

Senate Bill 266

By: Senators Harbin of the 16th, Robertson of the 29th, Payne of the 54th, Anderson of the 24th, Mullis of the 53rd and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to
2 provide that it shall be unlawful for a public school or a private school whose students or
3 teams compete against a public school to operate, sponsor, or facilitate athletic programs or
4 activities that permit a person whose gender is male to participate in an athletic program or
5 activity that is designated for females; to provide for definitions; to provide for remedies for
6 violations; to provide for exceptions; to waive certain immunities; to provide for a short title;
7 to provide for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 This Act shall be known and may be cited as the "Save Girls' Sports Act."

11 **SECTION 2.**

12 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended in
13 Code Section 20-2-315, relating to gender discrimination prohibited, authorized separate
14 gender teams, equal athletic opportunity, physical education classes, employee designated

15 to monitor compliance, grievance procedures, and reporting requirements, by adding a new
16 subsection to read as follows:

17 "(k)(1) As used in this subsection, the term 'gender' shall mean a person's biological sex
18 and shall be solely recognized based on a person's reproductive biology and genetics at
19 birth.

20 (2) No local school system or private school in this state whose students or teams
21 compete against a local school system in this state shall operate, sponsor, or facilitate
22 interscholastic or intramural athletics that permit a person whose gender is male to
23 participate in any interscholastic or intramural athletics that are designated for females.

24 (3) A student who is aggrieved by an alleged violation or anticipated violation of this
25 subsection or his or her parent or guardian shall have a right to file a grievance complaint
26 with the employee designated in subsection (g) of this Code section for an immediate
27 determination of whether a violation of this subsection exists or is about to occur. If a
28 violation or anticipated violation is determined to exist or about to occur, the employee
29 designated in subsection (g) of this Code section shall issue a decision immediately and
30 may direct that such activity be terminated or adjusted to prevent further violations. If
31 such grievance is rejected, such complaining party shall have the right of an immediate
32 appeal to the local board of education for relief.

33 (4) Nothing in this Code section shall override any requirements or protections
34 prescribed in the federal Americans with Disabilities Act, 42 U.S.C. Section 12101, et
35 seq."

36 **SECTION 3.**

37 Said title is further amended in Part 2 of Article 2 of Chapter 3, relating to University System
38 of Georgia, by adding a new Code section to read as follows:

39 "20-3-65.1.

40 (a) As used in this Code section, the term 'sex' refers only to biological distinctions
41 between male and female.

42 (b) In any intercollegiate athletic activity that is subject to rules, standards, or
43 classifications that provide for student eligibility restrictions in order to ensure, enhance,
44 or promote fair competition, each institution of the University System of Georgia shall
45 make all determinations based on sex and not on gender."

46

SECTION 4.

47 All laws and parts of laws in conflict with this Act are repealed.