

Amendment No. 5

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Committee/Subcommittee hearing bill: Education & Employment
2 Committee

3 Representative Arrington offered the following:

4
5 **Amendment (with title amendment)**

6 Remove lines 55-66 and insert:

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

15 a. The student's reproductive anatomy;

16 b. The student's genetic makeup; or

429907 - h1475-line 55.5.docx

Published On: 4/5/2021 9:17:37 PM

Amendment No. 5

17 c. The student's normal endogenously produced testosterone
18 levels.

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

31
32 -----
33 **T I T L E A M E N D M E N T**

34 Remove line 16 and insert:

35 circumstances; requiring that a school, public
36 postsecondary institution, or athletic association or
37 organization that disputes a student's sex pay the
38 costs associated with the health examination performed
39 by the student's health care provider; providing that
40 a student whose sex is wrongfully disputed has a cause
41 of action against the school, public postsecondary

429907 - h1475-line 55.5.docx

Published On: 4/5/2021 9:17:37 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1475 (2021)

Amendment No. 5

42 | institution, or athletic association or organization
43 | that initiated the dispute; providing that such
44 | student is entitled to presumed damages, including
45 | reasonable attorney fees and costs under certain
46 | circumstances; requiring the State Board of Education