ASSEMBLY, No. 5021

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED NOVEMBER 19, 2020

Sponsored by:
Assemblywoman LISA SWAIN
District 38 (Bergen and Passaic)
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District 37 (Bergen)

SYNOPSIS

Prohibits State-sponsored travel to certain states without protections against discrimination based on sex, gender identity or expression, and affectional or sexual orientation.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 12/7/2020)

AN ACT prohibiting State-sponsored travel to certain states and supplementing chapter 18A of Title 52 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. a. Notwithstanding any law, rule, or regulation to the contrary, no department, division, office, board, bureau, commission, authority, or other instrumentality of the State of New Jersey, or any public institution of higher education that receives State funds, shall approve a request for travel to be paid, in whole or in part, out of State funds or otherwise sponsored by the State, to any state of the United States that has adopted a law to:

(1) prohibit a local jurisdiction from establishing protections against discrimination based on sex, gender identity or expression, and affectional or sexual orientation in the areas of public accommodations, employment, housing, and in the provision of goods or services to the public; or

(2) permit a person to cite a religious belief as the basis for denying public accommodations, employment, housing, or goods or services to a member of the public on account of the member's sex, gender identity or expression, and affectional or sexual orientation.

A local jurisdiction shall include, but may not be limited to, a school district, institution of higher education, municipality, county, or any other public institution or entity of a state. All State entities shall immediately upon enactment of this act review all requests for travel and deny any funding or sponsorship request that would violate the provisions of this section.

b. The provisions of subsection a. of this section shall be in effect with respect to a state of the United States while such a law remains in effect in that state, except that an entity of this State may approve a travel or sponsorship request to be paid, in whole or in part, out of State funds when the travel or sponsorship request is:

(1) to a state that has enacted a law that expressly prohibits discrimination based on sex, gender identity or expression, and affectional or sexual orientation;

(2) required due to an emergency;

(3) for law enforcement or contractual purposes; or

(4) to protect the public's health, safety, and welfare.

2. This act shall take effect immediately.

STATEMENT

This bill prohibits State-sponsored travel to certain states that do not provide protections against discrimination based on sex, gender identity or expression, and affectional or sexual orientation.

Under the bill, any department, division, office, board, bureau, commission, authority, or other instrumentality of the State of New Jersey, or State-funded public institutions of higher education, would be prohibited from approving a request for travel to be paid out of State funds or sponsored by the State, to any state of the United States that has adopted a law to (1) prohibit a local jurisdiction from establishing protections against discrimination based on sex, gender identity or expression, and affectional or sexual orientation in the areas of public accommodations, employment, housing, and in the provision of goods or services to the public; or to (2) permit a person to cite a religious belief as the basis for denying public accommodations, employment, housing, or goods or services to a member of the public on account of the member's sex, gender identity or expression, and affectional or sexual orientation.

A local jurisdiction would include, but may not be limited to, a school district, institution of higher education, municipality, county, or any other public institution or entity of a state. The bill requires all State of New Jersey entities to immediately review all requests for travel and deny any funding or sponsorship request that violates the bill.

The travel prohibitions would be in effect with respect to a state of the United States while such a law remains in effect in that state. However, the bill allows a State entity to approve a travel or sponsorship request when the travel is (1) to a state that has enacted an anti-discrimination law that expressly prohibits discrimination based on sex, gender identity or expression, and affectional or sexual orientation; (2) required due to an emergency; (3) for law enforcement or contractual purposes; or (4) to protect the public's health, safety, and welfare.