

## HB3001S02 compared with HB3001

~~{deleted text}~~ shows text that was in HB3001 but was deleted in HB3001S02.

inserted text shows text that was not in HB3001 but was inserted into HB3001S02.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

~~{SEX-DESIGNATED}~~ Representative Kera Birkeland proposes the following substitute bill:

### SEX-DESIGNATED INTERSCHOLASTIC ATHLETICS

#### INDEMNIFICATION

2022 THIRD SPECIAL SESSION

STATE OF UTAH

**Chief Sponsor: Kera Birkeland**

Senate Sponsor: Curtis S. Bramble

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#### LONG TITLE

##### General Description:

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

##### Highlighted Provisions:

This bill:

- ▶ provides for defense and indemnification regarding state limitations on student competition in interscholastic athletic activities designated for students of the female sex; and
- ▶ provides that a local education agency or school is responsible for enforcement of state limitations on student competition in interscholastic athletic activities

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designated for students of the female sex.

### Money Appropriated in this Bill:

This bill appropriates in fiscal year 2023:

- ▶ To the Attorney General - Attorney General - Civil as a one-time appropriation:
  - From the General Fund, One-time, \$500,000.

### Other Special Clauses:

This bill provides a special effective date.

### Utah Code Sections Affected:

ENACTS:

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

**53G-6-1007**, 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 ~~defend,~~ 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. Section **53G-6-1007** is enacted to read:

**53G-6-1007. Indemnification -- Enforcement.**

(1) The state shall defend, 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 this part; and

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(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}~~3. **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

<u>From General Fund, One-time</u>	<u>500,000</u>
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Schedule of Programs:

<u>Civil</u>	<u>500,000</u>
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The Legislature intends that appropriations provided under this section be used for the ~~{indemnification}~~purposes described in ~~{Section}~~Sections 53G-6-904 and 53G-6-1007. 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}~~4. **Effective date.**

This bill takes effect on July 1, 2022.