

25 Academy of Pediatricians, the Endocrine Society, the American Psychiatric
26 Association, and the World Professional Association for Transgender Health,
27 amongst other institutions; and

28 **WHEREAS**, studies have shown that gender transition, including access to
29 gender-affirming healthcare, improves the overall wellbeing of transgender people
30 and that access to gender-affirming healthcare for youth is associated with better
31 mental health outcomes and lower risks of suicide; and

32 **WHEREAS**, over 94 percent of LGBTQ+ youth surveyed by the Trevor
33 Project in late 2021 said recent politics have negatively impacted their mental
34 health, and 93 percent of transgender and nonbinary youth surveyed by the Trevor
35 Project in 2022 said they have worried about transgender people being denied
36 access to gender-affirming medical care due to state or local laws; and

37 **WHEREAS**, a majority of U.S. adults agree that transgender minors should
38 have access to gender-affirming care; and

39 **WHEREAS**, the City has consistently declared its commitment to furthering
40 transgender equity and supporting its transgender and nonbinary community,
41 including proclaiming May 5, 2022, as Y'all Means All Day, and March 9, 2022,
42 as Transgender Youth and Family Safety Day, providing supportive services
43 through Austin Public Health, and frequently and consistently partnering with
44 organizations and healthcare providers that provide supportive services to
45 transgender and nonbinary youth; and

46 **WHEREAS**, it is necessary and appropriate to exercise the authority vested
47 in the City's Charter, including the coordinated and integrated direction,
48 supervision, and control of all City departments, boards, commissions, and other

49 agencies, to protect the safety and wellbeing of all residents, including attracting
50 and keeping qualified and talented healthcare professionals, and to be responsible
51 stewards of taxpayer money by prioritizing the urgent needs of all people; **NOW**
52 **THEREFORE,**

53 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

54 Except to the extent required by law, it is the policy of the City that no City
55 personnel, funds, or resources shall be used to investigate, criminally prosecute, or
56 impose administrative penalties upon: (1) a transgender or nonbinary individual for
57 seeking healthcare, or (2) an individual or organization for providing or assisting
58 with the provision of healthcare to a transgender or nonbinary individual; and
59 further, the City shall not terminate or limit the eligibility for City funding, such as
60 grants or contracts, to an individual or organization for seeking, providing, or
61 assisting with the provision of healthcare to a transgender or nonbinary individual.

62 **BE IT FURTHER RESOLVED:**

63 It is the policy of the City to support and protect the health, welfare, and
64 safety of individuals who identify or are perceived as LGBTQIA+ and those who
65 provide services and support to those individuals through the vigorous enforcement
66 of hate crime and anti-discrimination laws and providing other forms of support.

67 **BE IT FURTHER RESOLVED:**

68 If any law or regulation of the State of Texas imposes criminal punishment,
69 civil liability, administrative penalties, or professional sanctions upon: (1) a
70 transgender or nonbinary individual for seeking healthcare, or (2) an individual or
71 organization for providing or assisting with the provision of healthcare to a

72 transgender or nonbinary individual, City personnel shall make enforcement of
73 said law or regulation their lowest priority.

74 **BE IT FURTHER RESOLVED:**

75 Except to the extent required by law, City personnel shall not enforce laws
76 of other jurisdictions that impose criminal punishment, civil liability,
77 administrative penalties, or professional sanctions, upon: (1) a transgender or
78 nonbinary individual for seeking healthcare, or (2) an individual or organization
79 for providing or assisting with the provision of healthcare to a transgender or
80 nonbinary individual and shall decline any request to stop, arrest, detain, continue
81 to detain, or transfer into the custody of any other law enforcement, individuals on
82 the basis of such conduct being criminalized, penalized, or sanctionable in said
83 jurisdiction.

84 **BE IT FURTHER RESOLVED:**

85 Except to the extent required by law, City personnel shall not affirmatively
86 provide to nor respond to any request for information from another jurisdiction if
87 the information is related to that jurisdiction's laws, rules, or regulations imposing
88 criminal punishment, civil liability, administrative penalties, or professional
89 sanctions or the investigation thereof, upon: (1) a transgender or nonbinary
90 individual for seeking healthcare, or (2) an individual or organization for providing
91 or assisting with the provision of healthcare to a transgender or nonbinary
92 individual.

93 **BE IT FURTHER RESOLVED:**

94 Except to the extent required by law, City personnel shall not enforce or
95 facilitate the collection of any judgment of another jurisdiction to the extent the

96 judgment arises out of a cause of action in that jurisdiction against: (1) a
97 transgender or nonbinary individual for seeking healthcare, or (2) an individual or
98 organization for providing or assisting with the provision of healthcare to a
99 transgender or nonbinary individual.

100 **BE IT FURTHER RESOLVED:**

101 The policies set forth herein apply only to cases where individuals or
102 organizations are facing criminal or civil action solely for the provision of or
103 assistance in obtaining gender affirming healthcare for transgender or nonbinary
104 individuals that affirms their gender identity, and do not apply to investigation,
105 prosecution, or any other criminal or civil action concerning negligence,
106 malpractice, intentional tort, criminal act other than providing or assisting in
107 obtaining healthcare for transgender or nonbinary individuals, or the breach of
108 rules of professional conduct or licensing in the provision of, assistance in
109 obtaining of, or referral to such healthcare.

110 **BE IT FURTHER RESOLVED:**

111 City Council supports the incorporation of the policies contained in this
112 Resolution into the Austin Police Department's General Orders.

113 **BE IT FURTHER RESOLVED:**

114 The City Manager is directed to explore establishing a program or identify
115 resources to assist Austin residents facing potential criminal punishment, civil
116 liability, administrative penalties, or professional sanctions for providing to or
117 assisting transgender or nonbinary individuals with healthcare or for seeking or
118 receiving such care, including but not limited to collaboration with Travis County.

120 **BE IT FURTHER RESOLVED:**

121 The City Manager is directed to take appropriate steps to implement this
122 Resolution and report back to the City of Austin LGBTQ Quality of Life
123 Commission and the City Council within three months of the passage of this
124 Resolution; and the City Manager is further directed to return to the City Council
125 for authorization of any needed policy clarifications or changes in the event of
126 future changes to federal law, state law, or technology that affect this Resolution.

127
128
129 **ADOPTED:** _____, 2024 **ATTEST:** _____

131 Myrna Rios
132 City Clerk