

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Arrington offered the following:

Amendment (with title amendment)

Remove lines 55-66 and insert:

(c)1. A dispute regarding a student's sex shall be resolved by the student's school or institution by requesting that the student provide a health examination and consent form or other statement signed by the student's personal health care provider which must verify the student's biological sex. The health care provider may verify the student's biological sex as part of a routine sports physical examination by relying only on one or more of the following:

a. The student's reproductive anatomy;

281703

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Amendment No.

14 b. The student's genetic makeup; or

15 c. The student's normal endogenously produced testosterone
16 levels.

17 2. A school, public postsecondary institution, or athletic
18 association or organization that disputes a student's sex shall
19 pay the costs associated with the health examination performed
20 by the student's health care provider required pursuant to
21 subparagraph 1., including any tests that may be required in
22 relation to the health examination. A student whose sex is
23 wrongfully disputed has a cause of action for damages against
24 the school, public postsecondary institution, or athletic
25 association or organization that initiated the dispute. If a
26 student prevails in such cause of action, the student is
27 entitled to presumed damages in the amount of at least \$5,000,
28 including reasonable attorney fees and costs.

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31 **T I T L E A M E N D M E N T**

32 Remove line 16 and insert:
33 circumstances; requiring that a school, public
34 postsecondary institution, or athletic association or
35 organization that disputes a student's sex pay the
36 costs associated with the health examination performed
37 by the student's health care provider; providing that
38 a student whose sex is wrongfully disputed has a cause

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Amendment No.

39 | of action against the school, public postsecondary
40 | institution, or athletic association or organization
41 | that initiated the dispute; providing that such
42 | student is entitled to presumed damages, including
43 | reasonable attorney fees and costs under certain
44 | circumstances; requiring the State Board of Education

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