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# Bill 94

**An Act to enact the 2SLGBTQI+ Community Safety Zones Act, 2023  
and to establish the Ontario 2SLGBTQI+ Safety Advisory Committee**

**Co-sponsors:**

MPP K. Wong-Tam

MPP J. Andrew

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**Private Members' Bill**

1st Reading      April 4, 2023

2nd Reading

3rd Reading

Royal Assent



## EXPLANATORY NOTE

### SCHEDULE 1

#### **2SLGBTQI+ COMMUNITY SAFETY ZONES ACT, 2023**

The Schedule enacts the *2SLGBTQI+ Community Safety Zones Act, 2023*. The Act provides that the Attorney General may designate 2SLGBTQI+ community safety zones. The Act prohibits persons from performing an act of intimidation within 100 metres of the boundary of a property that is designated as a 2SLGBTQI+ community safety zone.

Every person who contravenes the prohibition is guilty of an offence and is liable on conviction to a fine of not more than \$25,000.

### SCHEDULE 2

#### **ONTARIO 2SLGBTQI+ SAFETY ADVISORY COMMITTEE ACT, 2023**

The Schedule enacts the *Ontario 2SLGBTQI+ Safety Advisory Committee Act, 2023* which provides for the establishment and composition of an Ontario 2SLGBTQI+ Safety Advisory Committee. The Act requires the Ontario 2SLGBTQI+ Safety Advisory Committee to make recommendations with respect to various matters relating to improving the safety of and preventing hate crimes and hate motivated incidents against Two-Spirit, lesbian, gay, bisexual, transgender, queer, intersex and additional sexually and gender diverse people in Ontario. The Act also requires an annual report setting out the findings and recommendations of the Ontario 2SLGBTQI+ Safety Advisory Committee.

**An Act to enact the 2SLGBTQI+ Community Safety Zones Act, 2023 and  
to establish the Ontario 2SLGBTQI+ Safety Advisory Committee**

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His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Contents of this Act**

**1 This Act consists of this section, sections 2 and 3 and the Schedules to this Act.**

**Commencement**

**2 (1) Except as otherwise provided in this section, this Act comes into force on the day it receives Royal Assent.**

**(2) The Schedules to this Act come into force as provided in each Schedule.**

**(3) If a Schedule to this Act provides that any of its provisions are to come into force on a day to be named by proclamation of the Lieutenant Governor, a proclamation may apply to one or more of those provisions, and proclamations may be issued at different times with respect to any of those provisions.**

**Short title**

**3 The short title of this Act is the *Keeping 2SLGBTQI+ Communities Safe Act, 2023*.**

**SCHEDULE 1**  
**2SLGBTQI+ COMMUNITY SAFETY ZONES ACT, 2023**

**Definition**

**1** In this Act,

“2SLGBTQI+ community safety zone” means a zone designated by the Attorney General under section 3.

**Prohibitions in 2SLGBTQI+ community safety zones**

**2** No person shall, within 100 metres of the boundary of a property where a 2SLGBTQI+ community safety zone is located, perform an act of intimidation, including,

- (a) causing a disturbance within the meaning of the *Criminal Code* (Canada);
- (b) distributing hate propaganda within the meaning of the *Criminal Code* (Canada);
- (c) uttering threats or making offensive remarks, either verbally or in writing, with respect to matters of social orientation or gender roles; or
- (d) engaging in a protest or demonstration for the purpose of furthering the objectives of homophobia and transphobia.

**Designation of 2SLGBTQI+ community safety zone**

**3** (1) The Attorney general may, by order, designate a place where 2SLGBTQI+ persons gather as a 2SLGBTQI+ community safety zone for a specified period of time.

**Content of order**

(2) The order shall provide,

- (a) the name and address of the 2SLGBTQI+ community safety zone; and
- (b) the date and time during which the 2SLGBTQI+ community safety zone is designated as such.

**Publication of order**

(3) The Attorney General shall ensure that a list of 2SLGBTQI+ community safety zones is made available to the public.

**Offence**

**4** Every person who contravenes section 2 is guilty of an offence and is liable on conviction to a fine of not more than \$25,000.

**No effect on peaceful protests, etc.**

**5** For greater certainty, nothing in this Act prevents peaceful protests or demonstrations.

**Injunction**

**6** On application by a person, including the Attorney General, the Superior Court of Justice may grant an injunction to restrain a person from contravening section 2.

**Commencement**

**7** The Act set out in this Schedule comes into force on the day the *Keeping 2SLGBTQI+ Communities Safe Act, 2023* receives Royal Assent.

**Short title**

**8** The short title of the Act set out in this Schedule is the *2SLGBTQI+ Community Safety Zones Act, 2023*.

**SCHEDULE 2**  
**ONTARIO 2SLGBTQI+ SAFETY ADVISORY COMMITTEE ACT, 2023**

**Definition**

1 In this Act,

“Associate Minister” means the Associate Minister of Women’s Social and Economic Opportunity or such other member of the Executive Council as may be assigned the administration of this Act under the *Executive Council Act*.

**Ontario 2SLGBTQI+ Safety Advisory Committee**

2 The Associate Minister shall, no more than 60 days after the day this section comes into force, establish an Ontario 2SLGBTQI+ Safety Advisory Committee.

**Composition**

3 (1) The Ontario 2SLGBTQI+ Safety Advisory Committee shall be composed of no fewer than one and no more than six members of the Legislative Assembly appointed by the Associate Minister.

**Same, members**

(2) When appointing members of the Legislative Assembly to the Ontario 2SLGBTQI+ Safety Advisory Committee, the Associate Minister shall ensure that the Advisory Committee includes the following:

1. No fewer than one and no more than three members of the Legislative Assembly from the party forming the Government.
2. No fewer than one and no more than two members of the Legislative Assembly from the party forming the Official Opposition.
3. One other member of the Legislative Assembly.

**Same, members**

(3) The Associate Minister shall make all reasonable efforts to ensure that the composition of the Ontario 2SLGBTQI+ Safety Advisory Committee reflects the diversity of communities across Ontario.

**Chair**

(4) The Associate Minister shall be the chair of the Ontario 2SLGBTQI+ Safety Advisory Committee.

**Vice-chair**

(5) One member appointed under subsection (2) shall be the vice-chair of the Ontario 2SLGBTQI+ Safety Advisory Committee.

**Same, vice-chair**

(6) The vice-chair shall be a member of the Two-Spirit, lesbian, gay, bisexual, transgender, queer, intersex or other sexually or gender diverse community.

**Functions**

4 (1) The Ontario 2SLGBTQI+ Safety Advisory Committee shall make findings and put forward recommendations to the Associate Minister with respect to improving the safety of and preventing hate crimes and hate motivated incidents against Two-Spirit, lesbian, gay, bisexual, transgender, queer, intersex and additional sexually and gender diverse people in Ontario.

**Same**

(2) The Ontario 2SLGBTQI+ Safety Advisory Committee shall advise the Associate Minister regarding how government action on the following matters could improve the safety of and prevent hate crimes and hate motivated incidents against Two-Spirit, lesbian, gay, bisexual, transgender, queer, intersex and additional sexually and gender diverse people in Ontario:

1. Housing and homelessness.
2. Health, including mental health, addiction and gender affirming health care services.
3. Education curriculum, programs and campaigns to combat and eliminate bigotry.
4. Hate crime prevention and processes for reporting and investigating hate crimes.
5. Any other matter that the Advisory Committee considers to be relevant in performing its functions under this subsection.

**Same**

(3) In performing its functions under this section, the Ontario 2SLGBTQI+ Safety Advisory Committee shall, as appropriate,

- (a) consult with stakeholders;
- (b) make calls for public submissions and review such submissions;

- (c) conduct surveys; and
- (d) review any federal, provincial or territorial action plans or other applicable documents on the rights and equality of Two-Spirit, lesbian, gay, bisexual, transgender, queer, intersex and additional sexually and gender diverse people in Canada.

**Annual report to Associate Minister**

**5** (1) On or before the day that is one year after the day the Ontario 2SLGBTQI+ Safety Advisory Committee is established and at least every year thereafter, the Advisory Committee shall provide its findings and put forward recommendations in the form of an annual report to the Associate Minister.

**Tabling of report**

(2) The Associate Minister shall cause the annual report to be tabled in the Legislative Assembly within 60 days after receiving it.

**Publication**

(3) The Associate Minister shall publish the annual report on a Government of Ontario website within 14 days after the day on which the report is tabled in the Legislative Assembly.

**Associate Minister's response**

(4) On or before the day that is 60 days after the Associate Minister tables the annual report, the Associate Minister shall inform the Legislative Assembly of the Associate Minister's recommendations and proposed actions in response to the report, including any action that the Associate Minister recommends for a ministry to take in response to the report.

**Financial support**

(5) Subject to subsection (6), the Associate Minister may determine the financial support required to implement the Associate Minister's recommendations and proposed actions in response to the annual report.

**Appropriation required**

(6) Subsection (5) only applies to the extent that the Legislature has appropriated funds for the purposes of that subsection.

**Commencement**

**6** The Act set out in this Schedule comes into force on the day the *Keeping 2SLGBTQI+ Communities Safe Act, 2023* receives Royal Assent.

**Short title**

**7** The short title of the Act set out in this Schedule is the *Ontario 2SLGBTQI+ Safety Advisory Committee Act, 2023*.