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## DIGEST

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HB 542 Original

2021 Regular Session

Amedee

**Abstract:** Provides relative to the sex of members of school athletic teams.

Proposed law requires that an athletic team or sporting event sponsored by a school will be designated, based upon the biological sex of team members, as only one of the following:

- (1) A team for males, boys, or men, which means that it is for students who are biological males.
- (2) A team for females, girls, or women, which means that it is for students who are biological females.
- (3) A team that is coeducational or mixed, which means that it is for students who are biological males and students who are biological females.

Proposed law prohibits a team designated for females, girls, or women from being open to students who are not biologically female.

Proposed law provides that nothing in proposed law is intended to prevent any school from implementing or maintaining a coed athletic team or sporting event which is open to both biological males and biological females so long as a female athletic team or sporting event is not disbanded for the purpose of creating a coed team or event which would thereby result to the detriment of biological female students.

Proposed law prohibits any governmental entity, licensing or accrediting organization, or athletic association from entertaining a complaint, opening an investigation, or taking any other adverse action against a school, school board, or postsecondary education management board for maintaining a separate team or event for biological females as provided by proposed law.

Proposed law provides that no cause of action may be maintained against any coach, school, school board, school employee, or school or postsecondary education management board member, for prohibiting a biological male from participating in a female, girls', or women's athletic team or sporting event pursuant to the requirements of proposed law.

Proposed law provides that certain persons are entitled to legal causes of action and legal remedies under proposed law as follows:

- (1) A biological female student who is deprived of an athletic opportunity or suffers or is likely

to suffer from any direct or indirect harm as a result of a violation of proposed law.

- (2) Any biological female student who is subjected to retaliation or other adverse action by a school, athletic association, or other organization as a result of reporting a violation of proposed law.
- (3) Any school coach, school, school board, school employee, or school or postsecondary education management board member that suffers any direct or indirect harm for prohibiting a biological male from participating in a girls' or women's athletic team or sporting event.

Proposed law provides that any person who is entitled to bring a cause of action pursuant to proposed law may obtain the following relief:

- (1) Injunctive relief, a protective order, a writ of mandamus or prohibition, or a declaratory judgment to prevent any violation of proposed law.
- (2) Actual damages suffered, reasonable attorney fees, and costs.

Proposed law provides that any civil action pursuant to proposed law must be initiated within two years from the date that the harm occurred.

(Adds R.S. 4:441-446)