

**Representative Kera Birkeland** proposes the following substitute bill:

**HIGH SCHOOL SPORTS AMENDMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Kera Birkeland**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill prohibits a public school from participation in an athletics association in certain circumstances.

**Highlighted Provisions:**

This bill:

- ▶ prohibits a public school from participation in an athletics association that does not collect and review an athlete's birth certificate or other identifying documents during the registration process.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a special effective date.

**Utah Code Sections Affected:**

AMENDS:

**53G-7-1102**, as renumbered and amended by Laws of Utah 2018, Chapter 3

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **53G-7-1102** is amended to read:



26 **53G-7-1102. Public schools prohibited from membership.**

27 (1) A public school may not be a member of or pay dues to an association that:

28 (a) is not in compliance on or after July 1, 2017, with:29 ~~[(a)]~~ (i) this part;30 ~~[(b)]~~ (ii) Title 52, Chapter 4, Open and Public Meetings Act;31 ~~[(c)]~~ (iii) Title 63G, Chapter 2, Government Records Access and Management Act; and32 ~~[(d)]~~ (iv) Title 67, Chapter 16, Utah Public Officers' and Employees' Ethics Act[-];33 (b) does not collect each student's birth certificate or equivalent documentation, as34 described in Subsection (2), to determine eligibility as a condition of the association's35 registration process for an athletic team, event, or category; or36 (c) does not require a student to provide the athlete's date of birth and sex as a37 condition of the registration process for an athletic team, event, or category. H→ [does not collect37a **and**38 **review each athlete's birth certificate to determine eligibility as a condition of the association's**39 **registration process for an athletic team, event, or category.] ←H**40 (2) Except as provided in Subsection (3), for a student who is homeless or not a United41 States citizen and who is unable to provide a birth certificate, the association may collect the42 student's:43 (a) state-issued identification document, including a driver's license or passport; or44 (b) federally recognized identification document, including a document that the45 Department of Homeland Security issues.46 (3) Subsection (1)(b) or (2) do not apply to an association for a student who is a47 homeless child or youth, as defined in the McKinney-Vento Homeless Assistance Act, 4248 U.S.C. Sec. 11431 et seq.49 (4) Nothing in this section limits or impairs an LEA's requirement to verify a student's50 initial eligibility to participate in an athletic team, event, or category under applicable state or51 federal law or state board rule, including the student's:52 (a) residency status;53 (b) age;54 (c) sex;55 (d) academic requirements; or56 (e) school enrollment capacity.

57            [~~2~~] (5) Unless otherwise specified, an association's compliance with or an association  
58 employee or officer's compliance with the provisions described in Subsection (1) does not alter:

59            (a) the association's public or private status; or

60            (b) the public or private employment status of the employee or officer.

61            Section 2. **Effective date.**

62            This bill takes effect on July 1, 2023.