

# Senate Bill 453

Sponsored by Senator HANSELL; Senator FINDLEY (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires school districts to designate athletic competitions and extracurricular sports according to biological sex. Prohibits biological males from participating in athletic competitions or extracurricular sports designated for biological females.

Provides causes of action for students and school districts.

## A BILL FOR AN ACT

1  
2 Relating to participation in athletic competitions according to biological sex.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** (1) Each school district shall require that every athletic competition or ex-  
5 **tracurricular sport is expressly designated by the biological sex of the students who partic-**  
6 **ipate in the competition or sport as follows:**

7 (a) "Males," "Men" or "Boys";

8 (b) "Females," "Women" or "Girls"; or

9 (c) "Coed."

10 (2) Students of the biologically male sex may not participate in any athletic competition  
11 or extracurricular sport that is designated as "Females," "Women" or "Girls" under sub-  
12 section (1) of this section.

13 (3) Nothing in subsection (2) of this section restricts or prohibits any student from par-  
14 ticipating in any athletic competition or extracurricular sport that is designated as  
15 "Males," "Men," "Boys" or "Coed."

16 (4) A public body, as defined in ORS 174.109, any licensing or accrediting organization or  
17 any voluntary organization that administers interscholastic activities or that facilitates the  
18 scheduling and programming of interscholastic activities may not entertain a complaint,  
19 open an investigation or take any other adverse action against a school district for main-  
20 taining separate athletic competitions or extracurricular sports in accordance with sub-  
21 section (2) of this section.

22 (5) Any student who is deprived of an opportunity or suffers a direct or indirect harm  
23 as a result of a school district knowingly violating this section may bring a claim against the  
24 school district for injunctive relief, damages and any other relief available under law.

25 (6) Any student who is subject to retaliation or any other adverse action by a school  
26 district or athletic association or organization as a result of reporting a violation of this  
27 section to an employee of the school district or the athletic association or organization, or  
28 to any public body with oversight of school districts in this state, may bring a claim against  
29 the school district or athletic association or organization for injunctive relief, damages and  
30 any other relief available under law.

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1       **(7) Any school district that suffers a direct or indirect harm as a result of a violation**  
2 **of this section may bring a claim against the public body, licensing or accrediting organiza-**  
3 **tion or athletic association or organization for injunctive relief, damages and any other relief**  
4 **available under law.**

5       **(8) Any civil action brought under this section must be initiated not more than two years**  
6 **after the alleged direct or indirect harm or the retaliation or other adverse action**  
7 **occurred. A student or school district that prevails on a claim brought under this section is**  
8 **entitled to monetary damages, including damages for any psychological, emotional or phys-**  
9 **ical harm suffered, attorney fees and costs and any other appropriate relief.**

10       **SECTION 2.** **Section 1 of this 2023 Act first applies to the 2024-2025 school year.**

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