

26 defenses thereby illegitimately attempt to mitigate the
27 responsibility of the perpetrator for harm done to lesbian, gay,
28 bisexual, or transgender individuals.

29 (3) DEFINITIONS.—As used in this section, the term:

30 (a) "Gay and transgender panic legal defense" means a
31 legal strategy that asks a judge or a jury to find that a
32 victim's sexual orientation or gender identity is the cause of
33 the defendant's reaction and commission of a criminal offense.

34 (b) "Gender expression" or "gender identity" means gender-
35 related identity, appearance, or behavior, regardless of whether
36 such gender-related identity, appearance, or behavior is
37 different from that traditionally associated with a person's
38 physiology or assigned sex at birth.

39 (c) "Sexual orientation" means an individual's actual or
40 perceived heterosexuality, homosexuality, or bisexuality.

41 (4) PROHIBITION ON GAY AND TRANSGENDER PANIC LEGAL
42 DEFENSES.—A nonviolent sexual advance or the perception or
43 belief, even if inaccurate, of the sex, sexual orientation,
44 gender expression, or gender identity of an individual may not
45 be used as a defense to a criminal offense, to excuse or to
46 justify the conduct of an individual who commits a criminal
47 offense, or to mitigate the severity of a criminal offense
48 during sentencing.

49 Section 2. This act shall take effect July 1, 2023.