



# Sister Reach ™

**SISTERREACH LEGISLATIVE REPORT 2020:**  
**Highlight and Commentary on the 2020 Tennessee Legislative Session**



## *Introduction:*

SisterReach makes it a priority to stay informed and involved about policy wins and injustices crafted by the Tennessee Legislature. Despite COVID-19, we continue to track laws and engage with lawmakers to work towards change in our communities.

SisterReach's 2020 Legislative Session Report is a resource for our community to be informed, inspired, educated and empowered using this knowledge to advocate for ourselves to lawmakers.

The bills and laws in this report are not an exhaustive list of legislation from the 2020 session but rather the most concerning or promising, with a focus on those bills that would have the greatest impact on women and girls of color, gender non-conforming people, poor women, rural women, and their families.

# Who is SisterReach?

SisterReach, founded October 2011, is a Memphis, TN based grassroots 501c3 non-profit supporting the reproductive autonomy of women and teens of color, poor and rural women, LGBTQIA+ people and their families through the framework of Reproductive Justice. We work from a 4-pronged strategy of **education, policy & advocacy, culture shift and harm reduction**. Our work spans the local, regional, national and international levels. Our mission is to empower our base to lead healthy lives, raise healthy families and live in healthy and sustainable communities.

We also strive to heighten awareness about the issues that impact our base among policymakers, medical providers, educators, feminists, faith leaders, other advocacy organizations, and community leaders, etc. whose missions and agendas impact the people we serve. Prior to our existence, there was no organization or entity formally working specifically from the reproductive justice framework in Tennessee. Since our founding, the reproductive justice framework has been adopted and is being implemented among stakeholder and community members across the state and southeast region. We are proud that our work is making a difference and that lives are being changed as a result of it.

**WE ARE THE PEOPLE WE SERVE.**

## OUR POLICY AGENDA:

### Reproductive Health & Health Care Justice

Disability Justice | Mental Health | Maternal Health | Health Care Reform | Anti-Sterilization

### Economic Justice

Living Wage | Equal Pay | Pay Equity | Pregnancy Discrimination

### Reproductive Rights

Contraception Access Coercion | Comprehensive Sexuality Education | Abortion Access

### Religious Exemptions

Birth Control Access Discrimination | Voter Id | Marriage Equality | Personal Belief Exemptions

### Criminal Justice Reform

Mass Incarceration | Police Sanctioned Violence | Adequate Council/HIV Criminalization | Sex Worker Discrimination

## *Executive Summary*

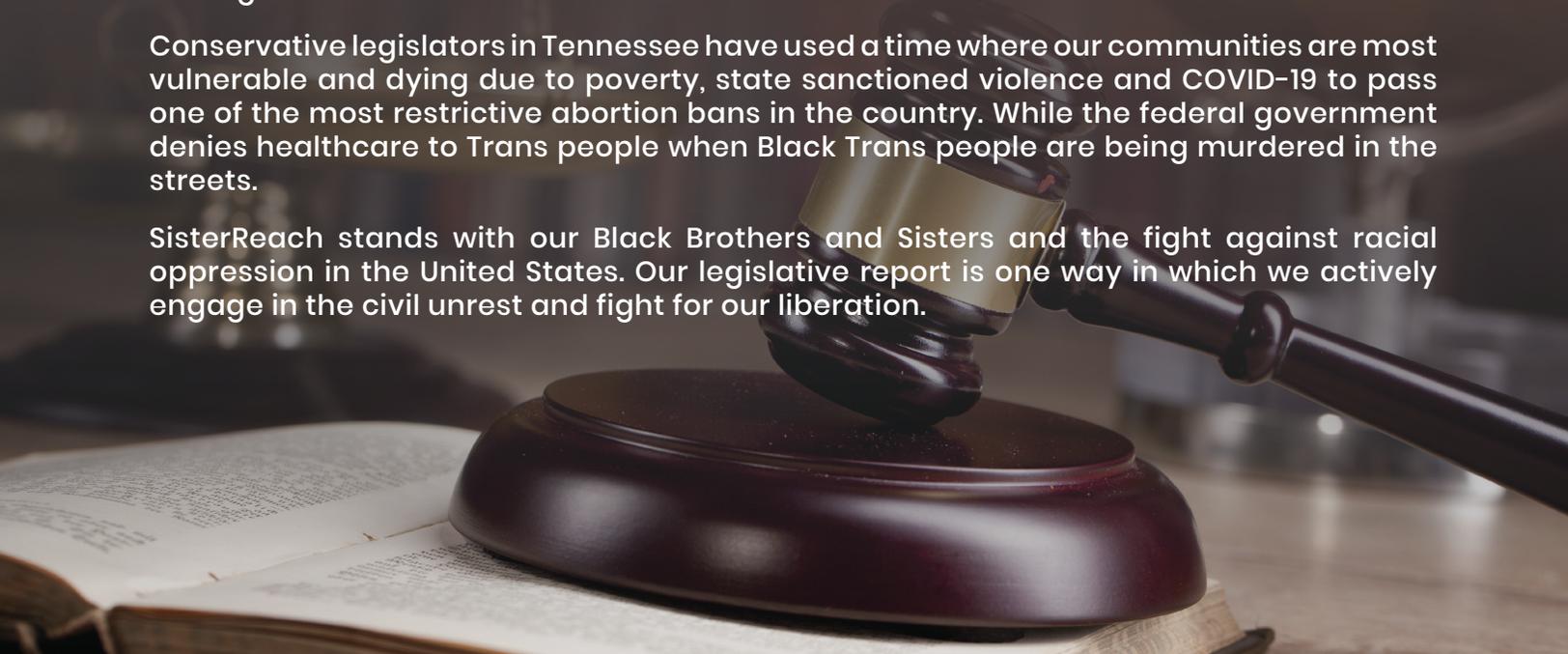
Over the last six years, conservative legislators have employed multiple strategies to block human rights for vulnerable people across Tennessee. In the midst of a global pandemic and a racial uprising, we still find Tennessee conservatives fail to meet the moment in a culturally sensitive, compassionate or merciful way. SisterReach strives to maintain our connection to legislation that directly impacts you and your communities. These trying times have been used by conservative law makers to pass harmful laws that will have negative impacts on low-income communities, communities of color and LGBTQA+ people for months and years to come.

COVID-19 has highlighted the growing, and often insurmountable disparities among communities across Tennessee. We witnessed a lack luster response to keeping Tennesseans safe during this growing global pandemic as death tolls in Tennessee and the United States rise instead of fall, especially among Black and poor Tennesseans. Instead of implementing a plan to ensure that healthcare access across the spectrum was available and accessible to every Tennessean, Governor Lee's State of Emergency action was weaponized as a way to limit abortion care in Tennessee instead, a maneuver which was blocked by the Sixth Circuit ruling that Tennessee could not prevent people from having abortions during the state of emergency. COVID-19 also opened up opportunities for Conservative legislators led by Governor Lee to increase voter disenfranchisement by not allowing Tennesseans to vote by mail during COVID-19. The Tennessee Supreme Court ruled that Tennessee had to allow citizens to vote absentee due to the pandemic. However, Tennessee legislative leadership continues to push back against the ruling and is currently awaiting a ruling on its appeal to the judgement.

The 2020 Legislative Session saw an unwillingness by conservative legislators to expand Medicaid and provide access to preventative and interventive care for millions of Tennesseans who were already living without healthcare. Since the pandemic, Tennesseans face even more exasperated health outcomes. In late 2019, the Tennessee government tried to push a law that would convert TennCare to a block grant. A block grant would mean that Tennessee would receive a capped amount of money from the federal government for Medicaid funding and would encourage Medicaid budget cuts by the State that would leave even more Tennesseans without insurance coverage. Through overwhelmingly negative public comments, submitted by individuals and organization, against the block grant, the Tennessee government has put its push for a block grant on hold.

Conservative legislators in Tennessee have used a time where our communities are most vulnerable and dying due to poverty, state sanctioned violence and COVID-19 to pass one of the most restrictive abortion bans in the country. While the federal government denies healthcare to Trans people when Black Trans people are being murdered in the streets.

SisterReach stands with our Black Brothers and Sisters and the fight against racial oppression in the United States. Our legislative report is one way in which we actively engage in the civil unrest and fight for our liberation.



## INTRODUCTION

The 2020 Tennessee legislative session was a roller coaster starting in the beginning of January and pausing in May as the pandemic worsened across the United States. Session opened up again in June and ended mid-July with one of the most exhaustive abortion bans the State and the country has seen, setting the tone for other legislatures to follow suit. In our 2020 Legislative Report, we will give you a brief explanation of bills that we think are most important for our supporters and communities to be informed of and provide you with what these bills mean in the context of your daily lives.

We kicked the 2020 session off with our annual Black Folks Day on the Hill voter engagement event where community members engaged with State Legislators to have important discussions about laws from the 2019 session and upcoming bills in 2020. Below are highlights and summaries of the bills we advocated for and against during our Black Folks Day on the Hill:

## ABORTION ACCESS

### *Oppose:*

#### **SB 2465/HB2568**

*Current Status: Action Deferred in Senate Judiciary Committee to 12/1/2020*

Legislators introduced a bill that would require abortion care providers to care providers to place signs in clinics informing patients that a chemical abortion may be reversed following the first dose of a two-dose treatment and requirements that a patient had to receive similar notice prior to and after having the first dose of a chemical abortion. **This bill relays scientifically inaccurate and dangerous information to people using medication abortion. The reversal of a chemical abortion is not proven by science to be safe or effective. This bill targets vulnerable people seeking abortions and places more pointless responsibilities providers to create signage and dole out untrue information.**

#### **SB1418/HB1490**

*Status: Assigned to General Subcommittee of Senate Judiciary Committee*

A bill called the “Life Appropriation Act” would prohibit the government from funding organizations who provide abortion care such as Planned Parenthood and local abortion clinics. **This bill would place further restrictions on funding for abortion that would prevent access to abortions.**

#### **SB1780/HB1962**

*Status: Taken off notice for calendar in Health Committee*

A bill called the “Rule of Law Life Act” would criminalize providers who provide abortions after the detection of a fetal heartbeat. **This law creates more barriers for providers of abortion care and would prevent abortion providers from performing abortions to people who need them in vulnerable, life-threatening situations.**

### **SB1236/HB0077**

*Status: Assigned to General Subcommittee of Senate Judiciary Committee*

This bill would ban abortions after 6 weeks of pregnancy or when a fetal heart beat was detected. Fetal heartbeat abortion bans limit the time in which a person may seek an abortion out to before the first 6 weeks of their pregnancy. **Since most people who are pregnant do not know they are pregnant until after 6 weeks, this bill causes an unconstitutional burden on people seeking legal abortion care and rules abortion out as an option to people before they have an opportunity to weigh whether or not to have a child.**

## **LGBTQA+ RIGHTS AND JUSTICE**

2020 brought an onslaught of anti-LGBTIA+ bills, specifically ones targeting Trans students in Tennessee schools and the rights of parents to adopt and foster children.

**Oppose**

### **SB1499/HB1274**

*Status: Taken off notice*

This bill would allow the Attorney General to give funds to Local Education Agencies or LEA employees for private attorney's in actions that would allow students to use bathrooms opposite of their biological sex. This would provide state backing to employees who refuse to allow students to use the bathroom not consistent with the "biological sex" listed on their birth certificate. Laws such as these are direct actions against students and schools that would allow students to decide which bathroom they can safely use that aligns with the students sex or gender identity.

### **SB2077/HB1572**

*Status: Taken off notice for calendar in Education committee*

SB 2077 would require that elementary and secondary school students participate in the sports associated with their biological sex if the school receives public funding. Schools that do not comply could lose public funding and face penalties. This law would force children to participate in sports based on the sex listed on their birth certificate, stripping children and students of their autonomy to express their biological sex and gender identity. And this law pits school administrators and the board of education against students during a pivotal and vulnerable time of their adolescent development. Students need adults to support them where they are, not use adulthood as a weapon to force young people to live an identity that is uncomfortable and often emotionally and mentally dangerous for them.

### **SB1736/HB1689**

*Status: Action deferred in Senate Education Committee to 12/1/2020*

As introduced, would prohibit a student from participating in a single-sex interscholastic sport or athletic event provided by the student's public school unless the student verifies with the

public school that the student is of the respective sex. This bill creates barriers for students to participate in school sports that correspond with their sex and not the sex given on their birth certificates. This bill is harmful as it profiles a young person's gender regardless of their chosen identity and can cause adverse consequences for young people's development. It also sets a dangerous precedent for schools to participate in state-sanctioned homophobia.

### **SB1304/HB0836**

Status: **PASSED**

HB0386 allows private adoption agencies to refuse service to parents that would violate the adoption agencies written religious or moral convictions. A private licensed child placement agency can deny a placement because of anything that goes against an agency's written convictions such as religious practices. For example, if a family is Muslim and the agency has written policies against Islam, the agency could deny the family as a placement option for a child. Similarly, if the parents are a member of the LGBTQA+ community, an agency could deny placement for that reason. This bill infringes upon the religious freedom of suitable parents for children in need of a loving and safe home. Further, the bill is informed by white evangelical values that are centered in racism, homophobia, xenophobia and white supremacy.

## **RACIAL JUSTICE AND CIVIL RIGHTS**

There were a two very exciting bills introduced to forward Tennessee's progress in honoring civil rights that SisterReach supported. The first was HB1546/SB1832 or Create a Respectful and Open Workplace for Natural Hair (CROWN) Act. This act would define race and protective hairstyles in the Tennessee Human Rights Act providing for protections against state agents from discrimination based on someone's hair. This act was deferred in the Senate Commerce & Labor Committee.

The second bill was the Restore Right to Vote Act or HB2792/SB2413. As introduced, the act would allow certain persons who were deprived of the right to vote eligibility to register to vote. Including people receiving pardons, have been released from custody after serving a sentence for a felony and discharged from parole.





## HEALTHCARE

### Support

#### SB2328/HB2829

*Status: Taken off notice for subcommittee Life & Health Insurance Subcommittee of Insurance Committee*

Mental Healthcare and Substance Abuse Services Network Adequacy Act would have established requirements for adequate of care and coverage for mental healthcare and substance abuse services that would essentially increase care and coverage for individuals. \*SisterReach supports this healthcare access but recommends the wording of the act be changed to the Mental Healthcare and Substance Use Disorder Network Adequacy Act to better align with public health guidelines of messaging about behavioral health illness. Abuse language infers knowing and controllable usage of controlled substances by the user. Sick people are not in control of their disorders.

#### HB1599

*Status: Withdrawn*

The HIV Modernization Act would push for the modernization of current HIV/AIDS legislation that criminalizes the transmission of HIV when engaging in sex work and places people on the sex offender registry that have been convicted of HIV transmission.

## PARENTING

### Oppose

#### SB0550/HB0110

*Status: Assigned to general subcommittee of Senate Health and welfare committee*

As introduced, the Employment Opportunities for Parents Act would create work requirements for people applying for SNAP benefits. Work requirements for public benefits are ways to deny necessary benefits from the state to people who cannot access resources in other ways. These requirements disproportionately affect low-income people, immigrants, disabled people, care givers and people of color, making it difficult for people to access essential services.

### Support

#### SB2828/HB2100

*Status: Taken off notice*

This bill, supported by Free Hearts and Healthy and Free Tennessee, would have provided breast pumps, breast milk storage and spaces for breast milk expression for incarcerated people post- partum. Currently, there is limited funding and support for incarcerated people who have just given birth. Many incarcerated folks lack access to breast pumps and spaces to express breast milk for a child or places to store breast milk.

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**SB1150/HB1240**

*Status: Action deferred*

SB1150 would restrict the use of physical restraints and solitary confinement on incarcerated pregnant people or people have given birth in 8 weeks.

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## COMPREHENSIVE SEX EDUCATION

*Oppose*

**SB2089/HB2135**

*Status: Taken off calendar notice in Education Committee*

SB2089 would require Local Education Agencies or LEAs to implement family life education program in counties that have high rates of teen pregnancy and prohibits referrals and advocating for abortion services on school property. The Family Life Education programs in Tennessee are only abstinence-based and present medically inaccurate information to students. Many students seeking options for unintended pregnancies will not be adequately informed about all of their choices including abortion and are not offered the full range of birth control education, options or side effects.



## 2020 SESSION RESUMED

In late March, Governor Lee postponed session due to COVID-19, rescheduling session for the beginning of June. Session reconvened in June and gave Tennesseans two wins and one major loss.

### WINS

Through the work of A Better Balance, a national organization with state partners that work on pregnant worker's rights and paid family leave, SB2520/HB2708 or the "Pregnant Worker's Fairness Act" was passed. This win was a long and hard fought one that gave pregnant worker's reasonable accommodations and work and protections against discrimination due to pregnancy. This bill requires employers to provide reasonable accommodations to pregnant employees that include but is not limited to, longer breaks, dedicated space for expressing milk, and provides protections for pregnant workers.

The second win was SB1839/HB1651, a bill that provided prenatal and postpartum healthcare for incarcerated people. This bill was championed by Healthy and Free Tennessee and Free Hearts. It requires incarcerated people to receive prenatal care consistent with the American College of Obstetricians and Gynecologists and the National Commission on Correctional Health Care standards.

### LOSSES

The biggest loss for Tennesseans in the second part of the 2020 legislative session was the passing of Governor Lee's abortion bans. SB2196/HB2263 is one of the most comprehensive abortion bans in the country. Originally introduced in February as a 6-week fetal heartbeat ban, the bill was amended by Gov. Lee to be a ban on sex, disability and race selection, and a 6-week ban, basically gutting abortion access in Tennessee. The bill was accompanied by a whole host of criminal and civil penalties for abortion care providers and people seeking abortions. This bill drastically cuts abortion access to all Tennesseans. This also affects the thousands of people seeking abortions from other parts of the country whose only abortion provider was in Tennessee.





## *Closing:*

While there were many losses that stripped Tennesseans of rights and autonomy, we remain hopeful. This surge of discriminatory and conservative legislation will not stop us from rallying our communities around these issues and fighting for justice.

SisterReach and our supporters are thankful to all of the supporters and advocates who uplift the work for women and girls of color, poor and rural people, LGBTQIA+ people and their families in Tennessee and the South.

**Learn More About SisterReach and support our work at:  
[www.SisterReach.org](http://www.SisterReach.org) @SisterReach Facebook.com/SisterReach**

