

Representative Kera Birkeland proposes the following substitute bill:

HIGH SCHOOL SPORTS AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kera Birkeland

Senate Sponsor: Daniel McCay

LONG TITLE

General Description:

This bill prohibits a public school from participation in an athletics association in certain circumstances.

Highlighted Provisions:

This bill:

- prohibits a public school from participation in an athletics association that does not collect and review an athlete's birth certificate or other identifying documents during the registration process.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

53G-7-1102, as renumbered and amended by Laws of Utah 2018, Chapter 3

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

Section 1. Section **53G-7-1102** is amended to read:



53G-7-1102. Public schools prohibited from membership.

(1) A public school may not be a member of or pay dues to an association that:

(a) is not in compliance on or after July 1, 2017, with:

[~~(a)~~] (i) this part;

[~~(b)~~] (ii) Title 52, Chapter 4, Open and Public Meetings Act;

[~~(c)~~] (iii) Title 63G, Chapter 2, Government Records Access and Management Act; and

[~~(d)~~] (iv) Title 67, Chapter 16, Utah Public Officers' and Employees' Ethics Act[-];

(b) does not collect each student's birth certificate or equivalent documentation, as described in Subsection (2), to determine eligibility as a condition of the association's registration process for an athletic team, event, or category; or

(c) does not require a student to provide the athlete's date of birth and sex as a condition of the registration process for an athletic team, event, or category. does not collect and review each athlete's birth certificate to determine eligibility as a condition of the association's registration process for an athletic team, event, or category.

(2) Except as provided in Subsection (3), for a student who is homeless or not a United States citizen and who is unable to provide a birth certificate, the association may collect the student's:

(a) state-issued identification document, including a driver's license or passport; or

(b) federally recognized identification document, including a document that the Department of Homeland Security issues.

(3) Subsection (1)(b) or (2) do not apply to an association for a student who is a homeless child or youth, as defined in the McKinney-Vento Homeless Assistance Act, 42 U.S.C. Sec. 11431 et seq.

(4) Nothing in this section limits or impairs an LEA's requirement to verify a student's initial eligibility to participate in an athletic team, event, or category under applicable state or federal law or state board rule, including the student's:

(a) residency status;

(b) age;

(c) sex;

(d) academic requirements; or

(e) school enrollment capacity.

57 ~~[(2)]~~ (5) Unless otherwise specified, an association's compliance with or an association
58 employee or officer's compliance with the provisions described in Subsection (1) does not alter:

59 (a) the association's public or private status; or

60 (b) the public or private employment status of the employee or officer.

61 Section 2. **Effective date.**

62 This bill takes effect on July 1, 2023.