



Bill Number: H.C.R. 2003

Ortiz Floor Amendment

Reference to: House engrossed resolution

Amendment drafted by: Leg. Council

FLOOR AMENDMENT EXPLANATION

1. Removes the requirement for each school that sponsors an athletic team and each athletic association that sponsors a sport to expressly designate each athletic team or sport based on the biological sex of participating athletes.
2. Allows each school that sponsors an athletic team and each athletic association that sponsors a sport to expressly designate each athletic team or sports as:
 - a) *males, men* or *boys*;
 - b) *females, women* or *girls*; or
 - c) *coeducational* or *mixed*.
3. Prohibits a school or athletic association from opening an athletic team or sport that is designated for females, women or girls to athletes who are participating in one or more athletic teams or sports that are designated for males, men or boys, rather than to athletes of the male sex.
4. Requires any athletic association that sponsors a sport designated for males, men, boys, females, women or girls to adopt rules of inclusion for determining whether an athlete may participate in the sport.
5. Specifies that an athletic association, when adopting rules of inclusion as prescribed:
 - a) may consider physical characteristics of athletes that are associated with athletic performance and are relevant to the sport;
 - b) may consider one or more sex characteristics or secondary sex characteristics of athletes as a determining factor to participate, if the characteristics are not associated with athletic performance and are typical for the athlete's age and designation of the sport; and
 - c) may not consider a sex characteristic or secondary sex characteristic of an athlete as a determining factor for excluding the athlete, unless the characteristic is associated with athletic performance and relevant to the sport.
6. Removes the prohibition on authorizing any individual to use a private space that is not designated for the individual's sex if a school or athletic association provides and maintains outlined private spaces that are integral to athletic engagement.
7. Removes the prohibition on entertaining a complaint, investigating or taking adverse action against a school or athletic association for maintaining separate athletic teams or sports for athletes of the female sex.

Amendment explanation prepared by Mason Holler

03/31/2026

8. Removes the authority for an athlete to bring a private cause of action against a school, athletic association or organization if the athlete:
 - a) is deprived of an athletic opportunity or suffers direct or indirect harm as a result of a school or athletic association knowing violating the prescribed requirements; or
 - b) is subject to retaliation or adverse action by a school, athletic association or organization for reporting a violation of the prescribed requirements as specified.
9. Removes the authority for a school to bring a private cause of action against a government entity or organization if the school suffers direct or indirect harm for a violation of the prescribed requirements.
10. Removes the definition of *sex*.
11. Removes the severability clause.
12. Makes technical and conforming changes.

ORTIZ FLOOR AMENDMENT
SENATE AMENDMENTS TO H.C.R. 2003
(Reference to House engrossed resolution)

Amendment instruction key:
[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.
[Green underlining in brackets] indicates text added to new session law or text restoring existing law.
[GREEN STRIKEOUT IN BRACKETS] indicates new text removed from statute or previously enacted session law.
[Green strikeout in brackets] indicates text removed from existing statute, previously enacted session law or new session law.
<<Green carets>> indicate a section added to the bill.
<<Green strikeout in carets>> indicates a section removed from the bill.

1 The resolution as proposed to be amended is reprinted as follows:
2 1. Under the power of the referendum, as vested in the Legislature,
3 the following measure, relating to student athletics, is enacted to become
4 valid as a law if approved by the voters and on proclamation of the
5 Governor:

6 AN ACT

7 AMENDING SECTION 15-120.02, ARIZONA REVISED STATUTES; RELATING
8 TO STUDENT ATHLETICS.

9 Be it enacted by the Legislature of the State of Arizona:

10 Section 1. Section 15-120.02, Arizona Revised Statutes,
11 is amended to read:

12 15-120.02. Interscholastic and intramural athletics;
13 designation of teams; rules; definitions

14 A. BEGINNING ON JANUARY 1, 2027, each SCHOOL THAT
15 SPONSORS AN interscholastic or intramural athletic team ~~or~~
16 ~~sport that is sponsored by a public school or a private school~~
17 ~~whose students or teams compete against a public school~~ AND
18 EACH ATHLETIC ASSOCIATION THAT SPONSORS AN INTERSCHOLASTIC OR
19 INTRAMURAL SPORT ~~[shall]~~ be [MAY] expressly designated
20 DESIGNATE THE ATHLETIC TEAM OR SPORT as one of the following[
21 ~~based on the biological sex of the students~~ ATHLETES ~~who~~
22 ~~participate on the ATHLETIC team or in the sport~~]:

- 23 1. "Males", "men" or "boys".
- 24 2. "Females", "women" or "girls".
- 25 3. ~~"Coed"~~ "COEDUCATIONAL" or "mixed".

26 B. A SCHOOL OR ATHLETIC ASSOCIATION MAY NOT OPEN ANY
27 INTERSCHOLASTIC OR INTRAMURAL athletic ~~teams~~ TEAM or ~~sports~~
28 SPORT THAT IS designated for ~~"females"~~, ~~"women"~~ or ~~"girls"~~ ~~may~~
29 ~~not be open~~ to ~~students~~ ATHLETES [~~of the male sex~~] [WHO ARE

1 ~~PARTICIPATING IN ONE OR MORE ATHLETIC TEAMS OR SPORTS THAT ARE~~
2 ~~DESIGNATED FOR MALES, MEN OR BOYS].~~

3 C. This section does not restrict the eligibility of
4 any ~~student~~ ATHLETE to participate in any interscholastic or
5 intramural athletic team or sport ~~[THAT IS ALIGNED WITH THE~~
6 ~~ATHLETE'S SEX OR] THAT IS~~ designated as ~~being for "males",~~
7 ~~"men" or "boys" or designated as "coed"~~ "COEDUCATIONAL" or
8 "mixed".

9 ~~[D. BEGINNING ON JANUARY 1, 2027, IF A SCHOOL OR~~
10 ~~ATHLETIC ASSOCIATION PROVIDES AND MAINTAINS RESTROOMS, LOCKER~~
11 ~~ROOMS, SHOWER ROOMS OR OTHER PRIVATE SPACES THAT ARE INTEGRAL~~
12 ~~TO ATHLETIC ENGAGEMENT, THE SCHOOL OR ATHLETIC ASSOCIATION,~~
13 ~~INCLUDING EMPLOYEES OF THE SCHOOL OR ATHLETIC ASSOCIATION, MAY~~
14 ~~NOT AUTHORIZE ANY INDIVIDUAL TO USE A RESTROOM, LOCKER ROOM,~~
15 ~~SHOWER ROOM OR OTHER PRIVATE SPACE THAT IS NOT DESIGNATED FOR~~
16 ~~THAT INDIVIDUAL'S SEX.~~

17 ~~D. E. A government entity, any licensing or~~
18 ~~ORGANIZATION, accrediting organization or any athletic~~
19 ~~association or organization may not entertain a complaint,~~
20 ~~open an investigation or take any other adverse action against~~
21 ~~a school OR ATHLETIC ASSOCIATION for maintaining separate~~
22 ~~interscholastic or intramural athletic teams or sports for~~
23 ~~students ATHLETES of the female sex.~~

24 ~~E. F. Any student ATHLETE who is deprived of an~~
25 ~~athletic opportunity or suffers any direct or indirect harm as~~
26 ~~a result of a school OR AN ATHLETIC ASSOCIATION knowingly~~
27 ~~violating this section has a private cause of action for~~
28 ~~injunctive relief, damages and any other relief available~~
29 ~~under law against the school OR ATHLETIC ASSOCIATION.~~

30 ~~F. G. Any student ATHLETE who is subject to~~
31 ~~retaliation or another adverse action by a school or an~~
32 ~~athletic association or organization as a result of reporting~~
33 ~~a violation of this section to an employee or representative~~
34 ~~of the school or the athletic association or organization, or~~
35 ~~to any state or federal agency with oversight of schools in~~
36 ~~this state, has a private cause of action for injunctive~~
37 ~~relief, damages and any other relief available under law~~
38 ~~against the school or the athletic association or~~
39 ~~organization.~~

40 ~~G. H. Any school that suffers any direct or indirect~~
41 ~~harm as a result of a violation of this section has a private~~
42 ~~cause of action for injunctive relief, damages and any other~~
43 ~~relief available under law against the government entity, the~~
44 ~~licensing or ORGANIZATION, accrediting organization or the~~
45 ~~athletic association or organization.~~

46 ~~H. I. All civil actions must be initiated within two~~
47 ~~years after the alleged violation of this section occurred.~~

1 ~~A person AN INDIVIDUAL or organization that prevails on a~~
2 ~~claim brought pursuant to this section is entitled to monetary~~
3 ~~damages, including damages for any psychological, emotional or~~
4 ~~physical harm suffered, reasonable attorney fees and costs and~~
5 ~~any other appropriate relief.]~~

6 [D. ANY ATHLETIC ASSOCIATION THAT SPONSORS AN
7 INTERSCHOLASTIC OR INTRAMURAL SPORT THAT IS DESIGNATED FOR
8 MALES, MEN, BOYS, FEMALES, WOMEN OR GIRLS SHALL ADOPT RULES OF
9 INCLUSION FOR DETERMINING WHETHER AN ATHLETE MAY PARTICIPATE
10 IN THE SPORT. IN ADOPTING RULES PURSUANT TO THIS SUBSECTION,
11 AN ATHLETIC ASSOCIATION:

12 1. MAY CONSIDER PHYSICAL CHARACTERISTICS OF ATHLETES
13 THAT ARE ASSOCIATED WITH ATHLETIC PERFORMANCE AND ARE RELEVANT
14 TO THE SPORT.

15 2. MAY CONSIDER ONE OR MORE SEX CHARACTERISTICS OR
16 SECONDARY SEX CHARACTERISTICS OF AN ATHLETE AS A DETERMINING
17 FACTOR FOR ALLOWING THE ATHLETE TO PARTICIPATE IF THE
18 CHARACTERISTICS ARE NOT ASSOCIATED WITH ATHLETIC PERFORMANCE,
19 ARE TYPICAL FOR THE ATHLETE'S AGE AND ARE TYPICAL FOR THE
20 DESIGNATION OF THE SPORT.

21 3. MAY NOT CONSIDER A SEX CHARACTERISTIC OR SECONDARY
22 SEX CHARACTERISTIC OF AN ATHLETE AS A DETERMINING FACTOR FOR
23 EXCLUDING THE ATHLETE UNLESS THE CHARACTERISTIC IS ASSOCIATED
24 WITH ATHLETIC PERFORMANCE AND RELEVANT TO THE SPORT.]

25 ~~+~~ J. For the purposes of this section: ~~-~~

26 1. "ATHLETE" MEANS AN INDIVIDUAL, INCLUDING A STUDENT,
27 WHO PARTICIPATES IN ANY INTERSCHOLASTIC OR INTRAMURAL ATHLETIC
28 TEAM OR SPORT.

29 2. "ATHLETIC ASSOCIATION" MEANS A LEAGUE, CORPORATION,
30 ASSOCIATION OR ORGANIZATION THAT HAS A PRIMARY PURPOSE OF
31 SPONSORING OR ADMINISTERING EXTRACURRICULAR ATHLETIC CONTESTS
32 OR COMPETITIONS.

33 3. "School" means either:

34 ~~+~~ (a) A PUBLIC OR PRIVATE school that provides
35 instruction in any combination of kindergarten programs or
36 grades one through twelve.

37 ~~2-~~ (b) An institution of higher education.

38 ~~[4. "SEX" MEANS AN INDIVIDUAL'S BIOLOGICAL STATUS AS~~
39 ~~MALE OR FEMALE AS RECORDED AT BIRTH ON THE INDIVIDUAL'S~~
40 ~~ORIGINAL BIRTH CERTIFICATE.]~~

41 <<Sec. 2. Severability

42 ~~If a provision of this act or its application to any~~
43 ~~person or circumstance is held invalid, the invalidity does~~
44 ~~not affect other provisions or applications of the act that~~
45 ~~can be given effect without the invalid provision or~~
46 ~~application, and to this end the provisions of this act are~~
47 ~~severable.>>~~

Senate Amendments to H.C.R. 2003

1 Sec. 2. Short title
2 This act may be cited as the "Protect Girls' Sports in
3 Arizona Act".
4 2. The Secretary of State shall submit this proposition to the
5 voters at the next general election as provided by article IV, part 1,
6 section 1, Constitution of Arizona.

7 Enroll and engross to conform
8 Amend title to conform

ANALISE ORTIZ

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