



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