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AB-1487 Public health: Two-Spirit, Transgender, Gender Nonconforming, and Intersex Wellness and Equity Fund. (2025-2026)

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Date Published: 10/14/2025 02:00 PM

Assembly Bill No. 1487

CHAPTER 732

An act to amend Sections 120956 and 150900 of the Health and Safety Code, relating to public health.

[Approved by Governor October 13, 2025. Filed with Secretary of State October 13, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1487, Addis. Public health: Two-Spirit, Transgender, Gender Nonconforming, and Intersex Wellness and Equity Fund.

Existing law establishes the Transgender, Gender Nonconforming, and Intersex Wellness and Equity Fund under the administration of the State Department of Public Health, for purposes of funding grants, upon appropriation by the Legislature, to create programs, or funding existing programs, focused on coordinating trans-inclusive health care for individuals who identify as transgender, gender nonconforming, or intersex (TGI). Existing law makes the grants available to TGI-serving organizations, as specified. Existing law defines terms, including "health care" and "gender nonconforming," for purposes of these provisions.

This bill would rename the fund as the Two-Spirit, Transgender, Gender Nonconforming, and Intersex (2TGI) Wellness and Equity Fund and would make a conforming change to a related provision. The bill would expand the availability of grant funds to 2TGI-serving organizations, as defined, for purposes of providing workforce development training for 2TGI individuals, resettlement and social integration programs for 2TGI asylees and immigrants, and diversion programs for, and outreach to, transitional-age 2TGI youth. Under the bill, an organization that serves tribal populations would also be eligible for a grant for any of the specified purposes if that organization applies in partnership with a 2TGI-serving organization.

The bill would revise the definition of "health care" to include mental health services and would define "Two-Spirit" and "transitional-age 2TGI youth" for purposes of these provisions. The bill would make related legislative findings.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) The term "Two-Spirit" was first adopted in 1990 at the Third Annual Intertribal Native American/First Nations Gay and Lesbian Conference near Winnipeg, Canada, as a translation of the Anishinaabe term *niizh manidoowag* ("two spirits"). The term was intended to serve as a unifying, pan-Indigenous expression to describe Native people who embody diverse gender roles, identities, and spiritual responsibilities that have existed since time immemorial.

(2) The Legislature recognizes that while the identity "Two-Spirit" is not an identity that non-Indigenous people can adopt or claim, it is also not a term that applies to all Native American or Indigenous peoples. Many tribal nations have their own

traditional words, teachings, and understandings to describe the sacred roles of individuals who carry both masculine and feminine spirits, or otherwise hold gender and spiritual identities that exist outside of Western constructs. These terms are specific to each tribe's language, culture, and history, and may or may not align with the use of "Two-Spirit."

(3) The Legislature further acknowledges that while some Two-Spirit people identify as part of the broader LGBTQ+ community, others do not. For many, the identity of being Two-Spirit has nothing to do with their sexual orientation or gender identity, but exists in cultural and spiritual traditions. The Two-Spirit role often encompasses ceremonial responsibilities, community leadership, and spiritual purpose that are distinct from Western frameworks of LGBTQ+ identity.

(4) The erasure of Two-Spirit and tribal-specific identities was a direct result of colonization, forced assimilation, and the imposition of Western gender norms upon Indigenous peoples. Recognition and respect for Two-Spirit people, as well as the diverse Indigenous terms that tribes use, are part of restoring cultural integrity and affirming tribal sovereignty.

(5) California is home to more Native American people than any other state in the nation and has a unique responsibility to ensure that its policies respect the identities, traditions, and sovereignty of tribal nations.

(b) It is the intent of the Legislature to honor, respect, and affirm the history, cultural significance, and sovereignty of Two-Spirit and tribally specific identities by ensuring that state policy and law reflect these truths, promote cultural understanding, and protect the dignity of all Indigenous peoples, including those who live and organize under the Two-Spirit umbrella.

SEC. 2. Section 120956 of the Health and Safety Code is amended to read:

120956. (a) The AIDS Drug Assistance Program Rebate Fund is hereby created as a special fund in the State Treasury.

(b) All rebates collected from drug manufacturers on drugs purchased through the AIDS Drugs Assistance Program (ADAP) implemented pursuant to this chapter and, notwithstanding Section 16305.7 of the Government Code, interest earned on these moneys shall be deposited in the fund exclusively to cover costs related to the purchase of drugs and services provided through ADAP and the HIV prevention programs as described in Sections 120972, 120972.1, and 120972.2 and services related to HIV prevention and care and treatment for individuals living with HIV provided through the programs funded by the Two-Spirit, Transgender, Gender Nonconforming, and Intersex (2TGI) Wellness and Equity Fund as described in Section 150900.

(c) Notwithstanding Section 13340 of the Government Code, moneys in the fund are continuously appropriated without regard to fiscal year to State Department of Public Health and available for expenditure for those purposes specified under this section.

SEC. 3. Section 150900 of the Health and Safety Code is amended to read:

150900. (a) The Two-Spirit, Transgender, Gender Nonconforming, and Intersex (2TGI) Wellness and Equity Fund is established in the State Treasury.

(b) The State Department of Public Health shall administer the 2TGI Wellness and Equity Fund for purposes of funding grants to create programs, or funding existing programs, focused on coordinating trans-inclusive health care for individuals who identify as Two-Spirit, transgender, gender nonconforming, or intersex.

(c) Upon appropriation by the Legislature, moneys in the 2TGI Wellness and Equity Fund may be used to fund grants for the following purposes:

(1) The grants shall be available to 2TGI-serving organizations for the purpose of increasing the capacity of health care professionals to effectively provide 2TGI health care and institute 2TGI-inclusive best practices. This includes, but is not limited to, cultural responsiveness training, the creation of educational materials, or the facilitation of capacity-building trainings.

(2) The grants shall be available to 2TGI-serving organizations for the purpose of facilitating evidence-based therapeutic arts programs.

(3) The grants shall be available to 2TGI-serving organizations for purposes of assisting, identifying, and referring 2TGI people to access supportive housing. This includes case management opportunities, financial assistance, and assisting 2TGI people in receiving and utilizing housing vouchers. If a 2TGI-serving organization has already implemented a 2TGI-specific housing program, funding may be utilized to maintain or expand existing housing programs.

(4) The grants shall be available to a hospital, health care clinic, or other medical provider that currently provides gender-affirming health care services, such as hormone therapy or gender reassignment surgery, to continue providing those services, or to a hospital, health care clinic, or other medical provider that will establish a program that offers gender-affirming health care services and has an established relationship with a 2TGI-serving organization that will lead in establishing the program.

(5) The grants shall be available to 2TGI-serving organizations for the purpose of providing workforce development training for 2TGI individuals.

(6) The grants shall be available to 2TGI-serving organizations for the purpose of providing resettlement and social integration programs for 2TGI asylees and immigrants.

(7) The grants shall be available to 2TGI-serving organizations for the purpose of providing diversion programs for, and outreach to, transitional-age 2TGI youth.

(d) (1) A hospital, health care clinic, or other medical provider that applies for a grant must apply in partnership with a 2TGI-serving organization and consult with the 2TGI-serving organization throughout the process of creating and implementing its trans-inclusive health care program.

(2) An organization that serves tribal populations is also eligible to be awarded a grant for any of the purposes described in subdivision (c) if that organization applies in partnership with a 2TGI-serving organization, as defined in paragraph (8) of subdivision (f).

(e) This section does not limit or impact payer coverage requirements of health care or other social services.

(f) For purposes of this section, the following definitions apply:

(1) "Health care" means any of the following:

(A) Medical, behavioral health, and spiritual care, which includes, but is not limited to, guided meditation and nondenominational therapy.

(B) Evidence-based therapeutic arts programs.

(C) Services related to substance use disorder or substance abuse.

(D) Supportive housing as a mechanism to support 2TGI-identified individuals in accessing other social services.

(E) Mental health services.

(2) "TGI-serving organization" means either of the following:

(A) A public or nonprofit organization with a mission statement that centers around serving transgender, gender nonconforming, and intersex people, and where at least 65 percent of the clients of the organization are TGI.

(B) A nonprofit that serves as the fiscal agent or sponsor for an organization described in subparagraph (A). A nonprofit that is serving as a fiscal agent or sponsor shall pass all funding to the organization, but may charge a reasonable or industry standard fee for administrative costs of not more than 16 percent.

(3) "Transgender" is broad and inclusive of all gender identities different from the gender that a person was assigned at birth.

(4) "Gender nonconforming" is an inclusive term used to describe individuals who may experience a gender that is neither exclusively male nor female or is in between or beyond both of those genders, including, but not limited to, nonbinary, gender fluid, agender or without gender, third gender, genderqueer, gender variant, Hijra, Kathoey, Mak nyah, Muxe, Waria, Māhū, and Fa'afafine.

(5) "Intersex" is an umbrella term referring to people whose anatomy, hormones, or chromosomes fall outside the strict male and female binary.

(6) "Two-Spirit" is a term referring to unique indigenous cultural roles that intersect with diverse sexual orientations and gender embodiments.

(7) "Transitional-age 2TGI youth" means youth between 16 to 26 years of age, inclusive, who are transgender, gender nonconforming, intersex, or Two-Spirit.

(8) "2TGI-serving organization" means a TGI-serving organization, as defined in paragraph (2), that also applies to Two-Spirit people, as follows:

(A) The public or nonprofit organization's mission statement centers around serving Two-Spirit, transgender, gender nonconforming, or intersex people, or any combination thereof, and at least 65 percent of the clients of the organization are 2TGI.

(B) The nonprofit described in subparagraph (B) of paragraph (2) serves as the fiscal agent or sponsor for an organization described in subparagraph (A) of this paragraph, and follows the other criteria described in subparagraph (B) of paragraph (2), as applicable to this paragraph.