

HB0504/773521/1

BY: Senator Ready

AMENDMENTS TO HOUSE BILL 504, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Budget and Taxation Committee Amendments (HB0504/573327/1), in line 19 of Amendment No. 1, before “altering” insert “requiring certain interscholastic and intramural junior varsity and varsity athletic teams or sports sponsored by certain schools to be expressly designated in a certain manner; prohibiting certain interscholastic and intramural junior varsity and varsity athletic teams or sports from including certain students; prohibiting certain entities from taking certain adverse actions against a school for maintaining separate interscholastic and intramural junior varsity and varsity athletic teams and sports for students of the female sex; authorizing certain students to bring a civil action against certain entities under certain circumstances;”.

On page 3 of the Budget and Taxation Committee Amendments, in line 2 of Amendment No. 1, before “and” insert “7-118”.

AMENDMENT NO. 2

On page 31 of the bill, after line 27, insert:

“7-118.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “STUDENT OF THE FEMALE SEX” MEANS A STUDENT WHOSE BIOLOGICAL SEX IS FEMALE.

(3) “STUDENT OF THE MALE SEX” MEANS A STUDENT WHOSE BIOLOGICAL SEX IS MALE.

(B) THIS SECTION APPLIES TO:

(1) PUBLIC HIGH SCHOOLS; AND

(2) NONPUBLIC HIGH SCHOOLS FOR WHICH THE STUDENT ATHLETES OR ATHLETIC TEAMS COMPETE AGAINST STUDENT ATHLETES OR ATHLETIC TEAMS FROM PUBLIC HIGH SCHOOLS IN THE STATE.

(C) (1) AN INTERSCHOLASTIC OR INTRAMURAL JUNIOR VARSITY OR VARSITY ATHLETIC TEAM OR SPORT THAT IS SPONSORED BY A PUBLIC OR NONPUBLIC HIGH SCHOOL SHALL BE EXPRESSLY DESIGNATED AS ONE OF THE FOLLOWING:

(I) A BOYS', MALE, OR MEN'S TEAM OR SPORT;

(II) A GIRLS', FEMALE, OR WOMEN'S TEAM OR SPORT; OR

(III) A COEDUCATIONAL OR MIXED TEAM OR SPORT.

(2) AN INTERSCHOLASTIC OR INTRAMURAL JUNIOR VARSITY OR VARSITY ATHLETIC TEAM OR SPORT DESIGNATED FOR GIRLS, FEMALES, OR WOMEN MAY NOT INCLUDE STUDENTS OF THE MALE SEX.

(D) A GOVERNMENTAL ENTITY, A LICENSING OR ACCREDITING ORGANIZATION, OR AN ATHLETIC ASSOCIATION OR ORGANIZATION MAY NOT ACCEPT A COMPLAINT, CONDUCT AN INVESTIGATION, OR TAKE ANY OTHER ADVERSE ACTION AGAINST A SCHOOL FOR MAINTAINING SEPARATE INTERSCHOLASTIC OR INTRAMURAL JUNIOR VARSITY OR VARSITY ATHLETIC TEAMS OR SPORTS FOR STUDENTS OF THE FEMALE SEX.

(E) (1) A STUDENT WHO IS DEPRIVED OF AN ATHLETIC OPPORTUNITY OR SUFFERS ANY DIRECT OR INDIRECT HARM AS A RESULT OF A VIOLATION OF THIS SECTION MAY BRING A CIVIL ACTION AGAINST THE SCHOOL THE STUDENT ATTENDS.

(2) A STUDENT WHO IS SUBJECT TO RETALIATION OR OTHER ADVERSE ACTION BY A SCHOOL OR AN ATHLETIC ASSOCIATION OR ORGANIZATION AS A RESULT OF REPORTING A VIOLATION OF THIS SECTION TO AN EMPLOYEE OR REPRESENTATIVE OF THE SCHOOL, ATHLETIC ASSOCIATION OR ORGANIZATION, OR ANY STATE OR FEDERAL AGENCY WITH OVERSIGHT OF SCHOOLS IN THE STATE MAY BRING A CIVIL ACTION AGAINST THE SCHOOL OR ATHLETIC ASSOCIATION OR ORGANIZATION.

(F) THIS SECTION MAY BE KNOWN AND CITED AS THE FAIRNESS IN GIRLS' SPORTS ACT."