

At least 7 states proposed anti-trans bills in first week of 2022

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Throughout the first week of the year, state lawmakers in at least seven states proposed laws that would limit the rights of transgender and nonbinary youths.

Republican lawmakers in Arizona, Alabama, Indiana, Kentucky, Oklahoma, New Hampshire and South Dakota introduced at least nine measures that target trans and nonbinary youths, such as their ability to participate in sports, receive gender-affirming care or use the bathroom.

The legislative push within the first few days of 2022 quickly follows what some advocates have labeled the “[worst year in recent history for LGBTQ state legislative attacks](#).”

“Unfortunately, I think we’re getting ready to watch a race to the bottom among legislators who are in a competition to see who can do the most harm to trans kids,” said Gillian Branstetter, a longtime trans advocate and the media manager for women’s advocacy group the National Women’s Law Center. “It is a hostile and dangerous trend that I’m sure we’ll see continue through the year.”

The majority of this week’s measures mirror the two types of legislation that dominated last year’s [record number of anti-trans bills](#): measures that block trans kids from competing on school sports teams that align with their gender identity and those that restrict their access to gender-affirming care.

Last year, bills prohibiting health care for trans youth were introduced in more than 20 states, with two states — Arkansas and Tennessee — signing them into law, according to a [tally from the American Civil Liberties Union](#). And out of the more than 30 states to introduce restrictions on trans athletes last year, nine states enacted the legislation into law, according to advocacy group the [Human Rights Campaign](#).

Supporters of the bills have largely argued that they want to prevent young people from making medical decisions they might later regret and to protect the rights of cisgender girls and women in school sports.

“It is unfortunate that we see this as removing the rights of any people,” Republican state Rep. Rhonda Milstead, who introduced South Dakota’s trans sports ban this week, told NBC News in an email. “If competitive sports are made to be fair, there is a place for everyone to compete according to the biology they were born with.”

Conversely, major sports organizations, including the National Collegiate Athletic Association and International Olympic Committee, allow transgender and nonbinary athletes to compete on teams that correspond to their gender identity under certain conditions. The IOC [updated its guidelines](#) on transgender athletes in November, removing controversial policies that required competing trans athletes to undergo what it described as “medically unnecessary” procedures or treatment.

Another type of measure proposed this week aims to block trans kids in South Dakota from using multi-occupancy shower rooms, restrooms or locker rooms. However, Republican state Rep. Fred Deutsch, who introduced the bill, denied that the bill involved trans youth and disparaged the concept of gender identity.

“All across the country, including in South Dakota, laws and policies are being changed to redefine sex in a manner that denies the material reality of sex,” Deutsch wrote in an email. “This bill is designed to

ensure that, at least in South Dakota, we maintain a definition of sex that actually reflects reality.”

The South Dakota proposal would also allow students to sue their school district if they encounter trans students in any of these settings or if a teacher permits trans students to use single-sex bathrooms that align with their gender identity.

In other words, the proposed legislation relies on “bounty-type penalty systems” modeled after [Texas Senate Bill 8](#), a controversial law that permits private citizens from across the country to sue abortion providers in Texas, said Chase Strangio, the deputy director for transgender justice at the ACLU LGBT & HIV Project.

Strangio predicted that legislation with similar clauses will be a common theme of 2022.

“One concern that people have moving forward is, ‘How are lawmakers going to try and avoid accountability and judicial review?’ I think one way is to limit government enforcement of their laws and sort of deputize private individuals to act as government officials to essentially be the people enforcing the law through private lawsuits,” Strangio said.

While state lawmakers have been aggressive in their efforts to limit the rights of transgender and nonbinary youths in recent years, Americans overwhelmingly oppose anti-trans laws: Two-thirds of Americans and majorities among every political ideology and age group oppose laws that would restrict transgender rights, a 2021 [PBS NewsHour/NPR/Marist poll](#) found.

Major medical associations, including the American Academy of Pediatrics, the [American Medical Association](#) and the [Pediatric Endocrine Society](#), have also openly opposed bills that limit trans rights, with the AMA warning that they could cause “tragic health consequences, both mental and physical.”

Concerning mental health specifically, LGBTQ advocates have long warned that the bills have been damaging to the already vulnerable group of youths.

A 2021 [survey conducted by The Trevor Project](#), an LGBTQ youth suicide prevention and crisis intervention organization, found that 1 in 5 trans and nonbinary youths attempted suicide within the past year.

Last year’s slew of anti-trans bills cannot be directly attributed to the decline in mental health of LGBTQ youths. However, a [separate report](#) from The Trevor Project last year showed that crisis lines experienced a surge in calls from young people living in Texas, which considered over 50 bills targeting trans kids last year, according to advocacy group Equality Texas. From January through August, the organization received nearly 4,000 crisis calls from trans and nonbinary Texan youths, a 150 percent increase compared with the same time period in 2020.

Going forward, Branstetter urged trans and nonbinary Americans to “stand up and fight with every breath that we have” but acknowledged that the drumbeat of anti-trans legislation can sometimes trigger a “sense of doom.”

“It’s very dark, and there’s a strong sense among trans people that we are having the door slammed in our face just as we got our foot in the door,” she said.