



ARIZONA HOUSE OF REPRESENTATIVES

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Second Regular Session

Senate: JUD DP 4-3-1-0 | 3rd Read 16-13-1-0

House: JUD DP 6-4-0-0

SB 1165: interscholastic; intramural athletics; biological sex

Sponsor: Senator Barto, LD 15

Caucus & COW

Overview

Directs public schools and certain private schools to designate their interscholastic athletics teams based on the biological sex of the participating students. Establishes civil liability for violators.

History

School district governing boards, charter schools or interscholastic athletic associations are prohibited from restricting a student from wearing religious or cultural accessories while participating in extracurricular or athletic activities ([A.R.S. § 15-347](#)).

A governing board is required to adopt policies and procedures concerning requirements for students to participate in extracurricular activities. Rules for policies and procedures must meet the minimum statewide requirements, such as the activity being appropriate to the grade in which the student is enrolled ([A.R.S. § 15-705](#)).

The Arizona Interscholastic Association (AIA) acts as the governing body for participating in Arizona interscholastic athletic programs. The AIA currently enforces a policy allowing transgender students to participate in activities in a manner consistent with their gender identity, including an appeals process ([AIA Policies and Procedures, Art. 41 § 9](#)).

Provisions

1. Requires public school and certain private school sports teams be designated in a specified manner based on the biological sex of students who participate on the team. (Sec. 1)
2. Specifies that athletic teams designated for *females*, *women* or *girls* are not open to male students. (Sec. 1)
3. Clarifies that this law does not restrict any student from participating in interscholastic or intramural athletics designated as being for *males*, *men* or *boys* or designated as *coed* or *mixed*. (Sec. 1)
4. Prohibits political subdivisions, licensing organizations or athletic associations from opening investigations or taking any actions based on a school's maintenance of separate interscholastic or intramural athletics for female students. (Sec. 1)
5. Establishes a school's civil liability following a student's deprivation of an athletic opportunity or direct or indirect harm caused by the school's conscious violation of this law. (Sec. 1)
6. States any student who reports a violation of this law to an athletic organization, a school or a state or federal agency with oversight over schools, has a private cause of action for presumptive relief, damages and other relief under the law. (Sec. 1)

Prop 105 (45 votes)

Prop 108 (40 votes)

Emergency (40 votes)

Fiscal Note

7. States a school that suffers harm caused by a violation of this law has a private cause of action for injunctive relief, damages and other relief under the law. (Sec. 1)
8. Requires a person or school seeking to file civil action due to a violation of this law, to do so within two years of the occurrence of the alleged violation. (Sec. 1)
9. Defines *school*. (Sec. 1)
10. Contains a legislative findings and purpose statement. (Sec. 2)
11. Contains a severability clause. (Sec. 3)
12. Entitles this act as the "Save Women's Sports Act." (Sec. 4)