

Sixty-eighth
Legislative Assembly
of North Dakota

REENGROSSED HOUSE BILL NO. 1522

Introduced by

Representatives Dyk, Christensen, Timmons, VanWinkle

Senators Beard, Weston

1 A BILL for an Act to create and enact a new section to chapter 15.1-06 of the North Dakota
2 Century Code, relating to providing accommodations to a transgender student; and to declare
3 an emergency.

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

5 **SECTION 1.** A new section to chapter 15.1-06 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Transgender student accommodations.**

- 8 1. A board of a school district, public school, or public school teacher may not adopt a
9 policy that requires or prohibits any individual from using a student's preferred gender
10 pronoun.
- 11 2. A board of a school district shall establish, in consultation with the approval of the
12 parent or legal guardian, a policy plan for the use of a separate restroom
13 accommodation for a transgender student.
- 14 3. A board of a school district or a public school shall prohibit a student from using a
15 restroom that does not coincide with the student's biological sex.
- 16 ~~4. Notwithstanding any other provision of law, a violation of this section subjects the~~
17 ~~board of a school district or a school to a civil cause of action by an individual or a~~
18 ~~parent or legal guardian of a student who has suffered damages because of the~~
19 ~~violation.~~
- 20 ~~5. Notwithstanding section 32-03.2-11, a court shall award the following remedies to a~~
21 ~~plaintiff that prevails in an action under subsection 4:~~
- 22 ~~a. Damages;~~
- 23 ~~b. Costs and fees, including reasonable attorney fees; and~~
- 24 ~~c. Exemplary damages in an amount up to twenty-five thousand dollars.~~

1 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.