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HOUSE BILL 1572

By Griffey

AN ACT to amend Tennessee Code Annotated, Title 49, relative to school sports.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 3, is amended by adding the following new section:

(a) Each elementary and secondary school in this state that receives any type of public funding from this state or a local government, or both, shall require, for an official or unofficial school-sanctioned athletic or sporting event, that each athlete participating in the athletic or sporting event participates with and competes against other athletes based on the athlete's biological sex as indicated on the athlete's original birth certificate issued at the time of birth. A school shall not accept any birth certificate for purposes of participation in an athletic or sporting event that has been revised or amended with respect to the sex of an athlete.

(b) An elementary school or secondary school that violates subsection (a) is immediately ineligible to continue to receive public funds of any type from this state or a local government. If the department of education and a court of competent jurisdiction, through the issuance of a declaratory order, find that the school is in compliance with this section, public funding must be restored.

(c)

(1) A district attorney general shall bring a civil action in circuit court against a state or local official who willfully and intentionally commits an act that violates, or that is designed or intended to violate or frustrate, this section. In conducting a trial under this subdivision (c)(1), the court shall conduct the trial in

the same manner as the court would conduct a criminal trial, and the official against whom the civil action is brought has the same rights as a person charged with a criminal offense for purposes of conducting the trial.

(2) The civil penalty for a violation of this section is not more than ten thousand dollars ($10,000).

(3) Upon a finding that a state or local official has willfully and intentionally committed an act that violates, or that is designed or intended to violate or frustrate, this section, the office of the official is immediately vacated, and the former official is not eligible to hold public office or a position as a school administrator or principal for a period of five (5) years.

(d) As used in this section, "local official" includes a school administrator and principal.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.