

Department of Planning and Budget 2023 Fiscal Impact Statement

1. **Bill Number:** SB1186

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. **Patron:** Reeves

3. **Committee:** Education and Health

4. **Title:** K-12 schools and institutions of higher education; designation of interscholastic, intercollegiate.

5. **Summary:** Requires each interscholastic, intercollegiate, intramural, or club athletic team or sport sponsored by a public elementary or secondary school or by a public institution of higher education to be expressly designated as one of the following based on biological sex: (i) males, men, or boys; (ii) females, women, or girls; or (iii) coed or mixed if participation on such team or sport is open to both (a) males, men, or boys and (b) females, women, or girls. The bill requires identification of the student's biological sex on an athletics eligibility form signed by a licensed physician, nurse practitioner, or physician assistant to be submitted by any such student who desires to try out for or participate in an interscholastic, intercollegiate, intramural, or club athletic team or sport. The bill prohibits any such team or sport that is expressly designated for females, women, or girls from being open to students whose biological sex is male. The bill prohibits any government entity, licensing or accrediting organization, or athletic association or organization from entertaining a complaint, opening an investigation, or taking any other adverse action against public school or institution of higher education based on a violation of the provisions of the bill and creates a cause of action for any school or institution of higher education that suffers harm as a result of a violation of the bill. Finally, the bill creates a civil cause of action for any student that suffers harm as a result of a knowing violation of a provision of the bill by a school or institution or as a result of the student's reporting a violation of a provision of the bill by a school, institution, athletic association, or organization.

6. **Budget Amendment Necessary:** No

7. **Fiscal Impact Estimates:** Preliminary, see Item 8.

8. **Fiscal Implications:** There is no anticipated state fiscal impact to Direct Aid to Public Education as a result of the provisions of this bill. Any impact to local school divisions is indeterminate.

Any fiscal impact to institutions of higher education is indeterminate.

9. Specific Agency or Political Subdivisions Affected: Local school divisions, public institutions of higher education

10. Technical Amendment Necessary: No

11. Other Comments: This bill is similar to HB1387.