

1 **IMMIGRANT STUDENT ATHLETE PARTICIPATION**

2 **AMENDMENTS**

3 2024 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Jordan D. Teuscher**

6 Senate Sponsor: _____

7

LONG TITLE

8 **General Description:**

9 This bill provides that an athletic association may collect other certain documentation
10 for a student that is homeless or not a United States citizen that confirms the student's
11 date of birth and sex.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ provides that an athletic association may collect documentation for a student that is
- 15 homeless or not a United States citizen that confirms the student's date of birth and
- 16 sex; and
- 17 ▶ makes technical and conforming changes.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 This bill provides a special effective date.

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **53G-7-1102**, as last amended by Laws of Utah 2023, Chapter 340 and last amended by
25 Coordination Clause, Laws of Utah 2023, Chapter 493



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

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

30 **53G-7-1102. Public schools prohibited from membership.**

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

32 (a) is not in compliance with:

33 (i) this part;

34 (ii) Title 52, Chapter 4, Open and Public Meetings Act;

35 (iii) Title 63G, Chapter 2, Government Records Access and Management Act; and

36 (iv) Title 67, Chapter 16, Utah Public Officers' and Employees' Ethics Act;

37 (b) does not collect each student's birth certificate [~~and birth certificate amendment~~

38 ~~history~~], as that term is defined in Section [53G-6-1001](#), or equivalent documentation, as

39 described in Subsection (2), to determine eligibility as a condition of the association's

40 registration process for an athletic team, event, or category; or

41 (c) does not require a student to provide the [~~athlete's~~] student's date of birth and sex as

42 a condition of the registration process for an athletic team, event, or category.

43 (2) Except as provided in Subsection (3), for a student who is homeless or not a United

44 States citizen and who is unable to provide a birth certificate [~~and birth certificate amendment~~

45 ~~history~~], as that term is defined in Section [53G-6-1001](#), the association may collect the

46 student's:

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

48 (b) federally recognized identification document, including a document that the

49 Department of Homeland Security issues[~~:-~~]; or

50 (c) other reliable proof of the student's date of birth and sex, including:

51 (i) an affidavit from the student's parent or legal guardian attesting to the student's date

52 of birth and sex;

53 (ii) a religious, hospital, or physician certificate;

54 (iii) verified school records;

55 (iv) verified immunization records; or

56 (v) documentation from a social service provider.

57 (3) Subsection (1)(b) or (2) do not apply to an association for a student who is a

58 homeless child or youth, as defined in the McKinney-Vento Homeless Assistance Act, 42

59 U.S.C. Sec. 11431 et seq.

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

63 (a) residency status;

64 (b) age;

65 (c) sex, verified by the student's birth certificate [~~and birth certificate amendment~~
66 ~~history~~], as that term is defined in Section 53G-6-1001;

67 (d) academic requirements; or

68 (e) school enrollment capacity.

69 (5) Unless otherwise specified, an association's compliance with or an association
70 employee or officer's compliance with the provisions described in Subsection (1) does not alter:

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

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

73 Section 2. **Effective date.**

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