



ARIZONA STATE SENATE
Fifty-Seventh Legislature, First Regular Session

FACT SHEET FOR H.B. 2062

sex-based terms; laws; rules; regulations

Purpose

Requires any policy, program, rule or law that prohibits sex discrimination to prohibit the unfair treatment of a female or male in relation to a similarly situated member of the opposite sex. Provides statutory definitions for *boy, father, female, girl, male, man, mother* and *sex*.

Background

Title VII of the Civil Rights Act of 1964 prohibits discrimination against an employee or applicant on the basis of race, color, religion, sex, including gender identity and sexual orientation, as well as national origin. It is unlawful to retaliate against a person who complains about discrimination, files discrimination charges or participates in an employment discrimination investigation or lawsuit. Additional protections on the basis of age, disability, veteran status, pregnancy and genetic information also exist by way of other federal laws ([U.S. EEOC](#); [FTC](#)).

It is unlawful for an employer to: 1) refuse to hire, discharge or discriminate against an individual on the basis of race, color, religion, sex, age, national origin, disability or genetic testing results; or 2) limit, segregate or classify employees or applicants in a way that deprives the individual of employment opportunities because of the individual's race, color, religion, sex, age, national origin or disability ([A.R.S. § 41-1463](#)).

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

Provisions

1. Requires a policy, program, rule or law that prohibits sex discrimination to prohibit the unfair treatment of a female or male in relation to a similarly situated member of the opposite sex.
2. Authorizes the state and a political subdivision of the state to provide a separate single-sex environment for a male or female if the sexes are not similarly situated, particularly with respect to biology.
3. Specifies that a single-sex environment includes athletics, living facilities, locker rooms, bathrooms, domestic violence shelters and sexual assault crisis centers.
4. Requires the state, a political subdivision of the state and a public school or public school district to identify each natural person who is part of the collected data set as male or female, if the entity collects vital statistics relating to sex to comply with state or federal antidiscrimination laws or to gather accurate public health, crime, economic or other data.

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5. Specifies that sex-specific data requirements do not require the collection of data regarding sex, unless otherwise required by law, or prevent the collection of additional data points other than biological sex.
6. Defines *boy* as a human male who has not yet reached adulthood.
7. Defines *father* as a male parent of a child or children.
8. Defines *female* as, when used in reference to a natural person, an individual who has, had, will have or would have, but for a developmental anomaly or accident, the reproductive system that at some point produces ova.
9. Defines *girl* as a human female who has not yet reached adulthood.
10. Defines *male* as, when used in reference to a natural person, an individual who has, had, will have or would have, but for a developmental anomaly or accident, the reproductive system that at some point produces sperm for fertilization of female ova.
11. Defines *man* as an adult human of the male sex.
12. Defines *mother* as a female parent of a child or children.
13. Specifies that the term *sex*:
 - a) means a person's biological sex, either male or female, at birth;
 - b) only includes two sexes and every individual is either a male or female;
 - c) is objective and fixed; and
 - d) does not include gender identity or any other term that is intended to convey a person's subjective sense of self and may not be used as a synonym or substitute for the term.
14. Specifies that the term *equal*, with respect to equality of the sexes, does not mean same or identical.
15. Designates this legislation as the *Arizona Sex-based Terms Act*.
16. Contains a severability clause.
17. Contains a purpose statement.
18. Becomes effective on the general effective date.

House Action

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| GOV | 1/22/25 | DPA | 4-3-0-0 |
| 3 rd Read | 2/12/25 | | 32-27-1 |

Prepared by Senate Research
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AN/slp