EXECUTIVE SUMMARY

Many states have enacted laws or have legislation pending that would restrict the rights of transgender youth. In 2023, over 500 pieces of legislation restricting the rights of LGBTQ people were introduced in state legislatures.\(^1\) Nearly as many bills have been introduced or remain under consideration thus far in 2024.\(^2\) A substantial percentage of these bills specifically target transgender youth, such as by limiting access to gender-affirming care, participation in sports and school programs, access to bathrooms and other facilities, or by discouraging the use of gender-affirming pronouns for transgender youth.\(^3\)

At the same time, many states have banned practices intended to change a young person’s sexual orientation or gender identity, known as conversion therapy, or have laws pending to do so. Several states have also enacted or introduced “shield” laws to protect families and health practitioners who facilitate access to gender-affirming care from prosecution beyond state borders where such care has been restricted.\(^4\)

This report estimates the number of transgender youth ages 13-17\(^5\) who are impacted by six types of laws and policies that have gained traction in the 2023-2024 legislative sessions. For this report, we focus on laws that have been enacted or new legislation that was either introduced in 2024 or “carried over” from 2023.\(^6\) These laws and policies include four common types of legislation that restrict the rights of transgender youth—gender-affirming care bans, bans on sports participation, bathroom and other facilities bans, and restrictions on the use of gender-affirming pronouns—and two that confer protections via gender-affirming care “shield” laws and conversion therapy bans.\(^7\)

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\(^3\) Id.


\(^5\) To estimate the number of youth impacted, we rely on state level estimates of the number of transgender youth ages 13-17 published in the Williams Institute report, How Many Adults and Youth Identify as Transgender in the United States? We are unable to estimate the impact of these laws on youth younger than age 13 because the data sources used to create these estimates do not survey children below age 13. Jody L. Herman, Andrew R. Flores, & Kathryn K. O’Neill, Williams Inst., How Many Adults and Youth Identify as Transgender in the United States? (2022).

\(^6\) While this brief focuses primarily on laws introduced and active in the 2024 legislative session, many states “carry over” laws from previous years. Therefore, some 2023 legislation is discussed where appropriate. This brief also considers laws that were introduced in New Jersey and Virginia, which both use a 2024-2025 legislative cycle. See e.g. 2024 Legislative Session Dates, multistate.us (March 11, 2024), https://www.multistate.us/resources/2024-legislative-session-dates.

\(^7\) Many states considered or passed other types of laws and policies that impact transgender and LGBTQ youth more broadly in 2023 and 2024 legislative sessions. This brief estimates only the impact of the six types of laws and policies listed here; it is not intended to provide a comprehensive look at all forms of legislation and policymaking that has impacted transgender youth over the past year.
KEY FINDINGS

Ninety-three percent of transgender youth ages 13-17 in the U.S., an estimated 280,300 transgender youth, live in states that have passed or proposed one or more laws banning access to gender-affirming care, participation in sports, use of bathrooms and other sex-separated facilities, or affirmation of gender through pronoun use.

- 120,200 transgender youth live in states where one or more of these types of laws have been enacted.
  - 160,100 transgender youth live in states where one or more of these laws was pending in the 2024 legislative session but has not yet been enacted.
- Only 19,500 transgender youth live in states and the District of Columbia (D.C.) where none of these types of laws have been enacted or where none of these laws were introduced or pending in the 2024 legislative session.
- Transgender youth in specific regions of the country are more likely to live in a state with at least one of the four types of anti-transgender law.
  - Approximately 85% of transgender youth ages 13-17 in the South and 40% of transgender youth ages 13-17 in the Midwest live in states with at least one anti-transgender law.
  - Transgender youth in the Northeast are least likely to live in a state where an anti-transgender law has been enacted.

Bans on Gender-Affirming Care

- 237,500 transgender youth ages 13-17 live in states that have passed laws banning access to gender-affirming care or where such a law was introduced or pending in the 2024 legislative session. This is slightly more than three-quarters of all transgender youth in the country, although several of the bans were introduced in states that are unlikely to enact them.
  - 113,900 transgender youth—more than a third of transgender youth in the U.S.—live in states that have enacted bans on access to gender-affirming care.
    - Of these, 18,500 transgender youth live in states with gender-affirming care bans that cannot currently be enforced due to court orders.
  - 123,600 additional transgender youth live in states where a gender-affirming care ban was pending in the 2024 legislative session but has not yet been enacted.

Bans on Transgender Participation in Sports

- 222,500 transgender youth ages 13-17 live in states that have enacted laws restricting access to school sports for transgender students or where such a law has been introduced or pending in the 2024 legislative session. This is nearly three-quarters of all transgender youth in the country.
  - 120,200 transgender youth—forty percent of transgender youth in the U.S.—live in states that restrict access to school sports for transgender students.
Of these, 11,100 transgender youth live in states with sports participation bans that cannot currently be enforced due to court orders. 

- 102,300 additional transgender youth live in states where a sports ban was pending in the 2024 legislative session but has not yet been enacted.

**Bans on Access to Bathrooms and Other Facilities**

- 117,000 transgender youth ages 13-17 live in states that have passed laws directly or indirectly banning transgender students from using school bathrooms and other facilities that align with their gender identity or where such a law was introduced or pending in the 2024 legislative session.
  - 38,600 transgender youth live in states that ban transgender students from using school bathrooms and other facilities that align with their gender identity or indirectly block their access through laws defining “sex” to exclude transgender people.
  - Of these, 1,000 transgender youth live in Idaho, where the state’s bathroom ban has been blocked by a court.
  - 78,400 additional transgender youth live in states where a bathroom or facilities ban or similar law was pending in the 2024 legislative session but has not yet been enacted.

**Bans on Gender-Affirming Pronouns**

- 121,100 transgender youth ages 13-17 live in states that have passed laws restricting or prohibiting the use of gender-affirming pronouns or where such a law has been introduced in the 2023-2024 legislative sessions. This is forty percent of transgender youth in the country.
  - 49,100 transgender youth live in states that restrict or prohibit the use of gender-affirming pronouns, particularly in schools and other state-run facilities
  - 72,000 additional transgender youth live in states where a similar restriction or prohibition of gender-affirming pronouns was pending in the 2024 legislative sessions but has not yet been enacted.

At the same time, many transgender youth live in states that offer one of two kinds of laws that aim to protect transgender youth. Nearly half of transgender youth live in states that protect their access to gender-affirming care (“shield” laws), and two-thirds of states have enacted laws or policies prohibiting conversion therapy intended to change the sexual orientation, gender identity, or transgender expression of youth.

- An estimated 198,000 transgender youth ages 13-17 live in 27 states and D.C. that have either a “shield” law or a conversion therapy ban, and 146,700 transgender youth—half of all transgender youth in the U.S.—live in 14 states and D.C. that have both “shield” laws and conversion therapy bans.
- All transgender youth in the Northeast live in a state that has banned conversion therapy, and several—five of nine states—also have a “shield” law. Nearly all transgender youth in the West (97%) live in a state with one or both protective laws.
Gender-Affirming Care “Shield” Laws

- 163,800 transgender youth ages 13-17—over half of all transgender youth in the U.S.—live in eighteen states and D.C. that have enacted “shield” laws, protecting access to gender-affirming care, or where a “shield” law was introduced or pending in the 2024 legislative session.
  - 146,700 transgender youth—nearly half of transgender youth ages 13-17—live in fourteen states and D.C. that have already enacted gender-affirming care “shield” laws.
  - 17,100 transgender youth ages 13-17 live in an additional four states where a “shield” law was pending in the 2024 legislative session but has not yet been enacted.

Bans on Conversion Therapy

- 204,800 transgender youth ages 13-17 live in states that have banned the practice of conversion therapy or where a ban on conversion therapy was introduced in the 2023-2024 legislative sessions but has not yet been enacted. This is more than two-thirds of all transgender youth.
  - 198,000 transgender youth—two-thirds of transgender youth in the U.S.—live in all states with conversion therapy bans.
  - 6,800 transgender youth ages 13-17 live in an additional four states where a ban on conversion therapy was pending in the 2024 legislative session but has not yet been enacted.
LAWS THAT RESTRICT THE RIGHTS OF TRANSGENDER YOUTH

BANS ON GENDER-AFFIRMING CARE

What is Gender-Affirming Care?

Gender-affirming care commonly refers to health services that support a person in living in alignment with their gender identity when their gender identity differs from their sex assigned at birth. For transgender youth who need it, this care may include the use of hormones to delay puberty and to promote the development of secondary sex characteristics that are consistent with their gender identity. Access to gender-affirming health care for transgender youth is supported by the American Academy of Pediatrics and is viewed by the American Academy of Child and Adolescent Psychiatry (AACAP), the American Psychiatric Association (APA), and the American Medical Association (AMA) as evidence-based patient care. In February 2024, the American Psychological Association issued a statement reiterating its support for “unobstructed” access to evidence-based health care, explicitly including gender-affirming care for transgender youth who need it and emphasizing the evidence supporting access to care.

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8 See generally, E. Coleman, et al., Standards of Care for the Health of Transgender and Gender Diverse People, Version 8, 23 INT. J. TRANSgend. HEALTH S1 (2022) (also known as the “World Professional Association for Transgender Health Standards of Care”).


11 APA PoLiCy stAteMent on AFFirMing evidenCe-bAsed inCLUsive CAre For trAnsgender, gender-diverse, And nonbiNary indiVidUALs, Addressing MisinForMAtion, And tHe roLe oF PsyChoLogiCal PrACtiCe And sCienCe, AM. PsyCh. Ass’n., (Feb. 2024), https://www.apa.org/about/policy/transgender-nonbinary-inclusive-care.pdf.
State Bans on Gender-Affirming Care

Gender-affirming care bans generally restrict access to care by imposing penalties on physicians who prescribe or administer gender-affirming medical treatment to youth. The penalties range from disciplinary action by a state licensing board, including revocation of a medical license, to felony charges, which can carry a prison sentence. Bans may also increase liability for medical practitioners by increasing the time limits and grounds under which lawsuits may be brought against them for providing gender-affirming care. Most of these bans prohibit access to a range of treatments, including puberty blockers and hormone therapy.

Twenty-four states have enacted laws that ban access to gender-affirming care for transgender youth. Nineteen of these bans—the vast majority—were enacted in 2023; both Ohio and Wyoming's bans were enacted in 2024. Idaho enacted an additional law in 2024 that builds on its existing ban by prohibiting the use of state funds and Medicaid for gender-affirming care. Prior to the 2023 legislative session, only three states had bans on youth access to gender-affirming care. An estimated 113,900 transgender youth ages 13-17 now live in a state that has enacted a ban on gender-affirming care for transgender youth. This is more than a third of transgender youth in the U.S.

12 For a more detailed description of the penalties imposed by these laws, see Christy Mallory, Madeline G. Chin & Justine C. Lee, Legal Penalties for Physicians Providing Gender-Affirming Care, 329 JAMA 1921 (2023); ELENA REDFIELD ET AL., WILLIAMS INST., PROHIBITING GENDER-AFFIRMING MEDICAL CARE FOR YOUTH (2023), https://williamsinstitute.law.ucla.edu/publications/bans-trans-youth-health-care/.
14 Mallory et al., supra note 8.
19 These states were Alabama, Arizona, and Arkansas. See ELANA REDFIELD ET AL., PROHIBITING GENDER-AFFIRMING MEDICAL CARE FOR YOUTH, supra note 17.
20 Two states, Alabama and Nebraska, prohibit access to gender-affirming care for young people up to and including age 18. While this report is focused on the impact of recent legislation on transgender youth ages 13-17, a prior Williams Institute report estimated that 700 transgender eighteen-year-olds live in Alabama (4,100 transgender young people between ages 13-18 live in the state) and 300 transgender eighteen-year-olds live in Nebraska (1,500 transgender young people between ages 13-18 live in the state). Id. at 4-5; REDFIELD ET AL. supra note 7.
21 HERMAN ET AL., supra note 5.
Many of these laws are being challenged through litigation. As of April 2024, bans in three states are unenforceable by court order. These states are Arkansas, Florida, and Montana. Courts in these states have held that the bans likely violate federal or state constitutions. An estimated 18,500 transgender youth ages 13-17 live in these four states. A temporary block of Idaho’s ban by a federal court was reversed by the Supreme Court in April 2024, allowing the ban to go back into effect except as to the plaintiffs in the case. Additionally, an Ohio state judge issued a temporary restraining order in April, blocking legislation that was set to go into effect. However, the state has enacted regulatory

25 See e.g. Brandt, supra note 24 (federal constitution); Van Garderen, supra note 27 (state constitution).
bans in addition to the statute, which are set to go into effect in May.\textsuperscript{27} In Idaho, Ohio, and an additional twelve states, litigation challenging the bans on access to gender-affirming care is ongoing. These states are Alabama,\textsuperscript{28} Georgia,\textsuperscript{29} Indiana,\textsuperscript{30} Kentucky,\textsuperscript{31} Louisiana,\textsuperscript{32} Missouri,\textsuperscript{33} Nebraska,\textsuperscript{34} North Carolina,\textsuperscript{35} North Dakota,\textsuperscript{36} Oklahoma,\textsuperscript{37} Tennessee,\textsuperscript{38} and Texas.\textsuperscript{39} The Supreme Court is currently deciding whether to accept an appeal of the Kentucky and Tennessee cases.\textsuperscript{40}

\textsuperscript{27}Moe v. Yost, No. 24CVH03-2481 (Ohio Frank. Cty. Ct. 2024); See also Haley BeMiller, \textit{Ohio Judge Temporarily Blocks Ban on Gender-Affirming Care for Transgender Minors}, \textsc{The Columbus Dispatch}, April 16, 2024, https://www.dispatch.com/story/news/politics/2024/04/16/ohio-judge-blocks-ban-on-gender-affirming-care-for-transgender-minors/73119276007/.


\textsuperscript{30}K.C. v. Individual Members of the Medical Licensing Bd. of Ind., No. 1:2023cv00595 (S.D. Ind. June 16, 2023) (does not apply to surgical care).

\textsuperscript{31}Doe v. Thornbury, No. 3:23-cv-00230 (Sixth Cir. Sept. 8, 2023).

\textsuperscript{32}Soe v. Louisiana State Board of Medical Examiners, filed Jan. 8, 3024. See https://lambdalegal.org/case/soe-v-louisiana-state-board-of-medical-examiners/.

\textsuperscript{33}Noe v. Parson, filed July 25, 2024. See https://lambdalegal.org/case/noe-v-parson/.


\textsuperscript{38}L.W. v. Skrmetti, No. 3:23-cv-00376 (Sixth Cir. Sept. 8, 2023).

\textsuperscript{39}A state district court in Texas also issued a preliminary injunction against the state's ban, holding that it likely violated the Texas constitution. However, the decision has been appealed, and under Texas law, the injunction is stayed during the appellate process, allowing the ban to go back into effect. Loe v. Texas, No. D-1-GN-23-003616 (Judicial Dist. Aug. 25, 2023); Press Release, Ken Paxton, Tex. Atty. Gen., Office of the Attorney General Files Appeal to Texas Supreme Court, Blocking District Judge's Ruling and Upholding Protections for Children from "Gender Transition" Procedures (Aug. 25, 2023), https://www.texasattorneygeneral.gov/news/releases/office-attorney-general-files-appeal-texas-supreme-court-blocking-district-judges-ruling-and.

An additional sixteen states had bills pending in the 2024 legislative session that would ban or restrict access to gender-affirming care. These states are Alaska, California, Hawaii, Illinois, Kansas, Maryland, Michigan, Minnesota, New Hampshire, Oregon, Pennsylvania, Rhode Island.

43 Hawaii’s bill was introduced in 2023 and has not advanced during this legislative session. H.B. 891, 31st Gen. Assemb., Reg. Sess. (Haw. 2023).
48 Minnesota introduced one gender-affirming care ban for minors in 2024. S.B. 4017, 93rd Leg., 2d Reg. Sess. (Minn. 2024). The state also has three bills introduced in 2023 that have not advanced: S.F. 3280/H.F. 3264, 93rd Leg., Reg. Sess. (Minn. 2023), and S.F. 3272, 93rd Leg., Reg. Sess. (Minn. 2023).
50 H.B. 4037, 82nd Leg. Assemb., 2024 Reg. Sess. (Or. 2024). This bill failed at the close of the legislative session on March 7, 2024.
51 Pennsylvania’s bill, H.B. 138, 2023 Assemb., Reg. Sess. (Penn. 2023), was carried over from 2023 and has not advanced this session.
South Carolina, Virginia, Washington, and Wisconsin. A total of 123,600 transgender youth ages 13-17 live in these states. A proposed ban in Kansas passed both chambers of the legislature and was vetoed by the governor on April 12, 2024. Bills in Maryland, Oregon, Virginia, Washington, and Wisconsin failed to pass in the 2024 legislative session.

Some of these states, such as California and Illinois, currently protect access to gender-affirming care. Should these laws pass, they could reverse explicit protections that tens of thousands of transgender youth have come to rely upon in those states.


Additionally, eleven states that have already enacted a ban on gender-affirming care had new or carried-over bills pending in the 2024 legislative session that would expand or strengthen bans on gender-affirming care for youth. Such proposed changes include expanding partial bans in Georgia and Arizona to block all forms of gender-affirming care, limiting gender affirmation, including to some extent mental health treatment, in state-run inpatient facilities, banning the use of state funds and Medicaid reimbursement for gender-affirming care, limiting the ability of minors to travel interstate to obtain treatments, removing sunset provisions, and ending exceptions that had allowed youth who had already started gender-affirming care to continue with their course of treatment. These states are Arizona, Georgia, Idaho, Iowa, Mississippi, Missouri.

59 See e.g. Oklahoma S.B. 1730, 59th Leg., 2d Reg. Sess. (Okla. 2024).
60 See e.g. Idaho H.B. 668, 67th Leg., 2d Reg. Sess. (Idaho 2024) (enacted); West Virginia H.B. 4857, 86th Leg., 2d Reg. Sess. (W. Va. 2024); See also Oklahoma S.B. 1777, 59th. Leg., 2d Reg. Sess. (Okla. 2024) (disqualifying providers from state reimbursement altogether if they provide gender-affirming care).
62 See e.g. S.B. 1185, 102nd Leg., Gen. Assemb., 2d Reg. Sess. (Mo. 2024).
63 See e.g. West Virginia H.B. 5297, 86th Leg., 2d Reg. Sess. (W. Va. 2024).
64 Existing ban only applies to surgical treatments. Proposed legislation would expand to medications, among other changes. S.B. 1451, 56th Leg., 2d Reg. Sess. (Ariz. 2024).
66 In addition to the bill that passed (H.B. 668), Idaho legislators introduced additional bills that addressed various funding considerations for gender-affirming care. H.B. 520, 67th Leg., 2d Reg. Sess (Idaho 2024), H.B. 419, 67th Leg., 2d Reg. Sess (Idaho 2024). The remaining bills failed at the close of the legislative session on April 10, 2024.
68 Mississippi bills would have extended bans on the provision of gender-affirming care for minors (S.B. 2080, 2024 Leg., Reg. Sess. (Miss. 2024)) and expanded the denial of insurance coverage for gender-affirming care for those over 18 (S.B. 2029, 2024 Leg., Reg. Sess. (Miss. 2024)). Both bills failed as of March 5, 2024.
North Carolina, Oklahoma, Tennessee, West Virginia, and Wyoming. Additional bans on gender-affirming care for youth failed to pass during the 2024 legislative session in Georgia, Idaho, Iowa, Mississippi, West Virginia, and Wyoming.


BANS ON SPORTS PARTICIPATION FOR TRANSGENDER YOUTH

What are Transgender Sports Bans?

Transgender sports bans prohibit transgender students from participating on school sports teams consistent with their gender identity, instead requiring them to participate, if at all, based on sex assigned at birth. While many of these laws apply at the collegiate level or in primary schools, all states considered here have bans that apply to youth ages 13-17.75

All transgender sports bans prohibit transgender girls and women from participating on girls' and women's teams, and a few also prohibit transgender boys and men from participating on boys' and men's teams.76 Most of these bans are broad, prohibiting participation in K-12 sports as well as collegiate sports.77 Some states have enacted more limited bans, which do not restrict participation in lower grade levels.78

State Bans on Transgender Sports Participation

Twenty-five states have laws that restrict access to sports for transgender students.79 Two additional states, Georgia80 and Nebraska,81 have policies in place that encourage but do not require schools to deny participation in sports to transgender students based on assigned sex at birth. An estimated 120,200 transgender youth ages 13-17 now live in one of twenty-seven states where access to sports participation is restricted or such restrictions are encouraged by the state.82

75 See Christy Mallory and Elana Redfield, The Impact of 2023 Legislation on Transgender Youth, supra note 21.
77 Id.
78 Id.
82 Herman et al., supra note 5.
As of March 2024, bans in four states cannot be enforced in high school sports under court orders. These states are Arizona,\(^83\) Idaho,\(^84\) Utah,\(^85\) and West Virginia.\(^86\) Courts in these states, where bans have been challenged through litigation, have held that the provisions are likely unconstitutional and violate Title IX of the Education Amendments of 1972.\(^87\) As a result, these states are prohibited from

\(^{84}\) Hecox v. Little, 479 F.Supp.3d 930 (D. Idaho 2020), aff’d Hecox v. Little, No. 20-35813, 2023 U.S. App. LEXIS 21541 (9th Cir. 2023).
\(^{85}\) Roe v. Utah High School Activities Assoc., No. 220903262 (Judicial Dist. Aug. 19, 2022) (finding that the ban likely violates the state constitution).
taking action under the laws as the cases proceed through the judicial system. These court orders preserve access to school sports for 11,100 transgender youth ages 13-17 who live in these four states. Sports bans have been challenged in other states, with different results. For example, Florida’s ban was upheld by a federal district court. In Indiana, a challenge was filed but eventually withdrawn because the plaintiff relocated.

An additional fourteen states had bills pending in the 2024 legislative session that could restrict or prohibit participation in sports by transgender youth ages 13-17. These states are Hawaii, Illinois, Maryland, Michigan, Minnesota, New Hampshire, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia and Wisconsin. 102,300 transgender youth ages 13-17 live in these states. A proposed ban on transgender sports participation in Wisconsin was passed by both chambers on March 12, but the bill was vetoed by the governor. Bills in Maryland, Oregon, and Virginia and additional bills in Wisconsin failed to pass during the 2024 legislative session.

92 S.B. 381, 2024 Gen. Assemb., Reg. Sess. (Md. 2024). This bill failed at the close of the legislative session on April 8, 2024.
98 H.B. 4054, 82nd Leg., 2024, Reg. Sess. (Or. 2024). This bill failed at the close of the legislative session on March 7, 2024.
Four of the states with existing bans on transgender sports participation also had new or carried-over legislation pending in the 2024 legislative session, which could expand or strengthen bans for youth ages 13-17. In Alaska, Georgia, and Nebraska, proposed legislation would make statewide bans explicit under statute. Proposed laws in Missouri would expand and make the state’s existing ban permanent. Bills in Georgia and Nebraska failed to pass during the 2024 legislative session.

**BANS ON SCHOOL BATHROOM AND FACILITY ACCESS**

**What are School Bathroom Bans?**

Laws restricting access to bathrooms and other shared facilities prohibit transgender people from using public sex-segregated facilities that align with their gender identity. Most of these laws apply only to bathrooms and facilities in public K-12 schools, but some further restrict access in colleges and other government-owned buildings.

**State School Bathroom Bans**

Ten states have laws that restrict access to bathrooms and other facilities consistent with gender identity in K-12 schools. An estimated 34,800 transgender youth ages 13-17 live in these states. Utah was the first state to enact a bathroom and facilities ban affecting transgender youth ages 13-17 in 2024, making its ban the most recent.

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108 Nebraska’s proposed ban advanced significantly in 2023, but did not pass, and was carried over into this legislative session. L.B. 575, 108th Leg., Reg. Sess. (Neb. 2023). However, this bill failed a final vote before the close of the 2024 legislative session. See Zach Wendling, Bathroom, Sports Team Restrictions Fall Short in Nebraska Legislature, NEB. EXAMINER, April 5, 2024, https://nebraskaexaminer.com/2024/04/05/bathroom-sports-team_restrictions-fall-short-in-nebraska-legislature/.


111 Id.

112 Id.

Three additional states have laws or policies that define “sex” for the purposes of public statutes based on assigned sex at birth. These states are Kansas, Nebraska, and Montana. Although these state policies do not explicitly force transgender youth to use bathrooms or other facilities based on their assigned sex, they could nonetheless be enforced in such a manner or otherwise result in transgender youth being denied access. Therefore, we consider them “implicit” bans. 3,800 transgender youth ages 13-17 live in these states.

A total of 38,600 transgender youth now live in states where a policy has been enacted that either explicitly or implicitly restricts their access to bathrooms and other facilities.

Note: “state defines “sex” as sex assigned at birth for the purposes of public statutes

Bathroom and facilities bans have been challenged in at least four states. These states are Florida, Idaho, Oklahoma, and Tennessee. In one state, Idaho, the ban was temporarily blocked by the courts, which means that the law may not go into effect until the case is resolved. This preserves access to bathrooms in public schools for 1,000 transgender youth ages 13-17. However, in April 2024, Idaho enacted a new law defining “sex” based on assigned sex at birth, which could serve as an implicit ban on gender identity-based access to bathrooms for transgender youth, even though the state’s primary ban is currently enjoined.

An additional seventeen states had bills pending in the 2024 legislative session that could restrict access to bathrooms and other facilities for transgender youth ages 13-17. These states are Alaska, Arizona, Georgia, Illinois, Indiana, Michigan, Minnesota, Mississippi, Missouri, and others. Each state has its own set of bills, some of which have failed at the close of the legislative session on March 28, 2024. See also Erin Reed, Anti-Transgender Arizona Ballot Measure Dies, Wash. Blade, Feb. 28, 2024, https://www.washingtonblade.com/2024/02/28/anti-transgender-ariz-ballot-measure-dies/.

119 Bridge v. Oklahoma State Dep’t. of Educ., 5:22-cv-00787-JD (W.D. Okla.).
124 H.B. 1628, 56th Leg., 2nd Reg. Sess. (Ariz. 2024), H.B. 2391, 56th Leg., 2nd Reg. Sess. (Ariz. 2024), and S.B. 1182, 56th Leg., 2nd Reg. Sess. (Ariz. 2024). Arizona also had a ballot initiative in 2024 which would have included bathroom restrictions; however, this was defeated in February 2024. S.C.R. 1013, 56th Leg., 2nd Reg. Sess. (Ariz. 2024); See also H.B. 1104, supra note 104.
129 Minnesota had one bill from the 2023 legislative session which is not advancing. S.F. 934, 93rd Gen. Assemb., 2nd Reg. Sess. (Minn. 2023).
New Hampshire,\textsuperscript{132} New Mexico,\textsuperscript{133} Ohio,\textsuperscript{134} Oregon,\textsuperscript{135} South Carolina,\textsuperscript{136} Virginia,\textsuperscript{137} West Virginia,\textsuperscript{138} and Wyoming.\textsuperscript{139} A proposed ban in Mississippi has passed both chambers of the legislature, with amendments to be reviewed once more by the Senate.\textsuperscript{140} Bills in Georgia, Indiana, New Mexico, Oregon, Virginia, West Virginia, and Wyoming failed to pass in the 2024 legislative session.

Nearly all\textsuperscript{141} states with an existing law impacting access to bathrooms and other facilities for transgender youth had new or carried-over bills pending in the 2024 legislative session that could potentially further limit access to bathrooms or other facilities. These include bills that would modify existing laws, including nondiscrimination provisions, to permit separation and categorization by assigned sex at birth, define “sex” and other gender-related terms for government purposes based on assigned sex at birth, require state identity documents to display assigned sex at birth, and require “sex” data and vital statistics collection to be based on assigned sex at birth. These states

\begin{footnotesize}
\begin{enumerate}
\item H.B. 205, 56th Leg., 2d Reg. Sess. (N.M. 2024). This bill did not advance.
\item H.B. 4143, 82nd Leg., 2024 Reg. Sess. (Or. 2024). This bill failed at the close of the legislative session on March 7, 2024.
\item H.B. 0050, 67th Leg., 2d Reg. Sess. (Wyo. 2024). This bill failed on February 15, 2024.
\item Montana and North Dakota do not have 2024 legislative sessions. 2024 State Legislative Calendar, Nat’l Conf. of State Leg. (March 4, 2024), https://www.ncsl.org/about-state-legislatures/2024-state-legislative-session-calendar.
\item See e.g. S.B. 1831, 59th Leg., 2d Reg. Sess. (Okla. 2024).
\item See e.g. Kentucky H.B. 390, 2024 Gen. Assemb., Reg. Sess. (Ky. 2024).
\end{enumerate}
\end{footnotesize}
are Alabama, Florida, Iowa, Kansas, Kentucky, Nebraska, Oklahoma, Tennessee, and Utah. Bills in Florida, Iowa, Kentucky, Nebraska, and Utah failed to pass in the 2024 legislative session.

**BANS ON GENDER-AFFIRMING PRONOUNS**

What are Gender-Affirming Pronouns?

Gender pronouns—such as he, she, and they—are used when referring to individuals in the third person. For many transgender youth, choosing a pronoun that aligns with their gender identity is a component of social transition, which is the process “... by which transgender children or adolescents adopt the name, pronouns, and gender expression, such as clothing and haircuts, that match their gender identity.”

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147 H.B. 1233, 2024 Leg., 126th Reg. Sess. (Fla. 2024). This bill includes a provision that would restrict state-issued IDs to assigned sex at birth. However, this bill failed at the close of the legislative session on March 8, 2024.
151 Nebraska’s law advanced significantly in 2023 but did not pass and was carried over into this legislative session. L.B. 575, 108th Leg., Reg. Sess. (Neb. 2023). However, this bill failed a final vote before the close of the 2024 legislative session. See L.B. 575, supra note 105.
153 Tennessee has legislation proposed in its House and Senate that would expand the scope of existing sexual misconduct laws to address bathrooms, changing rooms, and other sex-separated spaces and increase the range of potential criminal consequences. See H.B. 1949/S.B. 2781, 113th Gen. Assemb., 2d Reg. Sess. (Tenn. 2024). This legislation does not explicitly target transgender youth but could result in increased bathroom enforcement, criminal prosecution, or other collateral consequences as a result of bathroom use.”
154 H.B. 253, 2024 Leg., Reg. Sess (Utah 2024). This bill failed at the end of the legislative session on March 1, 2024.
One form of anti-pronoun law establishes a right for a parent to know about a young person's change in pronouns. These bills require school staff and other state employees to disclose a young person's transgender status or gender exploration to parents. Another form of anti-pronoun law empowers teachers and other state employees to refuse to use an affirming pronoun. Florida's law prohibits using a pronoun in a public primary or secondary school other than the one typically associated with a person's assigned sex at birth.

**State Bans or Restrictions on Gender-Affirming Pronouns**

Fourteen states have enacted laws that may prohibit a young person from using gender-affirming pronouns or impose prohibitive limits or restrictions on the use of affirming pronouns in schools and other public facilities. These states are Alabama, Arkansas, Florida, Indiana, Iowa, Kentucky, Montana, Nebraska, North Carolina, North Dakota, Oklahoma, Tennessee and Utah. Idaho's law is the most recent, having been enacted in April 2024. We estimate that 49,100 transgender youth ages 13-17 now live in states with bans or limits on pronoun use.

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159 S.B. 184, 2022 Leg., Reg. Sess., 2022 Ala. Adv. Legis. Serv. 289 (Ala. 2022) (enacted); Alabama’s law prohibiting gender-affirming care includes a provision requiring school personnel to notify parents about a young person’s use of pronouns.
161 H.B. 1069, 2023 Leg., 125th Reg. Sess. (Fla. 2023) (enacted). This bill states that “it is false to ascribe to a person a pronoun that does not correspond to such person's sex.”
166 S.B. 99, 68th Leg., Reg. Sess. (Mont. 2023) (enacted). Montana’s bill banning gender-affirming care for minors also includes a provision preventing the facilitation of “social transition” on state property.
167 EO 23-16 (2023), supra note 115.
Florida’s law banning the use of gender-affirming pronouns has been challenged in court. However, none of these laws are yet blocked by courts. Lawsuits have been filed in other states regarding the use of pronouns in secondary school, most commonly by teachers who refuse to use the gender pronouns of their students. However, most cases do not bear directly on the laws enacted in these fourteen states.

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Seventeen additional states had bills pending in the 2024 legislative session that would restrict pronoun use for transgender youth ages 13-17. These states are Alaska, Arizona, Georgia, Hawaii, Illinois, Kansas, Louisiana, Mississippi, Missouri, New Hampshire, New Mexico, Ohio, South Carolina, Washington, West Virginia, Wisconsin, and Wyoming.

72,000 transgender youth ages 13-17 live in these states. A bill in Wisconsin was passed by both chambers of the legislature but vetoed by the state’s governor. Bills in Georgia, Mississippi, New Mexico, Washington, West Virginia, and Wyoming, and an additional bill in Wisconsin failed to pass in the 2024 legislative session.


185 H.B. 296, 56th Leg., 2d Reg. Sess. (N.M. 2024). This bill failed at the close of the legislative session on February 15, 2024.


188 S.B. 6026, 68th Leg., 2024 Reg. Sess. (Wash. 2024). This bill failed at the close of the legislative session on March 7, 2024.


Additionally, six of the states that have already enacted legislation restricting pronoun use had new or carried-over bills pending in the 2024 legislative session, including bills that would require the use of pronouns in schools that are associated with a student’s assigned sex at birth\(^\text{194}\) and bills that would restrict the use of pronouns in the workplace.\(^\text{195}\) These states are Florida,\(^\text{196}\) Iowa,\(^\text{197}\) Kentucky,\(^\text{198}\) Oklahoma,\(^\text{199}\) Tennessee,\(^\text{200}\) and Utah.\(^\text{201}\) Bills in Florida, Iowa, Kentucky, and Utah failed to pass in the 2024 legislative session.

\(^{194}\) See e.g. Oklahoma H.B. 3120, 59\(^{th}\) Leg., 2d Reg. Sess. (Okla. 2024). The pronoun language proposed in this bill is similar to the language in Florida’s enacted law. See H.B. 1069, 2023 Leg., 125th Reg. Sess. (Fla. 2023) (enacted).

\(^{195}\) See e.g. Florida H.B. 599, 2024 Leg., 126th Reg. Sess. (Fla. 2024).

\(^{196}\) H.B. 599, 2024 Leg., 126th Reg. Sess. (Fla. 2024), S.B. 1382, 2024 Leg., 126th Reg. Sess. (Fla. 2024). These bills would have extended pronoun bans into the workplace and government contractor context. However, both bills failed at the close of the legislative session on March 8, 2024.


\(^{201}\) H.B. 0527, 2024 Leg., Reg. Sess (Utah 2024). This bill failed at the close of the legislative session on March 1, 2024.
LAWS THAT SUPPORT TRANSGENDER YOUTH

GENDER-AFFIRMING CARE “SHIELD” LAWS

What are “Shield” Laws?

Gender-affirming care “shield” laws protect doctors and parents who prescribed or sought access to gender-affirming medical care for transgender youth, particularly in states that have laws restricting access to such care (see Gender-affirming Care Bans earlier this report).

The specific provisions of these laws and policies vary from state to state, but there are some common key provisions. Many of the laws and policies prohibit courts and law enforcement from participating in another state’s enforcement actions against physicians related to the provision of gender-affirming care and prohibit health care providers and insurers from releasing medical records related to gender-affirming care in connection with an enforcement action. Many also protect parents who seek care for their children within the state. Some states also prohibit insurers and licensing entities in the state from taking adverse action against physicians seeking to practice medicine in the state based on out-of-state determinations. For example, if a physician lost their license for providing gender-affirming care in a state that bans the practice, a “shield” law state cannot deny state licensure on the basis of the outcome of that out-of-state proceeding.

State “Shield” Laws

Fourteen states and the District of Columbia have “shield” laws or policies that support access to gender-affirming care for youth. In eleven of these states, state legislatures have enacted statutes that protect access to care; in three states, state governors have extended protections through executive orders. An estimated 146,700 transgender youth live in states and D.C. with “shield” laws or policies. This is about half of transgender youth in the U.S.

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206 Id.
207 Herman et al., supra note 5.
Most of these states—eleven states and D.C.—enacted “shield” laws and policies in 2023. New York enacted an additional law in 2024 to address issues arising from out-of-state gender-affirming care bans.

An additional four state legislatures had “shield” bills pending in the 2024 legislative session. These states are Maine, Ohio, Rhode Island, and Virginia, 17,100 transgender youth ages 13-17.

Id. Note that Arizona has both a statutory law that prohibits physicians from providing gender-affirming surgical care to youth, which is considered a form of best-practice medical care, and a “shield” executive order. The executive order offers protections to physicians who provide gender-affirming care other than surgical care to minors, such as puberty blockers and hormones. The executive order does not override any statutory provisions. Ariz. Exec. Order No. 2023-12, Ensuring Access to Medically Necessary Health Care, June 27, 2023, https://azgovernor.gov/office-arizona-governor/executive-order/2023-12.


S.B. 278, (163rd Gen. Assemb., Reg. Sess. (Va. 2024). This bill did not advance in 2024 but was continued to 2025 in committee.
live in these states and could benefit from these laws. Maine's bill passed both chambers of the legislature on April 12, 2024. 214 Virginia's bill did not advance in the 2024 legislative session.

In seven states with existing “shield” laws, additional legislation was proposed or carried over in the 2024 legislative session that would expand or strengthen the state’s protections. These states are California, 215 Connecticut, 216 Illinois, 217 Maryland, 218 New Jersey, 219 New York, 220 and Washington. 221 Maryland’s bill passed both chambers of the legislature as of April 4, 2024. 222 California and Washington’s additional bills did not advance in the 2024 legislative session.

CONVERSION THERAPY BANS

Conversion therapy bans prohibit licensed mental health care providers from subjecting youth to practices that are intended to change their sexual orientation or gender identity. These laws generally allow state licensing boards to take disciplinary action against licensed providers who do not comply. 223 Some states also consider conversion therapy, when performed in exchange for money, a fraudulent business practice and allow for enforcement and penalties consistent with other state laws barring such practices. 224 In addition, some states have enacted partial bans on conversion therapy through executive orders or administrative policies. 225 Partial bans generally prohibit the use of state funds for conversion therapy or classify conversion therapy as unethical conduct in professional codes. 226

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221 Washington’s bill was carried over to the 2024 legislative session but is essentially the companion bill to the state’s existing “shield” law, passed in 2023. See S.B. 5489, 68th Leg., 2023 Reg. Sess. (Wash. 2023). This bill failed at the close of the 2024 legislative session on March 7, 2024.
224 Id.
226 Id.
State Bans on Conversion Therapy

Twenty-seven states and D.C. ban or limit the use of conversion therapy through laws or policies. In legislatures in 22 states and D.C. have enacted statutory bans on the practice. In five other states, executive orders or administrative policies limit the use of conversion therapy. An estimated 198,000 transgender youth live in states that ban or limit the practice of conversion therapy. This is about two-thirds of transgender youth in the U.S.

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228 Id.

229 Id.

230 Conversion therapy bans also protect LGBQ youth from conversion therapy. Those youth are not included in our estimates.

231 HERMAN ET AL., supra note 5.
Conversion therapy bans have been challenged in court, with different circuits arriving at different results. Most notably, the Ninth Circuit recently upheld Washington’s conversion therapy ban, establishing that such bans are permissible in the states comprising that circuit. However, the Eleventh Circuit has ruled the opposite, finding such bans unconstitutional and blocking implementation. States in the Eleventh Circuit are subject to this ruling.

An additional four states had bills pending in the 2024 legislative session that would ban conversion therapy practices. These states are Kentucky, Missouri, Nebraska, and West Virginia. An estimated 6,800 transgender youth ages 13-17 live in these states and could benefit from these laws. Proposed conversion therapy bans in Nebraska and West Virginia did not pass in the 2024 legislative session.

Two states that already have bans on conversion therapy through executive orders, Arizona and Wisconsin, had bills pending in the 2024 legislative session that would enshrine protections into statute. Wisconsin’s bill did not pass in the 2024 legislative session.

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235 These states are Alabama, Florida, and Georgia. See e.g. About the Court, U.S. COURT OF APPEALS FOR THE ELEVENTH CIRCUIT, https://www.ca11.uscourts.gov/about-court (last visited March 11, 2024).
238 Neb. L.B. 179, 108th Leg. Reg. Sess. (Neb. 2023). This bill was carried over from the 2023 legislative session and did not advance in the 2024 legislative session.
240 Ariz. H.B. 2736, 56th Leg., 2nd Reg. Sess. (Ariz. 2024). In addition to banning conversion therapy, the bill would add sexual orientation and gender identity to the state’s anti-discrimination law.
The Impact of 2024 Anti-Transgender Legislation on Youth

NATIONAL LANDSCAPE

The national landscape shows that states are sharply diverging in their policies about transgender youth.

An estimated 120,000 transgender youth—nearly half of all transgender youth in the U.S.—live in one of 27 states where at least one anti-transgender bill has been enacted, and 36,500 live in 12 states where all four types of anti-transgender bills have been enacted.

Transgender youth in specific regions of the country are more likely to live in a state with at least one of the four types of anti-transgender law. Approximately 85% of transgender youth in the South and 40% of transgender youth in the Midwest live in states with at least one anti-transgender law. Transgender youth in the Northeast are the least likely to live in a state where an anti-transgender law has been enacted.

<table>
<thead>
<tr>
<th>REGION</th>
<th>COUNT OF STATES</th>
<th>POPULATION AFFECTED</th>
<th>PERCENT OF TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northeast</td>
<td>9</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>South</td>
<td>13</td>
<td>86,700</td>
<td>84.9%</td>
</tr>
<tr>
<td>Midwest</td>
<td>8</td>
<td>21,900</td>
<td>40.3%</td>
</tr>
<tr>
<td>West</td>
<td>6</td>
<td>11,600</td>
<td>14.2%</td>
</tr>
</tbody>
</table>

An estimated 198,000 transgender youth ages 13-17 live in 27 states and D.C. that have either a “shield” law or a conversion therapy ban, and 146,700 transgender youth—half of all transgender youth in the U.S.—live in 14 states and D.C. that have both “shield” laws and conversion therapy bans.

One state in the Northeast, New Hampshire, has passed a gender-affirming care ban (H.B. 619), a bathroom ban (H.B. 396) and a pronoun ban (S.B. 341) through one chamber of the legislature and each chamber has passed a ban on sports participation (H.B. 1205 and S.B. 375, respectively). Therefore, it is possible that New Hampshire will become the first state to enact one of the four types of anti-transgender laws that we measured. For further discussion of these bills, see discussion above.
All transgender youth in the Northeast live in a state where either a “shield” law or conversion therapy ban is in place (all states). Nearly all transgender youth in the West (97%) live in a state with one or both protective laws.

<table>
<thead>
<tr>
<th>REGION</th>
<th>COUNT OF STATES</th>
<th>POPULATION AFFECTED</th>
<th>PERCENT OF TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northeast</td>
<td>9</td>
<td>61,800</td>
<td>100.0%</td>
</tr>
<tr>
<td>South*</td>
<td>5</td>
<td>23,900</td>
<td>23.4%</td>
</tr>
<tr>
<td>Midwest</td>
<td>5</td>
<td>33,000</td>
<td>60.7%</td>
</tr>
<tr>
<td>West</td>
<td>9</td>
<td>79,300</td>
<td>97.3%</td>
</tr>
</tbody>
</table>

Note: *Includes D.C.

Four states that are home to 18,400 transgender youth have both protective and anti-transgender laws on the books. Notably, Arizona has both a “shield” law and conversion therapy ban but limits access to sports and prohibits gender-affirming surgery for youth. Three additional states (North Carolina, North Dakota, and Utah) have conversion therapy bans and have at least one type of anti-transgender law described in this report.

In total, an estimated 280,300 transgender youth ages 13 to 17 live in states that have passed or proposed laws banning access to care, participation in sports, use of bathrooms and other sex-separated facilities, or affirmation of gender through pronoun use, including 120,200 transgender youth where laws have been enacted and 160,100 additional transgender youth in states where at least one type of bill was introduced or pending in the 2024 legislative session. Ninety-three percent of trans youth ages 13-17 live in one of these states. Only 19,500 youth live in states and the District of Columbia (“D.C.”) where none of these types of laws have been enacted, and no such law was introduced or pending in 2024.
CONCLUSION

A substantial number of laws impacting transgender youth were introduced or pending in the 2024 legislative session. An estimated 120,200 transgender youth ages 13-17 live in states that restrict their access to health care, sports, school bathrooms, or affirming gender pronouns, including 36,500 that live in states with all four types of restrictions. At the same time, 198,000 transgender youth ages 13-17 live in states with a law supporting access to gender-affirming care or banning conversion therapy, and 146,700 live in states with both types of protective laws. In addition, a smaller number of transgender youth, 18,400, live in states with complex policy environments—those that have at least one protective law and at least one of the four types of anti-transgender laws reviewed for this study. As this year’s state legislative sessions come to a close, this study finds that rights and protections for transgender youth and their families vary widely across the country.

METHODOLOGY

Relevant legislation, regulations, and executive orders were identified through a mixture of publicly available resources, including state legislature websites, searches of public Legiscan\(^2\) documents, and tracking by the American Civil Liberties Union, Alejandra Caraballo, and Erin Reed. Session start, end, and crossover dates were identified using free resources from MultiState\(^3\) and the National Conference of State Legislatures.\(^4\) Our legislative tracking was updated through April 15, 2024.

Estimates of the number of transgender youth ages 13-17 in each state come from the report *How Many Adults and Youth Identify as Transgender in the United States*.\(^5\) Estimates were rounded to the nearest 100th.

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\(^3\) MultiState, 2024 Legislative Session Dates, https://www.multistate.us/resources/2024-legislative-session-dates (last visited March 27, 2024).


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