

HB235, NCTE, ENDA, and the big Reveal

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Published April 18, 2011 | Updated March 31, 2026

https://www.transadvocate.com/hb235-ncte-enda-and-the-big-reveal_n_3257.htm

Abstract

When Mara Keisling of NCTE publically came out in support of Maryland's gender identity anti-discrimination bill, I wondered what her angle on it was. Bilerico recently posted "3 Ways to Improve ENDA Advocacy: Take the Fight to the States" written by civil rights attorney Tico Almeida. Almeida points to why there was such a push [...]

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"But the policy and legislative advocates at both NCTE and the National Gay and Lesbian Task Force think it is plausible that we can now make progress and pass strong - though maybe imperfect - state workplace laws barring gender identity discrimination in Maryland, New York, Connecticut, Massachusetts, Nevada, and Hawaii. However, they caution that our community will have to direct more resources into those six campaigns if we want to win."

I agree the strategy of state based gains is a smart one. The flaw in the strategy is that those "imperfections", like the lack of public accommodations in Maryland's HB235 (an "anti-discrimination bill"), will end up affecting ENDA and equality bills in other states. HB235 was important for trans rights across the nation because it sets a tone for what the transgender community will accept.

People have very short memories. They forget that Barney Frank, self admittedly, was tampering with "bathroom" language in ENDA to make it "acceptable". As Maryland, New York, Massachusetts, Nevada, and Hawaii go, so go the nation (and ENDA).

The new buzz word for trans rights? "Imperfect". Coming to a state near you....

Suggested citation

Marti Abernathey. "HB235, NCTE, ENDA, and the big Reveal." TransAdvocate, April 18, 2011.
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