116TH CONGRESS
1ST SESSION
H. R. 2775

To amend the Child Abuse Prevention and Treatment Act to ensure protections for lesbian, gay, bisexual, and transgender youth and their families.

IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2019

Ms. SHALALA (for herself, Ms. HILL of California, Mr. POCAN, Mr. PANETTA, Mr. PAPPAS, Mr. MORELLE, Mrs. CRAIG, Ms. SCANLON, Ms. DAVIDS of Kansas, Mr. CICILLINE, Ms. GARCIA of Texas, Ms. HAALAND, Mr. LOWENTHAL, Mr. CISNEROS, Ms. CLARKE of New York, Ms. NORTON, and Mr. SEAN PATRICK MALONEY of New York) introduced the following bill; which was referred to the Committee on Education and Labor

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A BILL

To amend the Child Abuse Prevention and Treatment Act to ensure protections for lesbian, gay, bisexual, and transgender youth and their families.

1   *Be it enacted by the Senate and House of Representa-*

2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4   This Act may be cited as the "Protecting LGBTQ

5 Youth Act".

6 **SEC. 2. AMENDMENTS TO CAPTA.**

7   The Child Abuse Prevention and Treatment Act (42

8 U.S.C. 5101 et seq.) is amended—

1   (1) in section 104 (42 U.S.C. 5105)—

2   (A) in subsection (a)—

3   (i) in paragraph (1)—

4   (I) by redesignating subpara-

5 graphs (N) and (O) as subparagraphs

6 (O) and (P), respectively;

7   (II) by inserting after subpara-

8 graph (M) the following:

9   "(N) child abuse and neglect issues facing

10 lesbian, gay, bisexual, and transgender youth

11 and families, including providing recommenda-

12 tions for improving the collection of data at the

13 Federal, State, and local levels to better identify

14 young people who may be at risk of, or experi-

15 encing, child abuse or neglect because of their

16 sexual orientation or gender identity;";

17   (III) in subparagraph (O), as so

18 redesignated, by striking "subpara-

19 graph (O)" and inserting "subpara-

20 graph (P)"; and

21   (IV) in clause (ix) of subpara-

22 graph (P), as so redesignated, by in-

23 serting "(including sexual orientation

24 and gender identity)" after "sex"; and

1   (ii) in paragraph (2), by striking

2   "paragraph (1)(O)" and inserting "para-

3   graph (1)(P)"; and

4   (B) in subsection (b), by inserting "or les-

5   bian, gay, bisexual, and transgender youth"

6   after "children with disabilities";

7   (2) in section 105(a)(1)(E) (42 U.S.C.

8 5106(a)(1)(E)), by inserting "and lesbian, gay, bi-

9 sexual, and transgender youth" after "children with

10 disabilities";

11   (3) in section 106(d)(1) (42 U.S.C.

12 5106a(d)(1)), by inserting ", disaggregated by de-

13 mographic characteristics such as age, sex (including

14 sexual orientation and gender identity), race, family

15 structure, household relationship, school enrollment

16 and education attainment, disability, grandparents

17 as caregivers, labor force status, work status in pre-

18 vious year, and income in previous year" before the

19 period;

20   (4) in section 107 (42 U.S.C. 5106c)—

21   (A) in subsection (a)—

22   (i) by redesignating paragraphs (3)

23   and (4) as paragraphs (4) and (5), respec-

24   tively; and

1   (ii) by inserting after paragraph (2)

2   the following:

3   "(3) the assessment and investigation of cases

4 involving lesbian, gay, bisexual, and transgender

5 youth who are suspected victims of child abuse or

6 neglect;'';

7   (B) in subsection (b)(5), by striking "para-

8   graphs (1) through (3)'' and inserting "para-

9   graphs (1) through (4)''; and

10   (C) in subsection (c)(1)—

11   (i) by redesignating subparagraphs

12   (G) through (J) as subparagraphs (H)

13   through (K), respectively; and

14   (ii) by inserting after subparagraph

15   (F) the following:

16   "(G) individuals experienced in working

17   with lesbian, gay, bisexual, and transgender

18   youth and families;'';

19   (5) in section 201(b)(1)(G) (42 U.S.C.

20   5116(b)(1)(G)), by inserting "(including lesbian,

21   gay, bisexual, and transgender youth and families)''

22   before the semicolon;

23   (6) in section 202 (42 U.S.C. 5116a)—

24   (A) in paragraph (2)—

1   (i) in subparagraph (A), by inserting

2   "and families with other vulnerable youth,

3   including lesbian, gay, bisexual, and

4   transgender youth" before the semicolon;

5   and

6   (ii) in subparagraph (B), by striking

7   "and public sector and private nonprofit

8   sector service providers, and parents with

9   disabilities" and inserting "public sector

10   and private nonprofit sector service pro-

11   viders, parents with disabilities, and par-

12   ents of other vulnerable youth, including

13   lesbian, gay, bisexual, and transgender

14   youth"; and

15   (B) in paragraph (3)—

16   (i) in subparagraph (C), by striking ";

17   and" and inserting a semicolon;

18   (ii) in subparagraph (D), by striking

19   the period and inserting "; and"; and

20   (iii) by adding at the end the fol-

21   lowing:

22   "(E) will integrate its efforts with individ-

23   uals and organizations experienced in working

24   in partnership with families with vulnerable

25   youth, including lesbian, gay, bisexual, and

1 transgender youth, and with the child abuse

2 and neglect prevention activities of the State,

3 and demonstrate a financial commitment to

4 those activities.''; and

5 (7) in section 206(4) (42 U.S.C. 5116f(4)), by

6 striking ''and parents with disabilities'' and inserting

7 ''parents with disabilities, and families with other

8 vulnerable youth, including lesbian, gay, bisexual,

9 and transgender youth''.

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