

SENATE BILL 588

F1, D5
SB 381/24 – EEE

5lr1426

By: **Senators Carozza, Bailey, Gallion, Mautz, and Watson**

Introduced and read first time: January 23, 2025

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Interscholastic and Intramural Junior Varsity and Varsity Teams**
3 **and Sports – Designation**
4 **(Fairness in Girls’ Sports Act)**

5 FOR the purpose of requiring certain interscholastic and intramural junior varsity and
6 varsity athletic teams or sports sponsored by certain schools to be expressly
7 designated in a certain manner; prohibiting certain interscholastic and intramural
8 junior varsity and varsity athletic teams or sports from including certain students;
9 prohibiting certain entities from taking certain adverse actions against a school for
10 maintaining separate interscholastic and intramural junior varsity and varsity
11 athletic teams and sports for students of the female sex; authorizing certain students
12 to bring a civil action against certain entities under certain circumstances; and
13 generally relating to interscholastic and intramural junior varsity and varsity teams
14 and sports of public and nonpublic schools.

15 BY adding to
16 Article – Education
17 Section 7–118
18 Annotated Code of Maryland
19 (2022 Replacement Volume and 2024 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
21 That the Laws of Maryland read as follows:

22 **Article – Education**

23 **7–118.**

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) "STUDENT OF THE FEMALE SEX" MEANS A STUDENT WHOSE**
2 **BIOLOGICAL SEX IS FEMALE.**

3 **(3) "STUDENT OF THE MALE SEX" MEANS A STUDENT WHOSE**
4 **BIOLOGICAL SEX IS MALE.**

5 **(B) THIS SECTION APPLIES TO:**

6 **(1) PUBLIC HIGH SCHOOLS; AND**

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

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

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

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

16 **(III) A COEDUCATIONAL OR MIXED TEAM OR SPORT.**

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

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

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

29 **(2) A STUDENT WHO IS SUBJECT TO RETALIATION OR OTHER**
30 **ADVERSE ACTION BY A SCHOOL OR AN ATHLETIC ASSOCIATION OR ORGANIZATION**

1 AS A RESULT OF REPORTING A VIOLATION OF THIS SECTION TO AN EMPLOYEE OR
2 REPRESENTATIVE OF THE SCHOOL, ATHLETIC ASSOCIATION OR ORGANIZATION, OR
3 ANY STATE OR FEDERAL AGENCY WITH OVERSIGHT OF SCHOOLS IN THE STATE MAY
4 BRING A CIVIL ACTION AGAINST THE SCHOOL OR ATHLETIC ASSOCIATION OR
5 ORGANIZATION.

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

8 SECTION 2. AND BE IT FURTHER ENACTED, That, if any provision of this Act or
9 the application thereof to any person or circumstance is held invalid for any reason in a
10 court of competent jurisdiction, the provision shall be construed to give the provision the
11 maximum effect permitted by law unless the provision is held to be absolutely invalid.

12 SECTION 3. AND BE IT FURTHER ENACTED, That, if any provision of this Act or
13 the application thereof to any person or circumstance is held invalid for any reason in a
14 court of competent jurisdiction, the invalidity does not affect other provisions or any other
15 application of this Act that can be given effect without the invalid provision or application,
16 and for this purpose the provisions of this Act are declared severable.

17 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July
18 1, 2025.