

## SB0100S02 compared with SB0100S01

~~{deleted text}~~ shows text that was in SB0100S01 but was deleted in SB0100S02.

inserted text shows text that was not in SB0100S01 but was inserted into SB0100S02.

**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.

~~{Senator Todd D. Weiler}~~Representative Stephanie Gricius proposes the following substitute bill:

### SCHOOL~~{DISTRICT}~~ GENDER IDENTITY POLICIES

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Todd D. Weiler**

House Sponsor: ~~{~~Stephanie Gricius

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#### LONG TITLE

##### General Description:

This bill enacts provisions ensuring a parent's access to information related to a parent's child, including gender identity.

##### Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires each school and each local governing board to ensure a parent's right to access ~~{information regarding}~~the education record of the parent's child; and
- ▶ prohibits a school or local education agency from prohibiting a parent's access to ~~{information regarding}~~the education record of the parent's child.

##### Money Appropriated in this Bill:

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None

### Other Special Clauses:

This bill provides a special effective date.

### Utah Code Sections Affected:

ENACTS:

**53E-9-205**, Utah Code Annotated 1953

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

Section 1. Section **53E-9-205** is enacted to read:

**53E-9-205. Parental right to student information.**

(1) As used in this section:

(a) "Education record" means the same as that term is defined in Section 53E-9-204.

(b) "Gender identity" means the same as that term is defined in Section 34A-5-102.

(c) "Parent" means a parent or legal guardian with legal custody of the child in question.

(~~b~~d) "Sex" means the biological, physical condition of being male or female, determined by an individual's genetics and anatomy at birth.

(2) In accordance with Section 53E-2-201, each school and each local governing board shall ensure that no policy or action of the school or LEA:

(a) except as provided in Subsection 53E-9-203(6), operates to shield ~~any~~a student's ~~information~~education record from the student's parent; and

(b) interferes with a parent's:

(i) fundamental parental right and primary responsibility to direct the education of the parent's child; and

(ii) freedom of access to information regarding the parent's child.

(3) Notwithstanding any other provision of law, a school or LEA may not:

(a) prohibit a parent ~~with legal custody~~ of a child from accessing the child's education ~~records or other information related to the child in the school's or LEA's possession~~record; or

(b) without written parental consent make changes to a student's education ~~records or other information related to the child in the school's or LEA's possession~~record regarding a

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student's gender identity that does not conform with the student's sex.

Section 2. **Effective date.**

If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.