



905484

LEGISLATIVE ACTION

Senate

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House

The Committee on Rules (Stargel) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 1006.205, Florida Statutes, is created
to read:

1006.205 Fairness in Women's Sports Act.—

(1) SHORT TITLE.—This section may be cited as the "Fairness
in Women's Sports Act."

(2) LEGISLATIVE INTENT.—It is the intent of the Legislature
to maintain opportunities for female athletes to demonstrate



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12 their skill, strength, and athletic abilities while also
13 providing them with opportunities to obtain recognition and
14 accolades, college scholarships, and the numerous other long-
15 term benefits that result from success in athletic endeavors and
16 to promote sex equality by requiring the designation of separate
17 sex-specific athletic teams or sports.

18 (3) DESIGNATION OF ATHLETIC TEAMS OR SPORTS.—

19 (a) Interscholastic, intercollegiate, intramural, or club
20 athletic teams or sports that are sponsored by a public, primary
21 or secondary school, a public postsecondary institution, or any
22 school or institution whose students or teams compete against a
23 public school or public postsecondary institution shall be
24 expressly designated as one of the following based on biological
25 sex:

- 26 1. Males, men, or boys;
27 2. Females, women, or girls; or
28 3. Coed or mixed.

29 (b) Athletic teams or sports designated for females, women,
30 or girls may not be open to students of the male sex.

31 (c) The State Board of Education shall adopt rules
32 regarding the receipt and timely resolution of disputes by
33 schools and institutions consistent with this subsection.

34 (4) PROTECTION FOR EDUCATIONAL INSTITUTIONS.—A governmental
35 entity, any licensing or accrediting organization, or any
36 athletic association or organization may not entertain a
37 complaint, open an investigation, or take any other adverse
38 action against any school or public postsecondary institution
39 for maintaining separate interscholastic, intercollegiate,
40 intramural, or club athletic teams or sports for students of the



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41 female sex.

42 (5) CAUSE OF ACTION; CIVIL REMEDIES.—

43 (a) Any student who is deprived of an athletic opportunity
44 or suffers any direct or indirect harm as a result of a
45 violation of this section shall have a private cause of action
46 for injunctive relief, damages, and any other relief available
47 under law against the school or public postsecondary
48 institution.

49 (b) Any student who is subject to retaliation or other
50 adverse action by a school, public postsecondary institution, or
51 athletic association or organization as a result of reporting a
52 violation of this section to an employee or representative of
53 the school, institution, or athletic association or
54 organization, or to any state or federal agency with oversight
55 of schools or public postsecondary institutions in the state,
56 shall have a private cause of action for injunctive relief,
57 damages, and any other relief available under law against the
58 school, institution, or athletic association or organization.

59 (c) Any school or public postsecondary institution that
60 suffers any direct or indirect harm as a result of a violation
61 of this section shall have a private cause of action for
62 injunctive relief, damages, and any other relief available under
63 law against the governmental entity, licensing or accrediting
64 organization, or athletic association or organization.

65 (d) All civil actions brought under this section must be
66 initiated within 2 years after the alleged harm occurred.
67 Persons or organizations who prevail on a claim brought under
68 this section shall be entitled to monetary damages, including
69 for any psychological, emotional, or physical harm suffered,



70 reasonable attorney fees and costs, and any other appropriate
71 relief.

72 Section 2. This act shall take effect July 1, 2021.

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74 ===== T I T L E A M E N D M E N T =====

75 And the title is amended as follows:

76 Delete everything before the enacting clause
77 and insert:

78 A bill to be entitled
79 An act relating to sex-specific student athletic teams
80 or sports; creating s. 1006.205, F.S.; providing a
81 short title; providing legislative intent; requiring
82 that certain athletic teams or sports sponsored by
83 certain educational institutions be designated on the
84 basis of students' biological sex; prohibiting
85 athletic teams or sports designated for female
86 students to be open to male students; requiring the
87 State Board of Education to adopt rules regarding the
88 resolution of such disputes; providing protections for
89 educational institutions from certain adverse actions
90 taken by a governmental entity, any licensing or
91 accrediting organization, or any athletic association
92 or organization; providing civil remedies for students
93 and educational institutions; providing a statute of
94 limitation; providing for damages; providing an
95 effective date.