

House File 847

H-1270

1 Amend House File 847 as follows:

2 1. Page 14, after line 1 by inserting:

3 <DIVISION ____

4 SAVE WOMEN'S SPORTS ACT

5 Sec. ____ . NEW SECTION. 261I.1 Short title.

6 This chapter shall be known and may be cited as the "Save
7 Women's Sports Act".

8 Sec. ____ . NEW SECTION. 261I.2 Definition.

9 As used in this chapter, "educational institution" means a
10 public or accredited nonpublic school, regents institution,
11 community college, or any other institution of higher
12 education that is a member of the national collegiate athletic
13 association, national association of intercollegiate athletics,
14 or national junior college athletic association.

15 Sec. ____ . NEW SECTION. 261I.3 Designation of athletic teams
16 or sports by sex — eligibility.

17 1. Interscholastic or intramural athletic teams or sports
18 that are sponsored by an educational institution shall be
19 expressly designated as one of the following based on the
20 biological sex of the participating students:

21 a. Males, men, or boys.

22 b. Females, women, or girls.

23 c. Coed or mixed.

24 2. Notwithstanding section 216.9, students of the male sex
25 shall be ineligible to participate in athletic teams or sports
26 designated for females, women, or girls.

27 Sec. ____ . NEW SECTION. 261I.4 Disputes of biological sex.

28 If the biological sex of a student is disputed, the student
29 may establish the student's sex by presenting a signed
30 statement by a licensed physician that indicates the student's
31 sex based solely upon all of the following factors:

32 1. The student's biological sex, as ascertained at or
33 before birth in accordance with the student's genetics and
34 reproductive biology.

35 2. The student's normal, endogenously produced levels of

1 testosterone.

2 3. An analysis of the student's genetic makeup.

3 Sec. _____. NEW SECTION. **261I.5 Adverse action against**
4 **educational institutions prohibited.**

5 Notwithstanding section 216.9, a government entity,
6 licensing or accrediting organization, or athletic association
7 or organization shall not consider a complaint, open an
8 investigation, or take any other adverse action against
9 an educational institution for maintaining separate
10 interscholastic or intramural athletic teams or sports for
11 students of the female sex.

12 Sec. _____. NEW SECTION. **261I.6 Causes of action — damages.**

13 1. A student who is deprived of an athletic opportunity or
14 suffers any direct or indirect harm as a result of a violation
15 of this chapter by an educational institution shall have a
16 private cause of action for injunctive relief, damages, and any
17 other relief available provided by law against the educational
18 institution.

19 2. A student who is subject to retaliation or other adverse
20 action by an educational institution or athletic association
21 or organization as a result of reporting a violation of this
22 chapter to an employee or representative of the institution
23 or athletic association or organization or to any state or
24 federal agency with oversight of educational institutions in
25 this state shall have a private cause of action for injunctive
26 relief, damages, and any other relief provided by law against
27 the institution or athletic association or organization.

28 3. An educational institution that suffers any direct or
29 indirect harm by a government entity, licensing or accrediting
30 organization, or athletic association or organization as a
31 result of a violation of this chapter shall have a private
32 cause of action for injunctive relief, damages, and any other
33 relief provided by law against the government entity, licensing
34 or accrediting organization, or athletic association or
35 organization.

1 4. A civil action under this section must be initiated
2 within two years after a violation of this chapter has
3 occurred. A person who prevails in such an action shall be
4 entitled to monetary damages, including for any psychological,
5 emotional, and physical harm suffered, if applicable,
6 reasonable attorney fees, and any other appropriate relief.

7 Sec. ____ . NEW SECTION. 261I.7 Severability.

8 The provisions of this chapter are severable pursuant to
9 section 4.12.>

10 2. Title page, line 2, after <weighting,> by inserting
11 <interscholastic or intramural sports,>

12 3. By renumbering as necessary.

SALMON of Black Hawk

CISNEROS of Muscatine

JACOBSEN of Pottawattamie