

Introduced by

Representatives B. Koppelman, Meier, Paulson, Schauer, Skroch, Steiner, Vetter

Senators Clemens, Kannianen, Myrdal

1 A BILL for an Act to create and enact a new section to chapter 14-02.4 of the North Dakota
2 Century Code, relating to participation in athletic events exclusively for males or females; and to
3 provide for a legislative management study.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 14-02.4 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Athletic events exclusively for males or exclusively for females.**

- 8 1. ~~The state, a political subdivision of the state, or an entity that receives public funding~~
9 ~~from the state or from a political subdivision of the state~~A public elementary or
10 secondary school may not:
- 11 ~~a. Allow~~knowingly allow an individual of the opposite sex ~~who is under eighteen~~
12 ~~years of age or who is enrolled in high~~a public elementary or secondary school to
13 ~~participate on a school-sponsored athletic team sponsored or funded by the~~
14 ~~state, political subdivision, or entity and which~~that is exclusively for females or
15 exclusively for males.
- 16 ~~b. Sponsor an athletic event exclusively for males or exclusively for females which~~
17 ~~allows participation by an individual of the opposite sex who is under eighteen~~
18 ~~years of age or who is enrolled in high school.~~
- 19 ~~c. Use or permit to be used an athletic facility, stadium, field, structure, or other~~
20 ~~property owned by or under the control of the state, political subdivision, or entity~~
21 ~~for an athletic event conducted exclusively for males or exclusively for females in~~
22 ~~which an individual of the opposite sex who is under eighteen years of age or~~
23 ~~who is enrolled in high school is allowed to participate.~~

- 1 2. For purposes of this section, sex means an individual's biological sex and is based
2 solely on an individual's reproductive biology and genetics at birth.
3 3. This section may not be construed to prohibit a female from participating in a
4 school-sponsored athletic team or event that is exclusively for males.

5 **SECTION 2. LEGISLATIVE MANAGEMENT STUDY - STUDENT ATHLETIC EVENTS.**

6 During the 2021-22 interim, the legislative management shall consider studying student athletic
7 events that are exclusively for males or exclusively for females and the impact of a policy that
8 prohibits participation in those events by individuals who are of the opposite sex. The legislative
9 management shall report its findings and recommendations, together with any legislation
10 required to implement the recommendations, to the sixty-eighth legislative assembly.