

# MORE THAN REPRESENT

**LGBT ELECTED OFFICIALS STOP  
ANTI-EQUALITY BILLS IN THE STATES**

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Victory's Impact on  
State-Level LGBT Equality

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APRIL 2016



# INTRODUCTION

**T**he movement for LGBT equality has made advances in the last decade that at one time seemed unlikely for generations to come. Countless LGBT individuals and organizations, ally groups, and friends and family came together and fought hard to secure these wins. Victory Fund and Institute contributes to this fight by recruiting, training, and supporting hundreds of LGBT people to run for office and serve at all levels of government. Victory has worked strategically for the past 25 years to ensure LGBT people have political power and a direct voice at the tables where decisions that determine our equality are being made. This role is more important than ever, and the analysis and data discussed here will show exactly why.

This brief is the second in a series from Victory that shows the impact openly LGBT public officials have on LGBT equality in the states. In this brief we examine the impact openly LGBT state legislators have on thwarting anti-equality legislation our opponents are pushing in the current legislative session. **The first brief**, released earlier this month, examined the relationship between the current level of LGBT equality in the states and the number of openly LGBT public officials currently serving. The next brief will look at how openly LGBT state legislators influenced their non-LGBT colleagues to vote in favor of marriage equality.

# 2016 State Fights for LGBT Equality

As state legislators work through the 2016 session, we are seeing a repeat of the blast of anti-LGBT bills that were introduced across the country last year. The Human Rights Campaign (HRC) [analysis](#) of the current landscape and what else to expect in the coming months should grab the attention of anyone who thinks that the United States Supreme Court’s marriage ruling ended our battle for full LGBT equality. In particular, HRC maps out well over 100 anti-LGBT bills that are already in play or are soon expected to be.

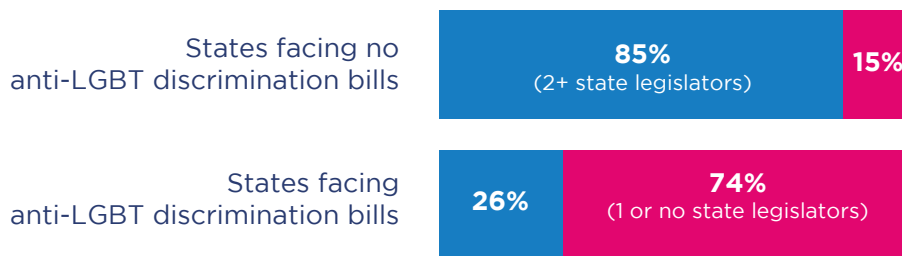
These bills are mainly of two kinds. The first are religious refusal bills, which allow individuals, small business owners, and/or government employees to use their religious beliefs to refuse to provide goods or services for same-sex couples. HRC expects these bills in at least 25 states this year. The second most common form of anti-LGBT legislation specifically targets transgender people, often denying them access to safe and equitable public accommodations like bathrooms, changing rooms, and similar spaces.

**In the 30 states that are facing anti-LGBT legislation, nearly 75% have only 1 or no openly LGBT state legislators.**

Note that it’s possible that any one state may be confronting multiple bills of the same ilk—e.g., several religious refusal bills that target different aspects of marriage equality.

Our analysis shows that the anti-LGBT bills are overwhelmingly concentrated in states that have no or very few openly LGBT people serving in their legislatures. As Figure 1 shows, in the 20 states that are NOT facing anti-LGBT legislation, 85 percent have two or more openly LGBT state lawmakers. In the 30 states that are facing anti-LGBT legislation, 74 percent have only one or no openly LGBT state legislators.

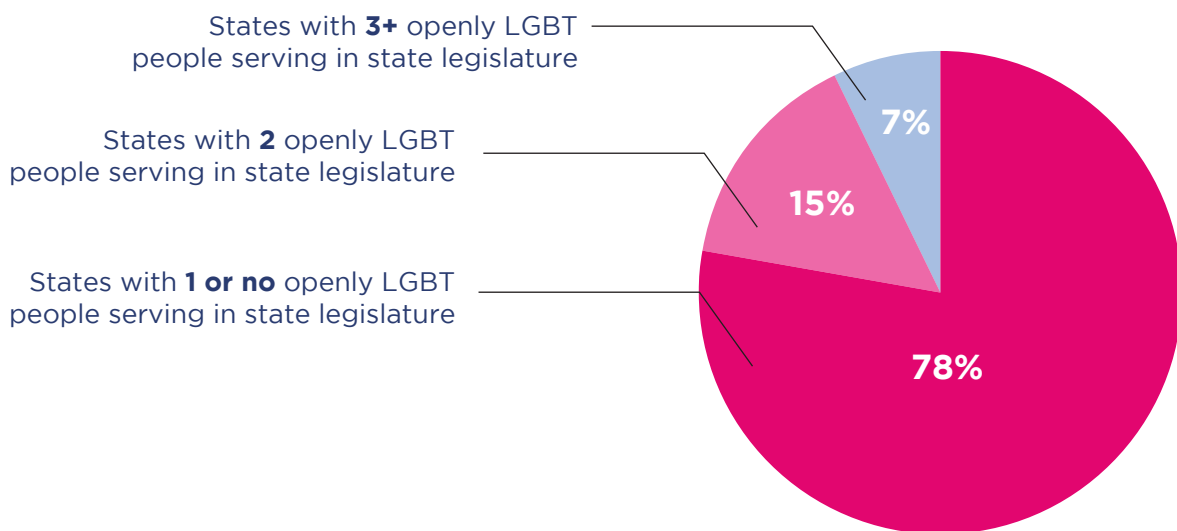
**Figure 1: States that have two or more openly LGBT legislators are much less likely to face anti-LGBT legislation.**



These trends play out when we look at just the states that have religious refusal bills this session. Figure 2, for example, shows that 78 percent of the states where these religious refusal bills are in play have either just one or zero openly LGBT state legislators.

Our analysis also found that 83 percent of the other 23 states that are not facing a religious refusal bill have at least two openly LGBT people serving in the state legislature.

**Figure 2: Anti-LGBT religious refusal bills are most likely to be introduced in states with two or fewer openly LGBT people serving in the states' legislatures.**

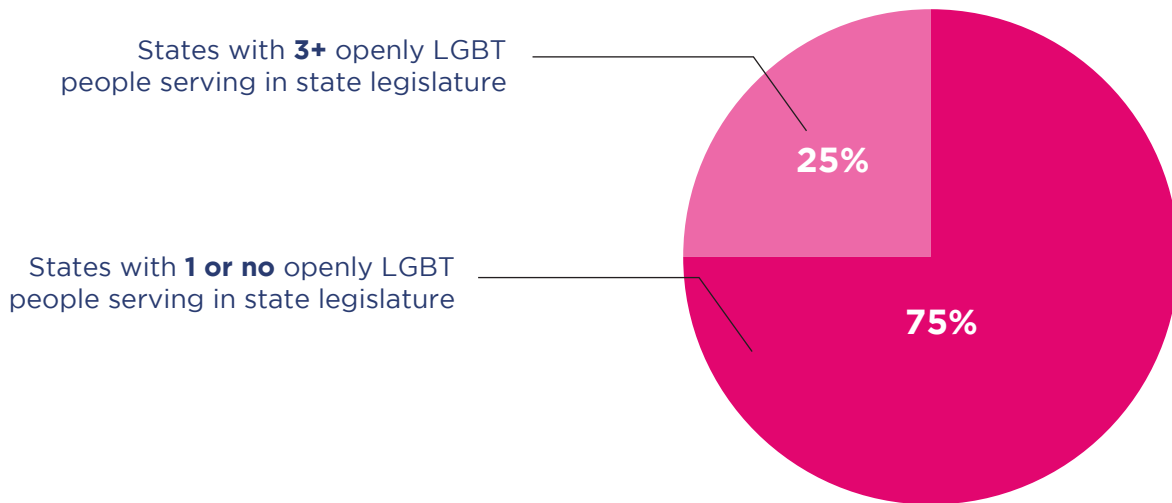


We found similar results when looking at the states that will likely face bills that harm transgender people. As Figure 3 shows, in the 12 states that are facing these attacks, most have one or no openly LGBT people serving in their state legislatures.

**Nearly 80% of the states facing religious refusal bills have either 1 or no openly LGBT state legislators.**

**83% of the states not facing a religious refusal bill have at least 2 openly LGBT state legislators.**

**Figure 3: Anti-transgender bills are most likely to be introduced in states with one or no openly LGBT people serving in the states' legislatures.**



Notably, there are currently no openly transgender people serving in state legislatures. In fact, there has never been an openly transgender person elected to and seated in a state legislature. This reality, of course, speaks to the enormous need to recruit, engage, train, and support transgender people to serve in public office. Legal equality based on gender identity or expression in the states lags behind that for sexual orientation. The analysis in this brief strongly suggests that this lack of representation is a driving factor in this outcome.

**Nearly all of the states facing anti-transgender bills have only 1 or no openly LGBT people serving in their state legislatures.**

**In the 20 states not facing anti-LGBT legislation,**

**85% have 2 or more openly LGBT state lawmakers.**



# Looking Ahead

The data, analysis, and conclusions discussed in this brief are being played out in real-time. In the past few weeks, governors of Mississippi and North Carolina signed anti-equality bills into law, while Georgia's governor vetoed one sent to his desk. The first two states have no openly LGBT lawmakers in their state legislatures, while Georgia has three who were very visible in the fight against the bill. Representation matters.

With more than 100 anti-LGBT bills expected to be in play in state legislatures across the country this year, our opponents are clearly ready to fight to their last breath. We know that winning requires mobilizing our allies, the business community, and faith voices. But we also need to make sure that LGBT people are serving in the halls of power to stop these bills before they get any traction. We know that this direct presence—and the relationships it allows to develop and thrive—matters immensely. Victory is committed to making that happen, and in the coming months and years we will be focusing our work in some of the most conservative places in our country. Our work will not be over until all LGBT people, no matter where they live, have full equality—nothing more and nothing less.



# VICTORY



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