

SENATE BILL NO. 68

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Education and Health

on \_\_\_\_\_)

(Patron Prior to Substitute--Senator Peake)

A BILL to amend the Code of Virginia by adding a section numbered 22.1-23.4, relating to high schools; athletics; participation in female sports; civil cause of action.

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 22.1-23.4 as follows:**

**§ 22.1-23.4. Athletics; participation in female sports.**

A. For purposes of this section, "high school" means any public school that includes only grades nine through 12 or any private school that includes only grades nine through 12 and competes in sponsored athletic events against any public high school.

B. Notwithstanding any other provision of law, all athletic teams or squads at a high school, whether a high school athletic team or squad or an intramural athletic team or squad sponsored by such high school, shall designate each such team or squad based on biological sex as follows:

1. For "males," "men," or "boys":

2. For "females," "women," or "girls"; or

3. As "coed" or "mixed" if participation on such team is open to both (i) males, men, or boys and (ii) females, women, or girls.

C. No student whose biological sex is male and who has not physically transitioned to female prior to puberty shall be permitted to participate on any high school or intramural athletic team or squad designated for "females," "women," or "girls."

D. Nothing in this section shall be construed to:

1. Apply to physical education classes at high schools; or

