoman did not return repeated requests for comment.

The chamber’s lack of support was disappointing, Hannegan said, as many of its members have been outspoken in favoring the bill, including the Monsanto Co., which was [recognized as one of the most LGBT-friendly workplaces](#).

Perkins “vehemently” opposes Stephens’ bill and said it’s the first time in recent years that gender identity has been excluded from the act’s language.

Stephens said the exclusion stems from possible privacy concerns.

“Among the House, privacy will be a part of their concern,” Stephens said. “And I would like to see us move forward in that area without those concerns derailing the process.”

Perkins said the phrase “privacy concerns” is often used in reference to bathroom access — an issue Perkins is familiar with after [evangelical groups worked to overturn](#) a Springfield ordinance that protected LGBT people from discrimination by arguing the law would protect cross-dressing sexual predators who wished to lurk in women’s restrooms.

“As a transgender man myself, this issue of leaving out gender identity affects me personally, but it’s also important to the entire LGBT community to keep sexual orientation and gender identity together in a bill like this,” Perkins said. “Safety and privacy is important to all of us, including in places like restrooms and locker rooms. We already have laws in place that make it illegal for people to harm or harass others or invade their privacy. And anyone who does that can and should be prosecuted.”

Stephens’ bill attempts to segregate the LGBT community, Perkins said, but the community is “not going to move backwards on that.”

Both Razer and Hannegan said they would vote against any bill that didn’t include gender identity.

“The folks that are really under attack are the transgender community. Acceptance of the trans community is way behind lesbian, gay and bisexual people,” Razer said.

He said there was “a large misunderstanding about transgender issues, which we need to start educating people about.”

“There used to be a divide in the LGBT community,” Razer said. “I would say 10 years ago, there were a lot of gay men and women who would say, ‘We’ve got to drop the T.’

“In the last 10 years, there’s been education in our community, and there’s become an acceptance. They are not hurting the movement. They are part of us.”

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