

HOUSE BILL NO. 1298

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.

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

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

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

- 7 1. The state, a political subdivision of the state, or an entity that receives public funding
8 from the state or from a political subdivision of the state may not:
- 9 a. Allow an individual ~~who was assigned~~of the opposite sex ~~at birth~~who is under
10 eighteen years of age or who is enrolled in high school to participate on an
11 athletic team sponsored or funded by the state, political subdivision, or entity and
12 which is exclusively for females or exclusively for males.
 - 13 b. Sponsor an athletic event exclusively for males or exclusively for females that
14 allows participation by an individual ~~who was assigned~~of the opposite sex ~~at birth-~~
15 who is under eighteen years of age or who is enrolled in high school.
 - 16 c. Use or permit to be used an athletic facility, stadium, field, structure, or other
17 property owned by or under the control of the state, political subdivision, or entity
18 for an athletic event in which an individual ~~who was assigned~~of the opposite sex
19 ~~at birth~~who is under eighteen years of age or who is enrolled in high school is
20 allowed to participate in an athletic event conducted exclusively for males or
21 exclusively for females.
- 22 2. For purposes of this section, ~~the sex assigned at birth is the sex indicated on-~~
23 ~~the~~means an individual's ~~original birth certificate issued at the time of~~biological sex
24 and is based solely on an individual's reproductive biology and genetics at birth.

1 3. This section may not be construed to prohibit a female from participating in a
2 school-sponsored athletic team or event that is exclusively for males if females are
3 underrepresented among the school's athletes and possess the interest and ability to
4 participate.