

1 HB391
2 209872-3
3 By Representatives Stadthagen, Pringle, Kitchens, Lipscomb,
4 Estes, Nordgren, Mooney, Marques, Shaver, Sorrells, Meadows,
5 Shedd, Wood (D), Brown (C), Reynolds, Fincher, Moore (P),
6 Smith, Sorrell, Standridge, Oliver, Isbell, South, Wingo,
7 Sullivan, Stringer, Garrett, Hurst, Robertson, Kiel, Hanes,
8 Bedsole and Ledbetter
9 RFD: Education Policy
10 First Read: 10-FEB-21

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2 ENROLLED, An Act,

3 Relating to public K-12 schools; to provide that no
4 public K-12 school may participate in, sponsor, or provide
5 coaching staff for interscholastic athletic events at which
6 athletes are allowed to participate in competition against
7 athletes who are of a different biological gender, unless the
8 event specifically includes both biological genders.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. The Legislature finds and declares the
11 following:

12 (1) Physical differences between biological males
13 and biological females have long made separate and
14 sex-specific sports teams important so that female athletes
15 can have equal opportunities to compete in sports.

16 (2) Physical advantages for biological males
17 relevant to sports include, on average, a larger body size
18 with more skeletal muscle mass, a lower percentage of body
19 fat, and greater maximal delivery of anaerobic and aerobic
20 energy than biological females.

21 (3) Even at young ages, biological males typically
22 score higher than biological females on cardiovascular
23 endurance, muscular strength, muscular endurance, and speed
24 and agility. These differences become more pronounced during
25 and after puberty as biological males produce higher levels of

1 testosterone. On average, biological male athletes are bigger,
2 faster, stronger, and more physically powerful than their
3 biological female counterparts. This results in a significant
4 sports performance gap between the sexes.

5 (4) Studies have shown that the benefits that
6 natural testosterone provides to biological male athletes is
7 not significantly diminished through the use of testosterone
8 suppression. Testosterone suppression in biological males does
9 not result in a level playing field between biological male
10 and biological female athletes.

11 (5) Because of the physical differences between
12 biological males and biological females, having separate
13 athletic teams based on the athletes' biological sex reduces
14 the chance of injury to biological female athletes and
15 promotes sex equality. It provides opportunities for
16 biological female athletes to compete against their peers
17 rather than against biological male athletes, and allows
18 biological female athletes to compete on a fair playing field
19 for scholarships and other athletic accomplishments.

20 Section 2. ~~(a)~~ (a) (1) Except as provided in
21 subsection (b), a public K-12 school may not participate in,
22 sponsor, or provide coaching staff for interscholastic
23 athletic events within the state in Alabama that are either
24 scheduled by or conducted under the authority of any athletic
25 association of the state that permits or allows participation

1 in athletic events within the state conducted exclusively for
2 males by any individual who is not a biological male ~~as~~
3 ~~indicated on a the original birth certificate~~ or participation
4 in athletic events within the state conducted exclusively for
5 females by any individual who is not a biological female ~~as~~
6 ~~indicated on a the original birth certificate.~~

7 (2) A public K-12 school may not allow a biological
8 female to participate on a male team if there is a female team
9 in a sport. A public K-12 school may never allow a biological
10 male to participate on a female team.

11 (b) This section does not apply to athletic events
12 at which both biological males and biological females are
13 permitted or allowed to participate.

14 Section 3. This act shall become effective on the
15 first day of the third month following its passage and
16 approval by the Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 18-MAR-21.

Jeff Woodard
Clerk

Senate	15-APR-21	Amended and Passed
House	15-APR-21	Concurred in Senate Amendment