

Alaska State Legislature

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Senator Shelley Hughes

Senate District F—Palmer, Chugiak, Mirror Lake., Peters Creek, Eklutna, Fairview Loop, Gateway, Butte, Lazy Mountain

SB 140 Even Playing Field Act Sectional Analysis Version B

“An Act relating to school athletics, recreation, athletic teams, and sports”

Section 1 – Page 1, Lines 3 – 15; Page 2, Lines 1 – 4

Adds legislative findings and intent language.

Section 2 – Page 2, Lines 5 – 6

Adds subsection (d) to AS 14.18.040 stating the word “sex” means biological sex.

Section 3 – Page 2, Lines 8 – 31; Page 3, Lines 1 – 21

Amends AS 14.18 by adding *Article 2. Designation of Athletic Teams and Sports* and the following subsections:

Sec. 14.18.150. Page 2, Lines 9 – 20

(a) Students or teams from a public or private school whose teams compete against a public school must designate each school-sponsored team or sport as follows:

- (1) male, men or boys’ team or sport
- (2) female, women, or girls’ team or sport; or
- (3) coeducational or mixed team or sport

(b) Any student who participates in an athletic team or sport that is designated “female, women, or girls” must be female, based on the participant’s biological sex at birth and that the participant’s birth certificate may be relied on to establish the participant’s biological sex at birth.

Sec.14.18.160. Page 2, Lines 21 – 25

(a) Protects schools and school districts from any adverse actions for complying with AS 14.18.150.

(b) Allows schools or school districts to decline to consider a complaint brought against them for complying with AS 14.18.150.

Sec. 14.18.170. Page 2, Lines 26 – 31; Page 3, Lines 1 – 7

Discusses liability and recourse for a student deprived of an athletic opportunity or suffers direct or indirect harm resulting from a violation of AS 14.18.150; or for a student who suffers retaliation for reporting a violation of the aforementioned. Discusses liability and recourse for schools or school districts that suffer direct or indirect harm as a result of a violation of AS 14.18.150. Allows for a two-year statute of limitations.

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Sec. 14.18.180. Page 3 – Lines 8 – 15

- (a) States that nothing in Senate Bill 140 abrogates, restricts, or otherwise limits an individual's access to the courts or right to bring a complaint or cause of action arising from Senate Bill 140.
- (b) States that nothing in Senate Bill 140 modifies a person's rights under the Individuals with Disabilities Education Act, the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Sec. 14.18.190. Page 3 – Lines 16 – 21

- (1) Defines "school" as an elementary, junior high, secondary, or post-secondary school.
- (2) Defines "school district" as a borough school district, city school district, regional educational attendance area, state boarding school, and/or state centralized correspondence study program.

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