



# LGBTQ+ Business Climate Score

# Georgia

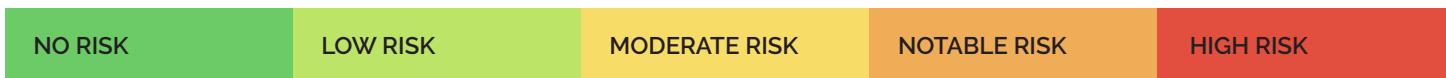
**52.73**

out of a possible 100 points



Out Leadership's Business Climate Index for the 50 United States is an assessment of states' performance on LGBTQ+ inclusion. It measures the impact government policies and prevalent attitudes have on the LGBTQ+ people residing in each state, quantifying the economic imperatives for inclusion and the costs of discrimination. It equips business leaders and policy makers with a clear sense of the most impactful steps states can take to make themselves more hospitable to forward-thinking, innovative, inclusive businesses.

## Color Coding



For more context around these scores, and to learn more about the criteria we used to assess how state laws, actions and attitudes toward LGBTQ+ people create business and talent risks, please visit [www.outleadership.com/staterisk](http://www.outleadership.com/staterisk)

# Georgia



## Legal & Nondiscrimination Protection

Georgia lacks any statewide nondiscrimination law whatsoever, meaning that many Georgians are vulnerable to discrimination, including on the basis of sexual orientation and gender identity, as well as on the basis of gender, religion and ethnicity. Some municipalities have passed these protections, including on the basis of sexual orientation and gender identity, at the local level. It's possible to change gender markers on a birth certificate or a driver's license, but gender confirmation surgery is a prerequisite in a longer process involving court orders and physician notes.

3/20



## Youth & Family Support

The state does not ban conversion therapy. There are no overt restrictions on LGBTQ+ or second-parent adoptions, but there are no protections either. LGBTQ+ students do not have comprehensive nondiscrimination protections and are not protected against bullying. A second parent is recognized in the case of adoption or assisted reproduction if the individuals in the couple are married.

12.73/20



## Political & Religious Attitudes

In the 2020 elections, Georgia voters ousted both Republican incumbent senators in favor of Democrats with pro-LGBTQ+ views. Though the state currently lacks a "religious freedom" law, one is regularly proposed in the legislature, and Governor Brian Kemp ran on a campaign promise to pass such a law.

14/20



## Health Access & Safety

Georgia's state Medicaid system specifically excludes transgender healthcare, and private insurers are allowed to do the same. The state has had a hate crimes law that includes sexual orientation and gender identity since July 2020. Knowingly exposing someone to HIV is a felony.

10/20



## Work Environment & Employment

12% of transgender employees in Georgia reported being harassed in the past year due to their gender identity, and 34% report mistreatment such as being forced to use a restroom that does not match their gender. 26% of LGBTQ+ individuals in Georgia reported food insecurity, compared to 17% of non-LGBTQ+ individuals. 26% of LGBTQ+ Georgians report making less than \$24,000 per year.

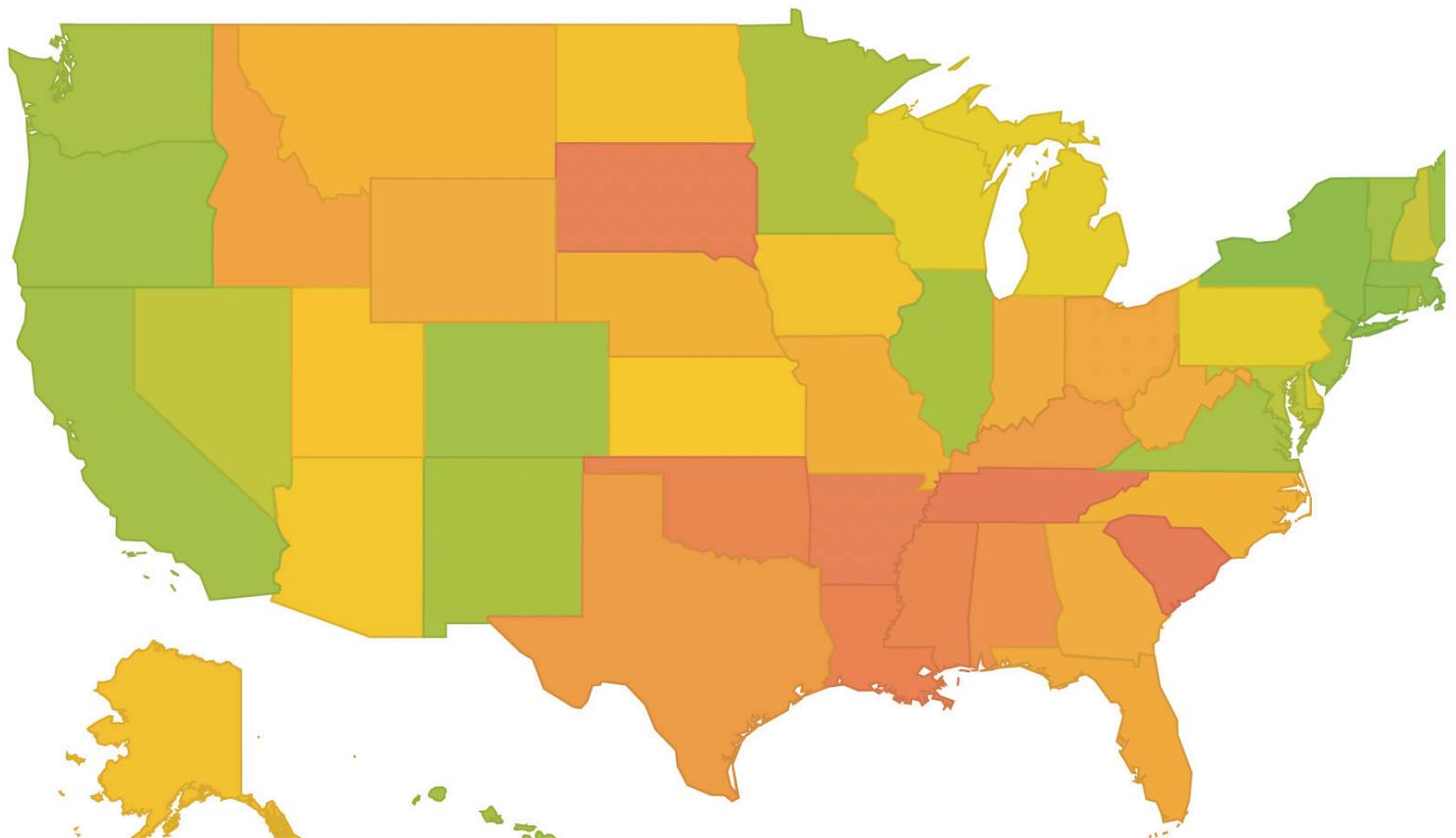
13/20

## A Note on Methodology

Download this report to learn how and why Out Leadership created the LGBTQ+ Business Climate Index for the 50 U.S. States, with important details about our methodology, including our data standards and practices. NOTE: \*HIV criminalization laws are discriminatory and ineffective. These laws fail to account for advances made in treating and controlling HIV, may deter people from getting tested and seeking treatment, and can exacerbate the stigma targeting people living with HIV and LGBTQ+ people.

# United States Heat Map

The legal and cultural situation for LGBTQ+ people varies widely across the country. This map, based on each state's total Business Climate Score, illustrates the states where LGBTQ+ people are empowered to participate more fully and openly in the economy, and the states that are lagging behind.



NO RISK	LOW RISK	MODERATE RISK	NOTABLE RISK	HIGH RISK
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# Georgia Talking Points

4.5% of Georgia residents identify as LGBTQ+. Conservatively, that's LGBTQ+ personal income of \$21.6 billion – it's a market my business can't afford to ignore.

Nondiscrimination policies allow LGBTQ+ people to participate more fully in the economy.

When LGBTQ+ employees don't feel welcome at work, they're less likely to stay, and employee turnover is a drag on the state economy and business competitiveness. It costs companies an average of \$9,440 to replace an employee in Georgia, and it can cost up to \$218,590 to replace senior executives. Georgia and the businesses operating there have strong incentives to create inclusive workplaces in the interest of keeping these costs down.

Millennial and Gen Z consumers prefer to do business with companies with LGBTQ+ friendly advertising and policies – 54% say they're more likely to choose an LGBTQ+ inclusive brand over a competitor – which is why it's important that Georgia create a business environment where being inclusive is supported.

# Regional Context

# The Southeast

Out Leadership and FCB partnered on original market research into the attitudes of American workers on LGBTQ+ inclusion, which fielded in 2019 and 2020.

These briefs as a whole will be updated on an ongoing basis by Out Leadership because we recognize the ever-changing nature of policy on the local, state, and national level.

LGBTQ+ workers in the Southeast are the most likely to be out at work (54.4%), but they are also 25% more likely to feel that covering behaviors are important for work place success. More broadly, non LGBTQ+ workers in this region preferred for businesses to demonstrate their support for the LGBTQ+ community using internal initiatives (like hiring more LGBTQ+ employees and creating more inclusive HR policies). However, this group was 57% less likely to approve of more public demonstrations of support (like withdrawing sponsorship from sporting events in less inclusive areas). LGBTQ+ workers in this region are 39% more likely to support inclusive businesses and 17% more likely to consider LGBTQ+ friendliness in making spending decisions compared to the non-LGBT workers nationwide. However, there is a perception that state leadership speaks about the LGBTQ+ community in a more negative way (39% more likely than nationwide), which could partially explain why LGBTQ+ workers in the Southeast are 19% more likely to say that they would be open to moving to a state with better LGBTQ+ support.

*Unless otherwise noted, all comparisons for more or less likely are compared to the National results. Regional results are based off of 1,500 respondents (LGBTQ+ and Non-LGBTQ+ responses have been weighted to be age-representative for each audience in each region). National results are based off of 600 respondents representative of each audience (LGBTQ+ vs Non-LGBTQ+).*

States in the Southeast region included: Alabama, Arkansas, Kentucky, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia.

# Current Legal Status of LGBTQ+ People in Georgia

## Legal status of the Lesbian, Gay and Bisexual Community

Georgia lacks any statewide nondiscrimination law, meaning that Georgians are vulnerable to discrimination on the basis of sex, ethnicity, and religion, as well as on the basis of sexual orientation and gender identity. However, some have been passed at the local level.

Georgia does not have any comprehensive laws protecting state employees from discrimination on the basis of sexual orientation or gender identity.

It is a felony in Georgia to knowingly expose someone to HIV without disclosure through sexual contact, needle sharing, sex work, or blood and tissue donation. If convicted, the act is punishable by up to a decade in prison.

Georgia does not have any laws which protect youth in foster care from discrimination on the basis of sexual orientation or gender identity.

Georgia does not currently permit state agencies to decline prospective adoptive parents based on religious beliefs. In 2018, the Senate passed SB 375, which would have permitted adoption agencies to decline a referral for adoption or foster care services based on "the child-placing agency's sincerely held religious beliefs," but it died in the House.

Georgia has no laws banning or restricting the practice of conversion therapy. A bill to ban it was introduced in the state house in the 2019 session but remains in limbo.

## Legal Status of the Transgender Community

Although Georgia currently does not provide statutory protections based on gender identity, the U.S. Court of Appeals for the Eleventh Circuit (which covers Georgia) ruled in 2011 that if a government agent fires a trans employee because of their gender non-conformity, that action violates the Constitution's Equal Protection Clause prohibition on sex-based discrimination.

Georgia permits changing the gender markers on a birth certificate for individuals born within the state. In order to obtain an amended birth certificate, an individual must undergo gender confirmation surgery, petition the court to apply for a name change and gender change, and submit a certified physician's letter attesting to the fact that the individual has undergone the surgery. No therapist letter is required. Once the individual has obtained a "court order indicating the sex of an individual born in this state has been changed by surgical procedure and that such individual's name has been changed," the individual may apply to the Georgia Office of Vital Records to receive an amended birth certificate.

To update the gender marker on a Georgia driver's license or ID, an individual must submit either a court order or physician's letter certifying that the individual has had gender confirmation surgery. The court order or physician's letter must state the person's name, date of birth, date of operation and other identifying information. Neither a name change nor a therapist letter is required.

Georgia's State Medicaid policy explicitly excludes transgender health coverage and care, prohibiting coverage for, among other things, gender confirmation surgeries, hysterectomies, sterilizations, and cosmetic surgery or mammoplasties for aesthetic purpose. The policy does not appear to explicitly include or exclude hormone treatment, but drugs or procedures which are not recognized by the federal government as acceptable, standard treatment are generally excluded from coverage.

## Government Statements and Actions

In 2020, Kim Jackson became Georgia's first openly LGBTQ state senator.

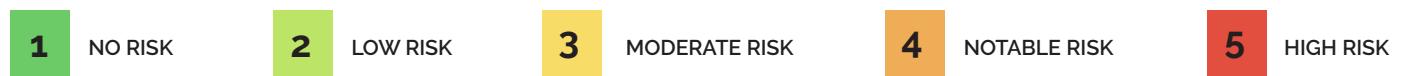
Governor Brian Kemp appointed a noted anti-LGBTQ+ activist to his transition team, alongside a gay Republican who has long opposed anti-LGBTQ+ religious freedom policies.

In 2019, the state legislature rejected SB 221, which continued an ongoing policy debate in the state: whether it should have its own version of the 1993 Religious Freedom Restoration Act. Some religious Georgians say it protects their freedom of speech, while LGBTQ+ activists say it gives people the right to discriminate against them.

Former governor Nathan Deal vetoed a state-based RFRA bill three years ago after large corporations threatened to boycott the state.

Georgia currently has 8 anti-LGBTQ+ bills working their way through the legislature.

# Impact of LGBTQ+ Discrimination on Business Talent



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Brand Risk	Client Risk
<b>5</b> HIGH RISK  Companies face high brand risk by operating in Georgia, where there are no statewide LGBTQ+-inclusive nondiscrimination protections and the state's governor and senators have negative voting records on LGBTQ+ issues. Governor Brian Kemp ran on a campaign promise to pass a "religious freedom" law.	<b>4</b> NOTABLE RISK  Georgia's openly homophobic lawmakers and lack of protections make choosing to do business there a notable risk. Businesses operating there could alienate clients who are engaged on LGBTQ+ issues.
Talent Risk	Marketing Risk
<b>4</b> NOTABLE RISK  LGBTQ+ talent are likely to consider Georgia's legal and social environment unfriendly. There is no statewide LGBTQ+-inclusive nondiscrimination law, and the state specifically excludes trans people from healthcare coverage, making working in Georgia comparatively unattractive to LGBTQ+ talent.	<b>5</b> HIGH RISK  There is high risk involved in marketing to the LGBTQ+ community in Georgia, particularly given the state government's highly publicized plan to pass a RFRA in the near future.
Future Risk	
<b>4</b> NOTABLE RISK  The state legislature has not passed any discriminatory laws in recent years, and overall such bill volume appears to be declining year on year. However, there continue to be high-profile calls for such legislation, and related national news coverage. There remains a notable risk of a future headline-making, discriminatory event.	

# Socio-cultural Environment of LGBTQ+ People in Georgia

## Status of LGBTQ+ Organizing and Community

October 2021 will mark Atlanta's 51st pride celebration, currently the largest pride parade in the southeast.

The Georgia Voice describes Atlanta as "arguably the hub of black LGBTQ life in America." According to the Williams Institute, 4.5% of the state's residents identify as LGBTQ+. However, that large LGBTQ+ population remains very racially segregated.

First City Network in Savannah is the state's oldest LGBTQ+ organization. The small bible-belt town of Blue Ridge has famously become revitalized by an influx of LGBTQ+ people and businesses.

## Cultural Views of the LGBTQ+ Community

Georgia has some of the nation's most homophobic lawmakers, like Rep. Marjorie Taylor Greene and Gov. Brian Kemp. But the state also just chose two LGBTQ-friendly senators over Republican incumbents; the voter landscape in the state is becoming more actively liberal.



# Partners

Our partnerships make our work possible. The first State LGBTQ+ Business Climate Index released in 2019 was funded by a grant from the Gill Foundation. The Index is based on data graciously shared by the Movement Advancement Project and the Williams Institute. Ropes & Gray is our pro bono legal partner for the CEO Business Briefs globally, and their research informs this Index. FCB partnered with us to conduct original market research into American attitudes toward LGBTQ+ workplace inclusion, informing the Regional Context section of the State CEO Briefs. America Competes supported the development of the scoring for the Risk Assessments, particularly for the Future Risk score.

