

Senate Finance Committee

Testimony of Geraldine Donna-Evangeline Hartman on Ohio HB 96,

2025/05/27

[Opening]

I thank Chairman Cirino, Vice Chair Chavez, Ranking Member Hicks-Hudson, and members of the Senate Finance Committee for the opportunity to provide public testimony today.

My name is Geraldine Donna-Evangeline Hartman, I'm a forty-five-year-old, transgender woman from Dayton, Ohio, born and raised. I have worked and paid taxes most of my life, since I was 16 years old, only having qualified as disabled as of January this year. I am presently going through a divorce after 25 years with my wife, who had billed herself as a trans-ally for most of the 19 years we have been married. We have two wonderful children together, ages 14 and 17, and you could be forgiven for thinking that my recent pursuit of coming to terms with my gender identity has had greater bearing on the current trajectory of my relationship with my wife than it actually has. You see, my wife has known of my gender diversity since two months after we first started dating, and was in fact struggling with gender dysphoria herself when we first met, while also married to another man for whom gender identity was not a binary. No, far many more complex issues have congealed to create the circumstances of my failing marriage, not the least of which were some very standard factors such as financial and emotional difficulties, dishonesty, and yes, even some severe transphobia on the part of my spouse.

However, I am not here to discuss my personal life. I only bring these factors to light in order to illustrate that I am a real person with many troubles and flaws, just as your many other constituents, not some perfect, paid actor. Yes, I also am a transgender person, one for whom the journey of gender identity was first documented in 2003 when I was still a college student at The University of Dayton. I was in counseling there then, and my wife (Then girlfriend) was present when my counselor first broached the subject of Gender Affirming Care; a topic of which I knew nothing at the time.

However, my journey with gender identity started long before even my college years, first appearing for me when I was about 4-5 years of age, in 1984-1985, long before there was an internet or social media. I feel this is vital to point out since there are many among you who seek to cite these influences as a primary driving factor of what many legislators here would label as "gender ideology" as they seek to quench the flames of "the gender revolution" by way of subversive, transphobic legislation such as was inserted in the last 24 hours prior to voting into HB96 that was presented to the House.

I am here to testify, first, that transgender people such as myself are not an ideology, myth, or some cryptid like a yeti. We are real people, with real lives. We represent roughly 1% of your constituency, though many more when you consider the 1.7% of your constituents who are transgender by way of being born intersex. I am here to tell you that transgender people are not some pseudoscience, we are not some recent internet trend or fad, and we have existed for most of recorded human history. We do exist, and we deserve the same right to exist as all your other constituents. That we have U.S. presidents and state legislators alike trying to pass surreptitious laws to deny my existence. Yet, here I am, a human being who does not neatly fit into the flawed gender binary of humanity as defined by Donald Trump, a man who is no more a scientist or statistician than he is a good businessman; which is to say, not a reliable source of facts at all. That I have had to appear before you at all to prove the existence of transgender people is itself absurd, yet here I am along with many others like me.

I am here today to speak to the senate finance committee in opposition to several provisions added to HB96—Sections 9.05, 9.561, 123.30, 333.13, and 3375.47 all last-hour provisions surreptitiously added to the state budget that was being voted on by the house at the beginning of April, though none has much of anything to do with the state budget itself despite being included in a budget bill.

I am choosing to speak against the inclusion of these provision on the state budget because they represent clearly anti-transgender rhetoric and discrimination that has thrust itself into the spotlight across our nation in states capitals and even on the lips of the highest elected official in the United States, the president, which is a damning and shameful revelation. Transgender discrimination has historically been only a stepping stone on the path towards discrimination of other groups, including racial minorities and women; whom such legislation is often purported to protect, despite overwhelming evidence to the contrary. No, the only people transphobic legislation actually serves to protect are the small-minded white men who propose it out of fear of themselves becoming a n underrepresented minority in the near future.

[Section 9.05] - Incorrect definion of gender from Trump Executivie Order adopted as law

Section 9.05 declares it is the policy of Ohio to recognize only two sexes, defined solely by gamete production. This definition is biologically, grossly inaccurate since, by account of the NIH's own abstract titled:

"Exploring the Biological Contributions to Human Health: Does Sex Matter?"

<https://www.ncbi.nlm.nih.gov/books/NBK222286/>

This article states *"All human individuals—whether they have an XX, an XY, or an atypical sex chromosome combination—begin development from the same starting point. During early development the gonads of the fetus remain undifferentiated; that is, all fetal genitalia are the same and are phenotypically female. After approximately 6 to 7 weeks of gestation, however, the expression of a gene on the Y chromosome induces changes that result in the development of the testes. Thus, this gene is singularly important in inducing testis development."* Therefore, I understand what Donald Trump was *trying* to state, that one can only be male or female at conception, that this is immutable. However, it is quite incorrect, since all human beings are actually defined as phenotypically female until Y chromosome expression is induced about 6-7 weeks after gestation. Defining sex as fixed "at conception" contradicts basic developmental biology.

This language mirrors recent federal executive orders—not peer-reviewed science—and it is deplorable, plain and simple.

This is further legally problematic since the same article also denotes that humans can also present with **an atypical sex chromosome combination**, which represents intersex individuals, as some 40 known atypical variations of chromosomal expression beyond typical XX and XY presentations. Intersex individuals are people born with variations in chromosomes, external or internal anatomy that don't fit traditional definitions of a male or female binary. Some may produce There are actually five biological variables (your chromosomes, prenatal hormone exposure, external genitalia, internal reproductive organs, and pubescent hormone development that define sex, not just two. There are also three psychosocial variables which include the sex you were medically assigned at birth (on your birth certificate), the sex you were raised as in your family (does not always match birth sex), and the sex you believe you are (referred to as your gender identity). This law Section 9.05, excludes intersex people entirely, which represents 2 out of every 100 of your constituents, statistically.

This provision only exists to deny the existence of trans and intersex individuals, and to open us up for further denial of rights, liberties, & discrimination against us. It should be readily apparent that any legislation is based on "feelings" rather than sound, deductive reasoning has no place in this bill and serves only to disenfranchise an already marginalized group of your constituents. The fact that Donald Trump, and the legislators who are trying to propagate his flawed ideologies into state law have conflated "sex" with "gender", without consideration for genetic, physiologic, or psychologic elements, which governs a person's identity, is extremely dangerous. It is going to have both intended and unintended consequences with regards to patient's lives, discrimination, etc. It's like saying gasoline and rocket fuel are inherently the same thing, and saying that they can both go in the same engine.

[Section 9.561] Prohibition of placement of menstrual products in the men's restroom in public buildings

This measure is based on the fallacies of Representative Rodney Creech, that only “men” (exclusive of trans men) have need of the men’s room. He also assumed incorrectly that state dollars are being used to supply menstrual products in the bathrooms of both genders in public libraries. This is untrue because a private organization supplies these free products for the benefit of all who need access to pads or tampons.

<https://goauntflow.com/dayton-metro-library/>

Creech seeks to prohibit these in order to strike out against transgender men, but this provision would also injure CIS women and minors who menstruate and benefit from access to such products in both gender restrooms; including the female children of single parent or divorced families when the father has time with his daughter. The point is to be cruel to transgender men, and it is not to the financial benefit of the state to control this.

[Section 123.30] Prohibition of flying any flags other than official state flag and POW/MIA flag

This measure is a clear attack against the flying of flags for Juneteenth or pride, and serves no place in a state budget, as there is only increased cost to the state if enforcing this provision, just to single out minorities and gender and sexuality-diverse citizens of this state. It serves only to quash the freedom of expression of the people of this state, and there is no mechanism defined for funding this endeavor, or its enforcement.

[Section 333.13] Block funding to any homeless shelter for supporting gender identity of anyone, staff or patron

This provision seeks to harm any homeless shelter for supporting the social transition of any individual with no definition of whether this applies to staff or patrons. The provision is very vague, and serves no financial benefit to the state besides potential perceived “savings” of no longer having to support shelters that have violated this law. The point of this provision is clear, to have the state penalize any organization that supports homeless people if they appear in any way to support the SOCIAL transition of anyone. Yes, you heard that correctly, this provision is too vague in scope, and seeks to issue financial penalties for something that costs the state no money, for simply referring to a transgender person by their preferred name or pronouns. This is directed at preventing support of social transition, not even anything medical or gender-affirming beyond recognition of a person as they present themselves. This is exceedingly cruel towards an already marginalized and misunderstood portion of our population, transgender and intersex people; who are knowingly over-represented in the homeless population because of rejection by families of transgender people.

This provision seeks to remove funding from any homeless shelter that supports a patron or employee in their social gender transition by removing funding from that homeless shelter, thereby negatively impacting ALL homeless and needy patrons of that shelter, which is despicable. The authors of this provision should be ashamed for suggesting the state spend money just for the purpose of inflicting cruelty on people who are likely at the lowest point in their life. In the end, however, this provision will likely cost the state more money than it will save because, anything the state might have save by not spending on transgender people will instead be spent on addressing the severe elevation in suicide deaths that will surely result from transgender youth especially, who are clearly under attack by both Trump and the state legislators who authored this bill. And if you think the 988 suicide prevention hotline will help curb these deaths, you should probably know that the federal government had fielded the idea of defunding that too in a leaked draft of its budget. Please don’t put state dollars towards intentional cruelty simply for showing respect to someone who is likely already suffering.

[Section 3375.47] Forced segregation of any books containing discussions of sexual orientation or gender identity or expression to an 18+ section in libraries.

This is likely the most extremely costly provision among those added, and worse, it is exceedingly vague in its definition of what constitutes gender identity or expression, and offers no guidance into how libraries are meant to pay for this process, which may require physical restructuring of all affected libraries. It also does not indicate how it is that libraries are meant to accomplish the task of identifying all materials that meet this vague definition, and following that vague definition, libraries will likely have to place the majority of its collection into this 18+ section since discussions of gender are quite a normal occurrence in literature and music, that is, anything to do with how one identifies a man or woman. If

you are wondering why I am stating this endeavor would be untenable, you should note that the provision states, “any material”, meaning not just books, but any music CDs, movies, books, newspaper articles...anything that contains statements of sexuality or gender would qualify. So, just in music a phrase like, “I am woman, hear me roar!” from the song [“I Am Woman”](#) would target this song and album by Helen Reddy. The song [“Man! I feel Like A Woman!”](#) by Shania Twain would go in this section. So too would [“I Want Your Sex”](#) by George Michael for obvious reasons. The classic alternative rock song [“Laid”](#) by James Glenne (yes, you probably have heard this one) would definitely go there because it literally talks about playing around with gender roles. But that is my point, you have likely heard these songs on the radio, broadcast over public airwaves, or blaring on the radio in the car next to you at a red light. This law seeks to place what is freely available on the internet, or on the radio to people of all ages behind an age access barrier at all libraries, which is as ridiculous as it is impossible to enforce or implement.

Part of my point is, this addition was clearly meant to shield children from anything that might “turn them gay”, but the collateral damage of this far outweighs any perceived harm in a child reading the book “Pink Is For Boys”, let alone any version of The Bible. Yes, let’s not forget THAT book, which likely has exactly the type of gender ideology the author of this bill would have children read, yet it too would go into this 18+ section, all versions of it. Also, there are decidedly few children’s books that do not contain some content that deals with gender identity, because, lest we forget, the CIS-HET “ideals” of gender likely put forth by the author of this provision would also be considered something that is discussing gender identity.

Especially in light of the budgetary cuts to libraries in this state budget, it is absurd to place this burden on the libraries of our state. In fact, in the face of this sort of overly general legislation, it may be simplest for public libraries to simply mark their locations entirely 18+ and prohibit their use by minors wholly, lest they risk losing funding for some error in interpretation. Please do not allow this provision to stand, strike it from the bill, or encourage the governor to line-item veto this provision.

[Section 333.13] Block Medicaid funding for anything having to do with mental health treatment related to gender identity

Section 333.13 would block Medicaid funding for any mental health services that “promote or affirm social gender transition.” This contradicts the standards of care endorsed by every major medical association, including the American Academy of Pediatrics and the American Psychiatric Association.

Social transition is not medical intervention—it may include a name change, different pronouns, or clothing choices. Support for this, especially in youth, is proven to improve mental health outcomes and reduces suicide risk. I can speak to this personally, as a teenager and young adult I struggled intensely with both depression and suicidal ideation. These feelings did not go away until I accepted who I truly am. The same is true for my wife, who attempted to take her own life at one point prior to her transition.

In the case of medical intervention, gender affirming care is no different from any other form of healthcare, it is also not exclusively utilized by the transgender community. A cisgender man receiving hair implants or being prescribed medication for Erectile Dysfunction are both examples of it. A cisgender woman taking estrogen to combat the effects of menopause is as well. Denying people access to gender affirming care solely because they are trans is blatantly discriminatory. If you are okay with a cis person receiving this care but are not okay with a trans person doing the same, you are not just repeating bigoted rhetoric, you are actively being a bigot yourself.

Additionally, if the discriminatory nature of this provision wasn't enough, it could have broad unintended effects. If one provider or program within a major health system is deemed “affirming,” the whole institution would lose Medicaid reimbursement—impacting potentially thousands of patients far beyond the transgender community. Laws targeting transgender Americans negatively impact all Americans, plain and simple. It should be readily apparent that any legislation that takes medical care out of the hands of professionals and puts it in the hands of unlicensed politicians is immoral.

Gender transition was already the most highly regulated type of medical care that A person could seek, even more so than an abortion. It always required a multidisciplinary team of experts, with several stop gaps built into the process to ensure that the patient's needs are seriously considered, and any potential mental instability is properly addressed before moving toward any kind of permanent changes. This is true for all transgender patients, but is especially true for minors who are transitioning. The vast majority of patients that have gone through gender transition experienced a drastically improved quality of life and mental health. This law seeks only to do harm by removing what is likely the last hope of help for the disproportionate number of transgender youths facing homelessness by threatening to remove their access to homeless shelters simply for being transgender.

No shelter can realistically be expected to endanger all of the residents it serves simply by honoring the pronouns of a transgender youth. But then, it is clear from this group of transphobic provisions that were added to HB96 that the cruelty against transgender people is the point.

[Closing]

These provisions have no business being added to a state budget bill, they have little or no bearing on budget or finance, except that they all stand to increase the financial burden to Ohio tax payers for the sake of asserting cruelty, bigotry, and censorship on a tiny, marginalized part of your constituency. These provisions are not grounded in medical science and pose real harm to an already marginalized and vulnerable part of Ohio's population. Transgender and intersex people have existed for as long as humanity has, we are not an ideological movement, we are citizens and taxpayers, the same as you. I urge the committee to consult with clinical experts, to listen to their constituents, and to revise or reject these discriminatory provisions to the budget. If this does not happen, you will be directly responsible for the deaths of Ohioans, people that you have promised to protect. Not only that, you will have aided your constituents in hurting the wrong 1% of the population by hurting transgender people when it is clear that the 1% of the US population Americans should really be focused on are the billionaires who do NOT need the tax cuts they are being granted!

Thank you for your time. I welcome any questions.

Health 1: Tuesday, May 27, 9:30am

https://www.ohiosenate.gov/committees/finance/meetings/cmte_s_finance_1_2025-05-27-0900_486