

HOUSE BILL NO. HB0032

What is a Woman Act.

Sponsored by: Representative(s) Lien, Allemand, Angelos, Bear, Brady, Campbell, K, Guggenmos, Heiner, Hoeft, McCann, Pendergraft and Webb and Senator(s) Pearson

A BILL

for

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

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

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

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

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

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

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

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19 (iii) "Male" means a person who has, had, will
20 have or would have had, but for a congenital anomaly or
21 intentional or unintentional disruption, the reproductive
22 system that at some point produces, transports and utilizes
23 sperm for fertilization;

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

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

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

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

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

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16 (ix) A person born with a medically recognized
17 condition of a disorder or difference in sex development
18 shall be provided legal protections and accommodations
19 afforded under the Americans with Disabilities Act, as
20 amended, and any other applicable Wyoming law.

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22 (b) The legislature finds that laws, rules and
23 regulations that distinguish between the sexes are subject

1 to intermediate constitutional scrutiny. Intermediate
2 constitutional scrutiny forbids unfair discrimination
3 against similarly situated male and female persons but
4 allows the law to distinguish between the sexes where such
5 distinctions are substantially related to important
6 governmental objectives.

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8 (c) Notwithstanding any provision of law to the
9 contrary, laws, rules and regulations that recognize or
10 enforce distinctions between the sexes with respect to
11 athletics, prisons or other detention facilities, domestic
12 violence shelters, rape crisis centers, locker rooms,
13 restrooms and other areas where safety or privacy are
14 implicated and that result in separate accommodations
15 between the sexes are substantially related to the
16 important governmental objectives of protecting the health,
17 safety and privacy of persons in such circumstances.

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19 (d) Any school district, or public school thereof,
20 and any state agency, department, office or other political
21 subdivision that collects vital statistics for the purpose
22 of complying with anti-discrimination laws or for the
23 purpose of gathering accurate public health, crime,

1 economic or other data shall identify each person who is
2 part of the collected data set as either male or female
3 consistent with the persons sex at birth.

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

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(END)