

130th MAINE LEGISLATURE

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Legislative Document

No. 1401

H.P. 1035

House of Representatives, April 7, 2021

An Act To Prohibit Biological Males from Participating in School Athletic Programs and Activities Designated for Females at Schools That Receive Federal Funding

(EMERGENCY)

Received by the Clerk of the House on April 5, 2021. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

ROBERT B. HUNT

R(+ B. Hunt

Clerk

Presented by Representative KINNEY of Knox.

Cosponsored by Representatives: CARMICHAEL of Greenbush, DUCHARME of Madison, GIFFORD of Lincoln, GRIFFIN of Levant, GRIGNON of Athens, LYMAN of Livermore Falls, O'CONNOR of Berwick, PARRY of Arundel.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and 3 Whereas, this Act concerns the well-being of students participating in school athletic 4 programs and activities; and 5 Whereas, schools may reopen or conduct athletic programs or activities before 90 days after adjournment of the First Regular Session of the 130th Legislature; and 6 Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as 8 immediately necessary for the preservation of the public peace, health and safety; now, 9 therefore, 10 11 Be it enacted by the People of the State of Maine as follows: Sec. 1. 20-A MRSA §13 is enacted to read: 12 13 §13. Biological males' participation in female athletic programs and activities at schools that receive federal funding 14 A school administrative unit or an elementary school, secondary school or 15 16 postsecondary educational institution in the State that receives any federal funding shall prohibit a person whose biological sex at birth is male from participating in an athletic 17 program or activity that is designated for females. 18 19 **Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved. 20 21 **SUMMARY** 22 This bill directs a school administrative unit or an elementary school, secondary school 23 or postsecondary educational institution in the State that receives any federal funding to 24 prohibit a person whose biological sex at birth is male from participating in an athletic 25 program or activity that is designated for females.