

# Gov. Pritzker Signs Package of Legislation Advancing LGBTQ Rights

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**CHICAGO** — Governor JB Pritzker signed a package of legislation advancing the rights of the LGBTQ+ community in Illinois. The four pieces of legislation expand infertility treatment coverage for same-sex couples and women over 35, allow those getting married to choose gender-neutral certificates and those already married to have

their certificates updated, and address HIV stigma by repealing the archaic HIV criminalization law.

This package of legislation builds on the administration's work to advance LGBTQ+ rights in all aspects of the lives of Illinois' residents. This includes providing financial aid to transgender students who would otherwise be denied, bringing inclusive curriculum into our schools to ensure LGBTQ+ history is represented in the classroom, expanding Medicaid to cover gender-affirming surgery, and putting in place the Getting to Zero plan to end HIV in Illinois in a decade.

"Today, I'll sign four new bills into law that advance Illinoisans' ability to live their fullest lives as their truest selves," said Governor JB Pritzker. "In our continued efforts to shape a safer and more inclusive Illinois, my administration is on a mission to lift up and empower those who too often have been overlooked or forgotten. Today, the State of Illinois is taking another step to advance that mission."

The governor was joined by First Lady MK Pritzker, Lieutenant Governor Juliana Stratton, legislative sponsors, and organizations that made these bills possible. Earlier in the day, the governor, first lady, and lieutenant governor joined leaders in the transgender and gender nonconforming community for a roundtable discussion to hear directly from them on the challenges they face, and the work still left to do.

The package of bills signed into law today includes:

- **HB 3709**, which updates the state's existing infertility insurance law to include LGBTQ+ families and single parents, while reducing the wait time for women over 35
- **SB 139**, which establishes a process for individuals to correct the gendered language on their marriage certificates
- **HB 2590**, which creates a uniform standard that county clerks must adhere to for name changes on marriage certificates
- **HB 1063**, which repeals an HIV criminalization law

"These pieces of critical legislation are a commitment to justice," said **Lt. Governor Juliana Stratton**. "We will continue this important work of ensuring Illinois is an inclusive state that is safe for members of our LGBTQ community to be their authentic selves and live free from discrimination."

"As we see legislators in other states across America viciously attack the rights of LGBTQ people, we are proud Illinois is moving forward today and leading on LGBTQ equality," said **Myles Brady Davis, Director of Communications and Press**

**Secretary of Equality Illinois** “Thank you to Gov. Pritzker for signing these important bills and to the legislative sponsors for their leadership. We especially thank the advocates who shared their stories and experiences, including people living with HIV and the Illinois HIV Action Alliance for pushing Illinois to lead with dignity and public health strategies, not stigma and criminalization; the loving LGBTQ couples who just want to be build families of their own; and Kathy, Kato, and Chicago House and Social Service Agency for ensuring trans and non-binary people will be able to see themselves and their families authentically reflected in more of their personal identity documents. Together, we are continuing to move Illinois forward in advancing the dignity and inclusion of LGBTQ people.”

**HB 3709** expands insurance coverage for infertility treatments coverage to include same-sex couples, women over 35, single persons, and those who cannot get pregnant naturally due to a medical reason. Therefore, granting discrimination protections for individuals accessing fertility treatments.

Currently, coverage requirements are limited in scope, only protecting infertility treatments for women under the age of 35 who are unable to become pregnant after one year of trying, women over 35 who are unable to become pregnant after six months, and women who are unable to conceive without medical intervention. This legislation increases coverage in the insurance code to be more inclusive for LGBTQ+ families, single parents, and women over 35. HB 3709 takes effect January 1, 2022.

“This bill is encouraging news for all Illinoisans wanting to start a family,” **said State Senator Laura Fine (D-Glenview)**. “It will remove financial barriers by expanding insurance coverage for infertility treatments, no matter the makeup of your family.”

“For decades, our state insurance law discriminated against countless Illinoisans looking to welcome a child into their family, putting parenthood financially out of reach for same-sex couples, single women, and others,” **said State Representative Margaret Croke (D-Chicago)**. “Setting things right and creating a more inclusive insurance law was long overdue, which is why I am so proud to have led this legislation to expand fertility treatment coverage to all Illinoisans, regardless of their sexuality, relationship status, age or medical condition. I am thrilled to see Governor Pritzker sign this into law today, and I hope its signing sends a strong message to all people across our state who are looking to start or grow a family that they are welcomed and supported here in Illinois.”

**SB 139** updates marriage certificates by allowing married couples to request a new marriage certificate from the county clerk free of any gender identifying language. This includes changing language to gender-neutral terms such as “spouse.” SB 139 takes effect January 1, 2022.

“Now that we have Marriage Equality in Illinois, those who marry in Cook County are able to choose how they identify on that special day,” **said Cook County Board President Toni Preckwinkle**. “But documents from the past can cause painful reminders of past stigmatization, or present bureaucratic issues in other jurisdictions. With the signing of SB139, Cook County is proud to stand with Governor Pritzker and the rest of Illinois as we align vital records with the self-affirming actions of our residents. Today, we take another step toward equity.”

“We are modernizing an outdated requirement and creating a path so people can accurately reflect how they identify,” **said State Senator Sara Feigenholtz (D-Chicago)**. “The LGBTQ community, specifically the transgender community, face enormous obstacles when requesting a marriage certificate. Today all of that changes. By taking this positive step forward these couples can be their true selves.”

**HB 2590** creates a uniform standard that county clerks must adhere to for name changes on marriage certificates. This is the same standard when making legal name changes on government documents such as birth certificates and driver’s licenses. County clerks can issue new marriage certificates if the marriage occurred in Illinois and if legal documentation of the name change is provided. HB 2590 is effective immediately.

“This may seem like a small change, but for many Illinois families, this change is significant and identity-affirming,” **said State Representative Ann Williams(D-Chicago)**. “All Illinois residents should be able to live their lives authentically and be accurately represented on their most critical documents. I am grateful to the advocates who worked so hard to make this happen and honored to have sponsored this important change.”

**HB 1063** modernizes the approach to public health regarding HIV in Illinois, by decriminalizing the transmission of HIV. Currently, individuals living with HIV face the threat of arrest, prosecution, and incarceration due to their HIV status, regardless of whether they transmit HIV to another individual.

Research has proven the current laws do not decrease infection rates; however, they do increase stigma. Therefore, this legislation amends the Unified Code of Corrections to remove the State’s Attorney ability to request the results of an HIV test if it is relevant to prosecute the charge of criminal transmission of HIV. The bill also amends the AIDS

Confidentiality Act so that the disclosure of HIV-related information would no longer be able to be released. Ultimately, the legislation ensures HIV is treated like other chronic conditions, furthering the administration's mission to end HIV in Illinois. HB 1063 is effective immediately.

“The criminalization of HIV has harmed communities in our home state for decades. It has done nothing other than spread fear and stigma, and it discouraged people from getting tested or knowing their status,” **said the Illinois HIV Action Alliance (IHAA)**. “This legislation was passed to bring an end to these harms and modernize how we approach this public health issue. We are very relieved to see this destructive law has finally been stricken from the books, and know this effort will help realize the priorities of the Getting to Zero Illinois plan to end the HIV epidemic in Illinois by 2030. We commend Governor Pritzker, State Representative Ammons, and State Senator Peters for their championing this issue, and thank Illinois' HIV community for leading the charge to end HIV criminalization in our state.”

“The criminalization of HIV does not line up with current science,” **said State Senator Robert Peters (D-Chicago)**. “These laws are outdated, dangerous, and discriminatory, and have no place in modern society. Starting today, individuals who are living with this difficult medical condition will no longer have to worry about experiencing legal consequences for simply living their lives.”

“With the passing of HB 1063, Illinois is establishing itself as a state dedicated to protecting the rights, dignity, and safety of all people regardless of their HIV status,” **said State Representative Carol Ammons (D-Urbana)**. “We have a responsibility to end the cycle of discrimination and disinformation by ensuring that our laws reflect the most up-to-date science, as well as the demands of LGBTQ+ activists. People living with HIV deserve to build relationships, participate freely in their communities, and seek treatment without the fear of harassment or incarceration. It is only then that we can close the chapter on the United States' long history of inaction and cruelty regarding the HIV/AIDS epidemic.”