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## DIGEST

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HB 466 Original

2020 Regular Session

Amedee

**Abstract:** Provides relative to the gender of members of school athletics 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 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 is for both students who are biological males and 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 if a student's sex is disputed, the student may establish biological sex by a signed physician's statement completed by the student's family medical doctor or other physician of the student's choice, which verifies the student's biological sex based solely upon the student's internal and external reproductive anatomy, the student's normal endogenously produced levels of testosterone, and an analysis of the student's genetic makeup.

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 or athletic association from entertaining a complaint, opening an investigation, or taking any other adverse action against a school, school board, or post secondary education management board for maintaining separate teams for females and males 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 board member, that prohibits 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 to an employee or representative of the school, athletic association, or to any local, state, or federal agency with oversight of schools.
- (3) Any school coach, school, school board, employee of a school or school board, or board member of a school board 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) A court ordered injunction, 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)