

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND,
CALIFORNIA, DECLARING THE CITY OF RICHMOND A SANCTUARY CITY
FOR TRANSGENDER PEOPLE**

WHEREAS, as of the date of this legislation, California law does not restrict access to gender-affirming health care and bans insurance exclusions for gender-affirming healthcare;

WHEREAS, other states may adopt or expand laws that impose criminal punishment, civil liability, administrative penalties, or professional sanctions on health care professionals who provide gender affirming health care and on persons who seek, receive, or assist another in receiving gender-affirming health care in the City of Richmond;

WHEREAS, the State of California passed SB107 in 2022 protecting individuals seeking sanctuary from out-of-state prosecution and explicitly prohibits law enforcement agencies from knowingly making or participating in the arrest or extradition of an individual pursuant to an out-of-state arrest warrant based on another state's law against receiving gender affirming health care in California;

WHEREAS, for the purpose of this resolution, "gender-affirming health care" and "gender-affirming mental health care" shall have the same meaning as provided in Section 16010.2 of the California Welfare and Institutions Code.

(A) "Gender affirming health care" means medically necessary health care that respects the gender identity of the patient, as experienced and defined by the patient, and may include, but is not limited to, the following:

- (i) Interventions to suppress the development of endogenous secondary sex characteristics.
- (ii) Interventions to align the patient's appearance or physical body with the patient's gender identity.
- (iii) Interventions to alleviate symptoms of clinically significant distress resulting from gender dysphoria, as defined in the Diagnostic and Statistical Manual of Mental Disorders, 5th Edition.

(B) "Gender affirming mental health care" means mental health care or behavioral health care that respects the gender identity of the patient, as experienced and defined by the patient, and may include, but is not limited to, developmentally appropriate exploration and integration of identity, reduction of distress, adaptive coping, and strategies to increase family acceptance.

WHEREAS, gender-affirming health care has been proven to be evidence-based, medically necessary, and lifesaving by the American Medical Association, the American Academy of Child and Adolescent Psychiatry, the American Academy of Pediatricians, the Endocrine Society, the American Psychiatric Association, and the World Professional Association for Transgender Health, amongst other institutions;

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

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

WHEREAS, multiple health care institutions across the country have scaled back or have considered scaling back gender-affirming health care services in response to legal challenges, perception of legal risk, harassment, or threats of violence;

WHEREAS, there are institutions providing gender-affirming health care in the State of California located in the City of Richmond, and local advocates already report long waitlists and difficulty accessing medically necessary gender-affirming healthcare;

WHEREAS, the City of Richmond has consistently declared its commitment to furthering transgender equity and supporting its growing transgender community;

WHEREAS, health care professionals providing as well as persons seeking, receiving, or assisting another individual who is seeking or receiving gender-affirming health care in the City of Richmond should be protected from attempts to impose criminal punishment, civil liability, administrative penalties, or professional sanctions based on the laws of other states when gender-affirming health care is lawful in the State of California and meets standards for good professional practice; and

WHEREAS, it is necessary and appropriate to exercise the authority vested in the City of Richmond Charter, including the coordinated and integrated direction, supervision, and control of all City of Richmond departments, boards, commissions, and other agencies, to protect health care professionals and persons lawfully seeking, receiving, and assisting another individual in seeking or receiving of gender-affirming health care in the City of Richmond.

NOW THEREFORE BE IT RESOLVED:

SECTION 1.

Declaration of Sanctuary for Transgender People.

- A. The City of Richmond hereby reiterates its commitment to transgender, nonbinary, and intersex rights and equal protections for transgender community members and declares itself a sanctuary city and a place of safety for transgender people.
- B. The City of Richmond recognizes the importance of gender-affirming health care as a matter of health, privacy, and equality and to ensure, to the greatest extent permitted by law, that those rights are upheld for all people living, working, or seeking services within the City of Richmond.

SECTION 2.

Use of City Resources.

- A. No city resources, including but not limited to, time spent by employees, officers, contractors, or subcontractors while on duty, or the use of city property, shall be utilized for detaining persons for seeking or providing gender-affirming health care or mental health care, or aiding in the seeking or provision of gender-affirming health care or mental health care, which includes such activities as gender affirmation surgery or gender hormone therapy.
- B. No city resources shall be utilized for cooperating with or providing information to any individual or out-of-state agency or department regarding the provision of lawful gender-affirming health care or gender-affirming mental health care performed in the state of California unless required by California law.

*****THE CLERK'S OFFICE WILL COMPLETE THE INFORMATION BELOW*****

I certify that the foregoing resolution was passed and adopted by the City Council of the City of Richmond at a regular meeting thereof held on Mmmm dd, yyyy, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

Mayor

Approved as to form:

City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. _____**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on Mmmm dd, yyyy.

Pamela Christian, Clerk of the City of Richmond