



SF0051

Fairness in women's sports act.

Sponsored By: Senator(s) Schuler, French, Hutchings, Salazar and Steinmetz and Representative(s) Gray, Haroldson and Jennings

AN ACT relating to school sports; prohibiting biological males from athletic teams and sports designated for females in public schools; establishing related causes of action as specified; requiring rulemaking; and providing for effective dates.

2/2/2022 Bill Number Assigned
2/7/2022 S Received for Introduction
2/18/2022 S Introduced and Referred to S04 - Education 25-4-1-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Biteman, Boner, Bouchard, Cooper, Dockstader, Driskill, French, Furphy, Hicks, James, Kinskey, Kolb, Kost, Landen, Mckeown, Nethercott, Pappas, Perkins, Salazar, Schuler, Scott, Steinmetz, Wasserburger

Nays: Senator(s) Case, Ellis, Gierau, Rothfuss

Excused: Senator Hutchings

Ayes 25 **Nays** 4 **Excused** 1 **Absent** 0 **Conflicts** 0

2/23/2022 S04 - Education:Recommend Amend and Do Pass 3-2-0-0-0

ROLL CALL

Ayes: Senator(s) Biteman, Salazar, Scott

Nays: Senator(s) Ellis, Rothfuss

Ayes 3 **Nays** 2 **Excused** 0 **Absent** 0 **Conflicts** 0

2/23/2022 S Placed on General File

SF0051SS001.01/ADOPTED **[DIVIDED AMENDMENT]**
(CORRECTED COPY)

Page 1-line 3 After "schools;" delete balance of line.

Page 1-line 4 Delete entirely.

Page 1-line 5 Delete "institutions;".

Page 1-line 10 Delete "through 21-25-103" and insert "and 21-25-102".

Page 3-lines 11 through 23 Delete entirely.

Page 4 Delete entirely.

Page 5-lines 1 and 2 Delete entirely.

Page 5-line 5 Delete "board of education" and insert "superintendent of public instruction". SCOTT, CHAIRMAN

SF0051SS001.02/FAILED **[DIVIDED AMENDMENT]**
(CORRECTED COPY)

"(d) The state superintendent of public instruction shall appoint an appeals board to hear appeals pursuant to this subsection and subsections (e) and (f) of this section. Appeals shall only be heard on the issue of whether a student is being properly denied or should be denied participation on a team or in a sport designated for females in accordance with this chapter. At the request of an appealing student, the board shall deem the student's medical information confidential and shall not disclose that information. If the appeals board finds that a student does not possess in a sufficient quantity the normal male physical capabilities to present a threat of unfair competition to a normal female who wishes to participate on the team or in the sport, the appeals board shall grant permission for the student to participate on the team or in the sport.

(e) The appeals board shall consist of either three (3) or five (5) members, as determined by the state superintendent. Members on the appeals board shall serve two (2) year terms. The appeals board shall include at least one (1) member with experience coaching a team or individual sport and shall include at least one (1) member who is a health care professional whose professional training or experience gives the professional an understanding of the normal comparative physical capabilities of males and females related to athletic performance. Board members who are not state employees, employees of the University of Wyoming or employees of a school district or community college shall receive travel expenses, per diem and mileage expenses in the same manner and amount as state legislators.

(f) The following persons shall have the right to appeal an adverse decision under this chapter to the appeals board:

(i) Any student otherwise eligible to participate in a sport or on a team by virtue of their status as a student who is denied eligibility to participate under subsection (b) of this section, and that student's parents or guardian;

(ii) Any female student, or that student's parents or guardian, who believes she is being denied the opportunity to compete fairly by the presence of a person whose participation is prohibited under subsection (b) of this section.". SCOTT, CHAIRMAN

2/28/2022 S COW:Passed

SF0051S2001/WITHDRAWN

SF0051S2002/ADOPTED

Delete the Hutchings second reading amendment (SF0051S2001/A) entirely and further amend as follows:

Page 1-line 3 After "schools;" insert "establishing related causes of action as specified;".

Page 1-line 10 Delete the Senate standing committee amendment (SF0051SS001.01/AC) to this line.

"(d) No government entity, licensing or accreditation entity, athletic association or athletic organization shall take any adverse action against a school district or institution of higher education for maintaining separate athletic teams or sports for students of the female sex.

21-25-103. Cause of action; remedies.

Any student who is harmed by a violation of this chapter or who is subject to retaliation or any other adverse action by a school district, athletic association or athletic organization as a result of reporting a violation of this chapter shall have a private cause of action for injunctive relief, damages, attorney fees and any other relief available under law against the school district, athletic association or athletic organization.". SCHULER

3/1/2022 S 2nd Reading:Passed
3/2/2022 S 3rd Reading:Passed 24-5-1-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Biteman, Boner, Bouchard, Cooper, Dockstader, Driskill, French, Furphy, Hicks, Hutchings, James, Kinskey, Kolb, Kost, Landen, Mckeown, Pappas, Salazar, Schuler, Scott, Steinmetz, Wasserburger
Nays: Senator(s) Case, Gierau, Nethercott, Perkins, Rothfuss
Excused: Senator Ellis
Ayes 24 **Nays** 5 **Excused** 1 **Absent** 0 **Conflicts** 0

3/2/2022 H Received for Introduction
3/7/2022 H Pursuant to HR 4-5 (a)(b) Failed by Roll Call 21-37-2-0-0

ROLL CALL

Ayes: Representative(s) Andrew, Baker, Bear, Blackburn, Fortner, Gray, Hallinan, Haroldson, Heiner, Jennings, Knapp, Laursen, D, Neiman, Ottman, Rodrig-Williams, Styvar, Washut, Wharff, Williams, Wilson, Winter
Nays: Representative(s) Banks, Barlow, Brown, Burkhardt, Burt, Clausen, Connolly, Crago, Duncan, Eklund, Eyre, Flitner, Harshman, Henderson, Kinner, Larsen, L, Lebeau, Macguire, Newsome, Nicholas, Oakley, Obermueller, Olsen, Paxton, Provenza, Romero-Martinez, Roscoe, Schwartz, Sherwood, Simpson, Sommers, Stith, Sweeney, Walters, Western, Yin, Zwonitzer
Excused: Representative(s) Greear, O'hearn
Ayes 21 **Nays** 37 **Excused** 2 **Absent** 0 **Conflicts** 0

3/8/2022 H Did not Consider for Introduction