

Effective 7/1/2022

Part 9 Participation in Female Sports

53G-6-901 Definitions.

As used in this part:

- (1) "Coed" or "mixed" means that a team is composed of members of both sexes who traditionally compete together.
- (2) "Interscholastic athletic activity" means that a student represents the student's school or LEA in competition against another school or LEA in an athletic or sporting activity.
- (3) "Sex" means the biological, physical condition of being male or female, determined by an individual's genetics and anatomy at birth.

Enacted by Chapter 478, 2022 General Session

53G-6-902 Participation in school athletic activities.

- (1) Notwithstanding any state board rule:
 - (a) a public school or LEA, or a private school that competes against a public school or LEA, shall expressly designate school athletic activities and teams as one of the following, based on sex:
 - (i) designated for students of the male sex;
 - (ii) designated for students of the female sex; or
 - (iii) "coed" or "mixed";
 - (b) a student of the male sex may not compete, and a public school or LEA may not allow a student of the male sex to compete, with a team designated for students of the female sex in an interscholastic athletic activity; and
 - (c) a government entity or licensing or accrediting organization may not entertain a complaint, open an investigation, or take any other adverse action against a school or LEA described in Subsection (1)(a) for maintaining separate school athletic activities for students of the female sex.
- (2) Nothing in this section prohibits an LEA or school from allowing a student of either gender from participating with a team designated for students of the female sex, consistent with school policy, outside of competition in an interscholastic athletic activity, in accordance with Subsection (1)(b).

Enacted by Chapter 478, 2022 General Session

53G-6-903 Severability.

- (1) If any provision of this part or the application of any provision of this part to any person or circumstance is held invalid by a final decision of a court of competent jurisdiction, the remainder of this part shall be given effect without the invalidated provision or application.
- (2) The provisions of this part are severable.

Enacted by Chapter 478, 2022 General Session

53G-6-904 Indemnification -- Enforcement.

- (1) The attorney general shall defend and the state shall indemnify and hold harmless a person acting under color of state law to enforce this part for any claims or damages, including court costs and attorney fees, that:
 - (a) arise as a result of this part; and
 - (b) are not covered by the person's insurance policies or by any coverage agreement issued by the State Risk Management Fund.
- (2) An LEA or school within the public education system with a team that competes in an interscholastic athletic activity is responsible for the enforcement of this part in relation to the LEA's or school's teams.