



# State of Maryland Commission on Civil Rights

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February 18, 2026

**Senate Bill 50 - Education - Interscholastic and Intramural Junior Varsity and Varsity Teams and Sports - Designation (Fairness in Girls' Sports Act)**  
**Position: Unfavorable**

Dear Chairperson Feldman, Vice Chairperson Kagan, and Members of the Senate Education, Energy, and the Environment Committee:

The Maryland Commission on Civil Rights (“MCCR”; “The Commission”) is the State agency responsible for the enforcement of laws prohibiting discrimination in employment, housing, public accommodations, commercial leasing, health services, and state contracts based on race, color, religion, sex, age, national origin, marital status, familial status, sexual orientation, gender identity, genetic information, physical and mental disability, source of income, and military status.

Senate Bill 50 will authorize discrimination based on gender identity and perpetuate transphobia. It will stigmatize vulnerable children, prevent them from being who they are, and serve to exclude these children from important school activities. This contradicts MCCR’s purpose to eliminate discrimination based on protected classes.

The “Fairness in Girls’ Sports Act” is not a novel idea. Bills with largely the same language have been introduced and even passed in several other states, beginning with Idaho, which enacted its bill in 2020. Other states followed suit by adopting their own bills over the next two years, such as West Virginia (HB3293), Oklahoma (SB2), Alabama (HB391), and South Carolina (HB4608), among several others. Some states, including Missouri (SB781) and Ohio (HB61), proposed similar bills in 2022 that did not pass. Maryland should not join in the ongoing pursuit of anti-trans legislation, and instead uphold trans peoples’ rights, dignity, and identities. When similar bills were introduced in the Maryland General Assembly in 2022 (HB757), 2023 (HB359), 2024 (HB47/SB381), and 2025 (HB156/SB588), those bills either received unfavorable reports from the House Ways & Means Committee, or were not voted on by the Senate Education, Energy, and the Environment Committee. MCCR urges the same result in 2026.

After its demise in 2022, the Maryland bill was amended to focus only on high schools, but almost every student attending a high school is under the age of 18 – a child. At this age, like any age, physiological traits do not necessarily determine athletic skill. Any advantage that a trans girl could have could likewise be found in a cisgender girl, as there is vast natural variation among all people. While the NCAA and the Olympic Committees have recently updated their policies on trans athletes,

***“Our vision is to have a State that is free from any trace of unlawful discrimination.”***

even they have not gone as far as SB50 does. This legislation contravenes science and enshrines outdated and damaging social beliefs that do not belong in schools in 2026. Instead, schools should be promoting tolerance, inclusion, and sportsmanship. If Maryland truly wants to be fair to its girls, it must be fair to all girls.

Permitting legal assessments of biological sex to become a matter of law will almost certainly target Marylanders from “disadvantaged and mostly poor backgrounds.” Any analysis of transgender inclusion in sports should be a matter of research and analysis performed by academic and medical experts relying upon credible peer-reviewed research to draw conclusions. An article penned by faculty of the Center for Sport Management Research and Education, Department of Health and Kinesiology, Texas A&M University and published by the Kinesiology review concludes that “sport is a human right, and as such, a right for transgender individuals”, further providing “five reasons for inclusion, basing their arguments on sport as a human right, fairness, gendered notions of athleticism, well-being, and economics.”<sup>1</sup>

Maryland should continue to be the State of inclusion and not pass legislation that seeks to exclude its citizens and legislate intolerance. For these reasons, the Maryland Commission on Civil Rights urges an unfavorable vote on SB50. Thank you for your time and consideration of the information contained in this letter. MCCR looks forward to the continued opportunity to work with you to promote and improve civil rights and human rights in Maryland.

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<sup>1</sup> [https://www.researchgate.net/publication/357081003\\_Transgender\\_Inclusion\\_in\\_Sport](https://www.researchgate.net/publication/357081003_Transgender_Inclusion_in_Sport)