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BILL: House Bill 47 - Education - Interscholastic and Intramural Junior Varsity and Varsity Teams - Designation Based on Sex (Fairness In Girls' Sports Act)

DATE: January 31, 2024

POSITION: UNFAVORABLE

COMMITTEE: Ways and Means

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Annapolis Pride's mission is to advocate for, empower, and celebrate the LGBTQ+ community in Anne Arundel County to live fully and authentically. Our vision is a safe, equitable, and anti-racist community where people of all identities thrive.

As such, Annapolis Pride opposes House Bill 47. The bill fails in its stated purpose on scientific grounds and only serves to exclude trans and gender non-conforming youth from participating in team sports. Their right to participate in sports, like any other student, should be respected. Additionally, trans youth, like all youth, vary in physical characteristics and athletic ability, as such there is no evidence that confirms the belief that trans student athletes affect the fairness of sports¹.

Thirty-five states and territories allow trans youth to play sports, and years of open participation by trans students in those places have shown zero evidence of unfair advantage. For instance, The International Olympic Committee and the National Collegiate Athletic Association have allowed trans athletes to play sports for the past two decades. As a result, they have found zero evidence that including trans athletes impacted the fairness of the sport.

The sponsors of this ill-informed legislation have proffered the notion that sex is binary and immutable. This is false, while it may seem like a natural way to categorize people, this female-male binary is inaccurate, as biologists have pointed out for years².

Further research shows that athletic ability is influenced by a complex interplay of factors beyond just biological sex. Genetics, training, nutrition, psychological factors, and access to resources all play significant roles.³ Trans women may have genetic predispositions that contribute to their athletic abilities, just as cisgender women do. Additionally, dedicated training and optimal nutrition plays a significant role in athletic performance, regardless of biological sex. Many trans women athletes undergo years of testosterone suppression before even entering into competitive sports, further mitigating any advantages.

Accordingly, Annapolis Pride respectfully requests an **unfavorable** committee report on House Bill 47.

¹ Four Myths About Trans Athletes, Debunked | ACLU. (2020, April 30). American Civil Liberties Union, from <https://www.aclu.org/news/lgbtq-rights/four-myths-about-trans-athletes-debunked>

² Berkowitz, A. (2020, June 19). Our Biology Is Not Binary. Psychology Today, from <https://www.psychologytoday.com/us/blog/governing-behavior/202006/our-biology-is-not-binary>

³ Transgender Women Athletes and Elite Sport: A Scientific Review. (2022, November 3). Canadian Centre for Ethics in Sport from <https://www.cces.ca/sites/default/files/content/docs/pdf/transgenderwomenathletesandelitesport-ascientificreview-e-final.pdf>