

4.1A Statutory construction — sex and related terms.

1. In the construction of statutes, the following rules shall be observed with regard to a person's biological sex:

a. "Sex", when used to classify or describe a natural person, means the state of being either male or female as observed or clinically verified at birth.

b. When used in reference to a natural person, a "*female*" means an individual who has, had, will have through the course of normal development, or would have but for a developmental anomaly, genetic anomaly, or accident, a reproductive system that at some point produces ova, and a "*male*" means an individual who has, had, will have through the course of normal development, or would have but for a developmental anomaly, genetic anomaly, or accident, a reproductive system that at some point produces sperm.

c. The term "*woman*" or "*girl*" refers to a female and the term "*man*" or "*boy*" refers to a male.

d. The term "*mother*" means a parent who is female and the term "*father*" means a parent who is male.

e. "*Gender*", when used alone in reference to males, females, or the natural differences between males and females shall be considered a synonym for sex and shall not be considered a synonym or shorthand expression for gender identity, experienced gender, gender expression, or gender role.

f. The term "*equal*" does not mean "*same*" or "*identical*".

g. Separate accommodations are not inherently unequal.

h. A person born with a medically verifiable diagnosis of disorder or difference of sex development shall be provided the legal protections and accommodations afforded under the federal Americans with Disabilities Act of 1990 and applicable state law.

2. Any state law, policy, or program that prohibits discrimination on the basis of sex shall be construed to forbid unfair or discriminatory practices against females or males in relation to similarly situated members of the opposite sex.

3. Notwithstanding any provision of state law to the contrary, distinctions based on sex, including but not limited to in prisons or other detention facilities, domestic violence shelters, rape crisis centers, locker rooms, restrooms, and in other contexts where health, safety, or privacy are implicated resulting in separate accommodations, are substantially related to the important government objectives of protecting the health, safety, and privacy of the persons in these contexts.

4. Any state department or subunit of a department, or any political subdivision of the state including a city, county, township, or school district that collects vital statistics for the purpose of complying with state antidiscrimination laws, or for the purpose of gathering accurate state public health, crime, economic, or other data, shall identify the sex of each person included in the collected data as either male or female.

5. For the purposes of [this section](#), "*state law*" includes any state statute or rule.

[2025 Acts, ch 1, §1](#)

Referred to in [§144.13](#), [144.23](#), [2611.1](#), [280.33](#)

NEW section