Senate Bill 453

Sponsored by Senator HANSELL; Senator FINDLEY (Presession 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

Relating to participation in athletic competitions according to biological sex.

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

SECTION 1. (1) Each school district shall require that every athletic competition or extracurricular sport is expressly designated by the biological sex of the students who participate in the competition or sport as follows:

(a) “Males,” “Men” or “Boys”;

(b) “Females,” “Women” or “Girls”; or

(c) “Coed.”

(2) Students of the biologically male sex may not participate in any athletic competition or extracurricular sport that is designated as “Females,” “Women” or “Girls” under subsection (1) of this section.

(3) Nothing in subsection (2) of this section restricts or prohibits any student from participating in any athletic competition or extracurricular sport that is designated as “Males,” “Men,” “Boys” or “Coed.”

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

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

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

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

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

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

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