

1 **SEX-DESIGNATED INTERSCHOLASTIC ATHLETICS**

2 **INDEMNIFICATION**

3 2022 THIRD SPECIAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Kera Birkeland**

6 Senate Sponsor: Curtis S. Bramble

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8 **LONG TITLE**

9 **General Description:**

10 This bill addresses liability regarding state limitations on student competition in
11 interscholastic athletic activities designated for students of the female sex.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ provides for indemnification regarding state limitations on student competition in
15 interscholastic athletic activities designated for students of the female sex; and

16 ▶ provides that a local education agency or school is responsible for enforcement of
17 state limitations on student competition in interscholastic athletic activities
18 designated for students of the female sex.

19 **Money Appropriated in this Bill:**

20 This bill appropriates in fiscal year 2023:

21 ▶ To the Attorney General - Attorney General - Civil as a one-time appropriation:

- 22 • From the General Fund, One-time, \$500,000.

23 **Other Special Clauses:**

24 This bill provides a special effective date.

25 **Utah Code Sections Affected:**

26 ENACTS:

27 **53G-6-904**, Utah Code Annotated 1953



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Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53G-6-904** is enacted to read:

53G-6-904. Indemnification -- Enforcement.

(1) 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) are brought or incurred as a result of an action required of the person under 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.

Section 2. Appropriation.

The following sums of money are appropriated for the fiscal year beginning July 1, 2022, and ending June 30, 2023. These are additions to amounts previously appropriated for fiscal year 2023. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

ITEM 1

To Attorney General - Attorney General

From General Fund, One-time 500,000

Schedule of Programs:

Civil 500,000

The Legislature intends that appropriations provided under this section be used for the indemnification described in Section [53G-6-904](#). Under Section [63J-1-603](#) appropriations provided under this section do not lapse at the close of fiscal year 2023. The use of any nonlapsing funds is limited to the indemnification described in Section [53G-6-904](#).

Section 3. Effective date.

This bill takes effect on July 1, 2022.