

116TH CONGRESS
1ST SESSION

S. 1073

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

IN THE SENATE OF THE UNITED STATES

APRIL 9, 2019

Mr. KAINE (for himself and Ms. BALDWIN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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—

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

1 (A) in subsection (a)—

2 (i) in paragraph (1)—

3 (I) by redesignating subpara-
4 graphs (N) and (O) as subparagraphs
5 (O) and (P), respectively;

6 (II) by inserting after subpara-
7 graph (M) the following:

8 “(N) child abuse and neglect issues facing
9 lesbian, gay, bisexual, and transgender youth
10 and families, including providing recommenda-
11 tions for improving the collection of data at the
12 Federal, State, and local levels to better identify
13 young people who may be at risk of, or experi-
14 encing, child abuse or neglect because of their
15 sexual orientation or gender identity;”;

16 (III) in subparagraph (O), as so
17 redesignated, by striking “subpara-
18 graph (O)” and inserting “subpara-
19 graph (P)”;

20 (IV) in clause (ix) of subpara-
21 graph (P), as so redesignated, by in-
22 serting “(including sexual orientation
23 and gender identity)” after “sex”; and

1 (ii) in paragraph (2), by striking
2 “paragraph (1)(O)” and inserting “para-
3 graph (1)(P)”;

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)”;

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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