

117TH CONGRESS
1ST SESSION

S. 1497

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

IN THE SENATE OF THE UNITED STATES

APRIL 29, 2021

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, transgender, and queer 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, transgender, and queer
10 youth and families, including providing rec-
11 ommendations for improving the collection of
12 data at the Federal, State, and local levels to
13 better identify young people who may be at risk
14 of, or experiencing, child abuse or neglect be-
15 cause of their sexual orientation or gender iden-
16 tity;”;

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

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)”;

4 (B) in subsection (b)(1), by inserting “or
5 lesbian, gay, bisexual, transgender, and queer
6 youth” 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, transgender, and queer youth” after “chil-
10 dren with 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, transgender, and
5 queer youth who are suspected victims of child abuse
6 or 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, transgender, and
18 queer 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, transgender, and queer youth and
22 families)” 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,
4 transgender, and queer youth” before the
5 semicolon; 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, transgender, and
14 queer 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,

1 transgender, and queer youth, and with the
2 child abuse and neglect prevention activities of
3 the State, and demonstrate a financial commit-
4 ment to 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 transgender, and queer youth”.

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