

HOUSE BILL NO. 4066

February 11, 2025, Introduced by Reps. Woolford, BeGole, Kelly, Hoadley, Kunse, Robinson, Linting, St. Germaine, Beson, Carra, Wendzel, Wortz, Martin, Johnsen, Neyer, DeSana, Outman, Fox, Frisbie, Maddock, Rigas, Slagh, Alexander, Markkanen, Cavitt, Meerman, Bohnak, Fairbairn, Tisdell and VanderWall and referred to Committee on Government Operations.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 1290.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1290. (1) The board of a school district or intermediate
2 school district or board of directors of a public school academy
3 that participates in interscholastic athletic activities shall
4 designate interscholastic athletic teams and sports based on the
5 sex of the participants as follows:

6 (a) Separate teams for participants of the female sex within
7 female sports divisions.

1 (b) Separate teams for participants of the male sex within
2 male sports divisions.

3 (c) If applicable, co-ed teams for participants of the female
4 and male sexes within co-ed sports divisions.

5 (2) A school district, intermediate school district, or public
6 school academy to which subsection (1) applies shall not knowingly
7 allow individuals of the male sex to participate on athletic teams
8 or in athletic competitions designated for only participants of the
9 female sex.

10 (3) This section must not be construed to restrict the
11 eligibility of any student to participate on any interscholastic
12 athletic teams or in interscholastic athletic activities that are
13 designated as male or co-ed.

14 (4) An agency or political subdivision of this state, or an
15 accrediting organization or interscholastic athletic association
16 that operates or has business activities in this state, shall not
17 process a complaint, begin an investigation, or take any other
18 adverse action against a school district, intermediate school
19 district, or public school academy for maintaining separate single-
20 sex interscholastic athletic teams or sports for participants of
21 the female sex.

22 (5) A participant who is deprived of an athletic opportunity
23 or suffers a direct or indirect harm as a result of a violation of
24 this section by a school district, intermediate school district, or
25 public school academy has a private cause of action for injunctive
26 relief, damages, and any other relief available against the school
27 district, intermediate school district, or public school academy.

28 (6) A participant who is subject to retaliation or other
29 adverse action by a school district, intermediate school district,

1 or public school academy as a result of reporting a violation of
2 this section has a private cause of action for injunctive relief,
3 damages, and any other relief available against the entity that
4 took the retaliatory or other adverse action.

5 (7) A school district, intermediate school district, or public
6 school academy that suffers any direct or indirect harm as a result
7 of a violation of subsection (4) has a private cause of action for
8 injunctive relief, damages, and any other relief available against
9 the agency, political subdivision, accrediting organization, or
10 interscholastic athletic association that violated subsection (4).

11 (8) Any civil action brought as a result of a violation of
12 this section must be initiated within 2 years after the date on
13 which the violation occurred. Individuals or entities that prevail
14 on a claim brought under this section are entitled to monetary
15 damages, including for any psychological, emotional, or physical
16 harm suffered, reasonable attorney fees and costs, and any other
17 appropriate relief.

18 (9) As used in this section, "sex" means the biological
19 indication of male and female, including sex chromosomes, naturally
20 occurring sex hormones, gonads, and nonambiguous internal and
21 external genitalia present at birth, without regard to an
22 individual's psychological, chosen, or subjective experience of
23 gender.