

ENROLLED ACT NO. 73, HOUSE OF REPRESENTATIVES

SIXTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2025 GENERAL SESSION

AN ACT relating to common law, statutes and rules of construction; specifying definitions and standards for the application of a person's biological sex in law, rules or regulations; providing for the law to distinguish between accommodations for males and females; requiring the collection of vital statistics and other data to identify persons as male or female at birth; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 8-1-110 is created to read:

8-1-110. References to males and females; separate accommodations for males and females; data reporting requirements.

(a) Notwithstanding any other provision of law, with respect to the application of a person's biological sex under any law or rule and regulation in this state, the following definitions and standards shall apply:

(i) A person's "sex" means the person's biological sex, either male or female, at birth;

(ii) "Female" means a person who has, had, will have or would have had, but for a congenital anomaly or intentional or unintentional disruption, the reproductive system that at some point produces, transports and utilizes eggs for fertilization;

(iii) "Male" means a person who has, had, will have or would have had, but for a congenital anomaly or intentional or unintentional disruption, the reproductive

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system that at some point produces, transports and utilizes sperm for fertilization;

(iv) The terms "woman" and "girl" refer to human females, and the terms "man" and "boy" refer to human males;

(v) "Mother" means a parent of the female sex;

(vi) "Father" means a parent of the male sex;

(vii) With respect to biological sex, the term "equal" does not mean "same" or "identical";

(viii) With respect to biological sex, separate accommodations are not inherently unequal; and

(ix) A person born with a medically recognized condition of a disorder or difference in sex development shall not be denied legal protections and accommodations afforded under applicable law.

(b) The legislature finds that laws, rules and regulations that distinguish between the sexes are subject to intermediate constitutional scrutiny. Intermediate constitutional scrutiny forbids unfair discrimination against similarly situated male and female persons but allows the law to distinguish between the sexes where such distinctions are substantially related to important governmental objectives.

(c) Notwithstanding any provision of law to the contrary, laws, rules and regulations that recognize or enforce distinctions between the sexes with respect to athletics, prisons or other detention facilities, domestic

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violence shelters, rape crisis centers, locker rooms, restrooms and other areas where safety or privacy are implicated and that result in separate accommodations between the sexes are substantially related to the important governmental objectives of protecting the health, safety and privacy of persons in such circumstances.

(d) Any school district, or public school thereof, and any state agency, department, office or other political subdivision that collects vital statistics for the purpose of complying with anti-discrimination laws or for the purpose of gathering accurate public health, crime, economic or other data shall, when identification by sex is used, identify each person who is part of the collected data set as either male or female consistent with the persons sex at birth.

ORIGINAL HOUSE
BILL NO. HB0032

ENGROSSED

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Section 2. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk