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POLITICS

Over fierce objections, Iowa GOP moves closer to ending trans civil rights protections

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Iowa Republicans moved closer to removing protections against discrimination for transgender Iowans from the state's civil rights law on Tuesday, as transgender Iowans pleaded with them to stop the bill.

On a 2-1 vote, Senate Republicans passed Senate File 418 out of a subcommittee hearing Tuesday afternoon. Sens. Jason Schultz, R-Schleswig, and Dan Dawson, R-Council Bluffs, voted in favor, and Sen. Matt Blake, D-Urbandale, was opposed.

Schultz, who chairs the Senate Judiciary Committee, said the committee would meet Wednesday to take up the legislation.

On Monday, House Republicans swiftly passed their own version of the legislation, House File 583 (renamed from House Study Bill 242), through the House Judiciary Committee. The chamber has set a public hearing for 9:30 a.m. Thursday, setting up a possible floor vote this week.

The Senate bill could also see a floor vote as soon as Thursday, meaning the bill could be sent to Gov. Kim Reynolds' desk late this week.

Tuesday's proceedings were notably calmer than Monday, when hundreds of LGBTQ rights supporters filled the Capitol hallways, chanting "trans rights are human rights" and state troopers handcuffed and arrested two protesters.

On Tuesday, several dozen people lined up outside the Senate subcommittee room as six state troopers formed a wall in the hallway. More troopers lingered in the hallway.

Opponents of the bill held signs reading "trans blood will be on your hands" and another with words "I will not censor myself to comfort your ignorance" superimposed over the transgender flag.

When the meeting started, they briefly chanted "we're here, we're queer, we will not disappear" before stopping. They didn't chant again, unlike Monday's meeting where lawmakers on a House subcommittee couldn't hear at times over the chanting.

More: Iowa GOP fast-tracks bill ending trans civil rights protection as protesters flood Capitol

'Your legacy will be taking away rights:' Opponents say the bill is about 'erasing transgender people from the state of Iowa'

Transgender Iowans urged lawmakers to reject the bill, saying it would allow discrimination against them and infringe on their freedoms.

"I just want to ask you legislators to really have the guts to own what this bill is about," said Kristian Maul, a transgender man. "It is about erasing transgender people from the state of Iowa. And I know you won't say that publicly but that is exactly what this is meant to do."

Maul said the bill will allow businesses to discriminate against him because he is transgender.

"Will I be able to take my family out for dinner on a Friday night and still go to our favorite restaurant?" he said. "Or are they going to have a large sign in the window that says, 'We do not serve trans people?' If you pass this bill, businesses will be able to openly discriminate against transgender Iowans at will."

Vernon Gonzalez, a transgender man from Des Moines, said the bill will strip away basic freedoms from transgender people.

"We'll be stripped of housing and health care," he said. "We'll be stripped of the ability to move through our communities safely and with courage."

Lennon Janes, a student at Drake Law School, said passing the bill would make Iowa the first state to take away civil rights from a group of people it has previously protected.

"Regardless of your beliefs regarding trans people, if you repeal us from the civil rights act, your legacy will be taking away rights and being the first state to do so," Janes said. "That will be your legacy. And I ask you now, is that what you want? History has its eyes on you right now."

Supporters of the bill say Iowans believe 'men are men and women are women'

Supporters of the bill invoked their religion, saying that God created "male and female."

Kathryn Kueter of Pleasant Hill said "if anyone is being erased from society, it is me, a woman."

"Having gender identity in the civil rights code directly contradicts the civil rights given to sex, specifically women," she said. "You can't tell women their spaces and their rights will be protected and then in the same breath allow men counterfeiting as women to invade those spaces."

Brad Lawson of Pleasant Hill asked God "to give these men and women the courage to pass this bill into law."

"The majority of the people in Iowa believes this to be true, that men are men and women are women," he said. "Do what's right and bring Iowa back to the foundations that are rooted in the God-given principles of sex and not gender identity. That we are male and female."

Dawson, who served on the subcommittee, pointed to court decisions that have relied on gender identity being a protected class in the Iowa Civil Rights Act. Those decisions include one requiring Medicaid to cover gender-affirming surgeries.

"Whilst undeniable that gender identity and gender expression has been around humanity for centuries, what also is undeniable is that the legal instances since 2007 have multiplied here in the last few years," he said. "I do believe this is to correct the unintended consequences of those legal instances."

Senate File 418 takes gender identity out of the Iowa Civil Rights Act

The bill would remove gender identity as a protected class in the Iowa Civil Rights Act, which protects Iowans from discrimination in employment, housing, public accommodations and more.

The law, which was first enacted in 1965, prohibits discrimination based on race, creed, color, sex, sexual orientation, national origin, religion, disability and gender identity.

Lawmakers added the protections for sexual orientation and gender identity in 2007, when Democrats held the Iowa Legislature and governor's office.

More: What is the Iowa Civil Rights Act? Here's how the law protects Iowans from discrimination

Birth certificates would have to reflect an Iowan's sex at birth, under the bill

The legislation would require birth certificates to reflect an Iowan's sex at birth as either male or female.

The bill says if the child's sex cannot be determined at birth, the parents would be allowed up to six months to file the child's birth certificate, "to allow parents to obtain any diagnosis or testing from a health care provider."

And it would strike a section from current law allowing a transgender person who transitions to receive a new birth certificate if they receive a notarized affidavit from a doctor stating their sex has been changed.

Any government in Iowa that gathers health data, including state agencies, cities, counties and schools would have to identify a person as either male or female.

More: Wide-ranging GOP bill would remove gender identity protections from Iowa Civil Rights Act

New definitions of 'male,' 'female' and 'sex' would be added to Iowa law

The bill adds new definitions for "male," "female" and "sex" in state law.

It redefines "sex" to mean "the state of being either male or female as observed or clinically verified at birth."

It defines "female" as an individual who has or will have "a reproductive system that at some point produces ova."

It defines "male" as a person who has or will have "a reproductive system that at some point produces sperm."

It defines "mother" as "a parent who is female" and "father" as "a parent who is male."

It also says "the term 'equal' does not mean 'same' or 'identical.'"

And it says "separate accommodations are not inherently unequal."

(This story was updated to include new information.)

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