



ARIZONA STATE SENATE
Fifty-Fifth Legislature, Second Regular Session

FACT SHEET FOR S.B. 1165

interscholastic; intramural athletics; biological sex

Purpose

Requires any athletic team that is sponsored by a public or private school to be designated based on the biological sex of the student participants. Allows injunctive relief, damages and any other relief available under law for students or schools that suffer any direct or indirect harm due to a violation. Designates this legislation as the *Save Women's Sports Act*.

Background

Each governing board, after consultation with parents and teachers, must adopt policies and procedures governing requirements for pupils' participation in extracurricular activities. The requirements must meet or exceed the minimum requirements prescribed by the State Board of Education (SBE).

Prescribed rules for policies regarding pupils' participation in extracurricular activities must include minimum statewide requirements. The minimum statewide requirements: 1) must be appropriate to the enrolled pupil's grade; 2) must be based on the number of courses passed or failed, on grades received or on a combination of these factors; 3) may include additional factors; and 4) must take into consideration the minimum course of study and competency requirements prescribed by the SBE ([A.R.S. § 15-705](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires each interscholastic or intramural athletic team or sport sponsored by a public or private school whose students or teams compete against a public school to be expressly designated as one of the following based on the biological sex of the participating students:
 - a) *males, men* or *boys*;
 - b) *females, women* or *girls*; or
 - c) *coed* or *mixed*.
2. Prohibits athletic teams or sports designated for *females, women* or *girls* from being open to students of the male sex.
3. Deems any student eligible to participate in any interscholastic or intramural athletic team or sport designated as being for *males, men* or *boys* or designated as *coed* or *mixed*.
4. Prohibits a government entity, any licensing or accrediting organization or any athletic association or organization from entertaining a complaint, opening an investigation or taking any other adverse action against a school for maintaining separate interscholastic or intramural athletic teams or sports for students of the female sex.

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5. States that any student who is deprived of an athletic opportunity or suffers any direct or indirect harm as a result of a school knowingly violating the Save Women's Sports Act has a private cause of action for injunctive relief, damages and any other relief available under law against the school.
6. States that any student who is subject to any adverse action by a school or an athletic association because the student reported a violation of the Save Women's Sports Act has a private cause of action for injunctive relief, damages and any other relief available under law against the school or the athletic association.
7. States that any school that suffers any direct or indirect harm because of a violation of the Save Women's Sports Act has a private cause of action for injunctive relief, damages and any other relief available under law against the government entity, the licensing or accrediting organization or the athletic association or organization.
8. Requires all civil actions to be initiated within two years after the alleged violation of the Save Women's Sports Act.
9. Entitles a person who prevails on a claim brought pursuant to the Save Women's Sports Act to monetary damages including:
 - a) damages for any psychological, emotional or physical harm suffered;
 - b) reasonable attorney fees; and
 - c) costs and any other appropriate relief.
10. Designates this legislation as the *Save Women's Sports Act*.
11. Defines *school* as either:
 - a) a school that provides instruction in any combination of kindergarten programs or grades 1 through 12; or
 - b) an institution of higher education.
12. Contains a legislative findings and purpose clause.
13. Contains a severability clause.
14. Makes technical changes.
15. Becomes effective on the general effective date.

Prepared by Senate Research

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ZD/HW/sr