

HB 1251 - AS INTRODUCED

2020 SESSION

20-2541

06/08

HOUSE BILL **1251**

AN ACT relative to participation in school sports programs for female student-athletes.

SPONSORS: Rep. M. Pearson, Rock. 34; Rep. Gould, Hills. 7; Rep. Camarota, Hills. 7; Rep. Notter, Hills. 21; Rep. Hoelzel, Rock. 3; Rep. Prudhomme-O'Brien, Rock. 6; Rep. McNally, Straf. 10; Rep. Aron, Sull. 7; Rep. Rice, Hills. 37; Rep. A. Lekas, Hills. 37; Sen. Birdsell, Dist 19; Sen. Ward, Dist 8

COMMITTEE: Education

ANALYSIS

This bill prohibits public schools from permitting a male student to participate in a student sport designated for females.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty

AN ACT relative to participation in school sports programs for female student-athletes.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Discrimination Protection in Public Schools. Amend RSA 193:38 to read as follows:

2 193:38 Discrimination in Public Schools.

3 **I.** No person shall be excluded from participation in, denied the benefits of, or be subjected
4 to discrimination in public schools because of their age, sex, gender identity, sexual orientation, race,
5 color, marital status, familial status, disability, religion, or national origin, all as defined in RSA
6 354-A. Any person claiming to be aggrieved by a discriminatory practice prohibited under this
7 section, including the attorney general, may initiate a civil action against a school or school district
8 in superior court for legal or equitable relief, or with the New Hampshire commission for human
9 rights, as provided in RSA 354-A:27-28.

10 **II. Interscholastic or intramural athletic teams or sports that are sponsored by a**
11 **primary or secondary school or institution of higher education and designated for**
12 **"females," "women," or "girls" shall only be open to students of the female sex. If disputed, a**
13 **student may prove that she is of the female sex by presenting a signed physician's statement**
14 **which shall indicate the student's sex is based solely upon:**

15 (a) *The student's internal and external reproductive anatomy;*

16 (b) *The student's naturally occurring level of testosterone; and*

17 (c) *An analysis of the student's chromosomes.*

18 2 Effective Date. This act shall take effect 60 days after its passage.