



HOUSE HEALTH COMMITTEE

VOTING MEETING

Monday, June 15th, 2026

Call of the Chair

Irvis G-50, Irvis Office Building
Harrisburg, PA

1. Call to Order
2. Attendance
3. **HB158 PN149 (Gleim)**
Establishes the Fairness in Women's Sports Act.

HR1849 PN2285 (Owlett)
Establishes the Dads Defending Daughters Act

SB9 PN177 (J. Ward)
Establishes the Fairness in Women's Sports Act
4. Any other business that may come before the committee.
5. Adjournment

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB0158 PN0149	Prepared By:	Alycia Laureti, MPA (717) 787-7044,6810
Committee:	Education	Executive Director:	Kathryn Krueger
Sponsor:	Gleim, Barb		
Date:	11/12/2025		

A. Brief Concept

Establishes the Fairness in Women's Sports Act.

C. Analysis of the Bill

HB158 creates a freestanding act entitled the Fairness in Women's Sports Act:

Designation of Athletic Teams:

- An interscholastic, intercollegiate, intramural or club athletic team or sport which is sponsored by a public school entity, a public institution of higher education or any school or institution where students or teams compete against a public school entity or public institution of higher education must be designated as one of the following based on sex:
 - Male, men or boys.
 - Female, women or girls.
 - Coed or mixed.

Prohibition:

- An athletic team or sport designated for females, women or girls may not be open to students of the male sex.

Protection for Educational Institutions:

- A government entity, licensing or accrediting organization or an athletic association may not entertain a complaint, open an investigation, or take any adverse action against a school or institution of higher education for maintaining separate interscholastic, intercollegiate, intramural or club athletic teams or sports for students of the female sex.

Cause of Action:

- **Deprivation of Opportunity:**
 - A student who is deprived of an athletic opportunity or who suffers a direct or indirect harm because of a violation may bring a cause of action for injunctive relief, damages, psychological, emotional, and physical harm suffered, attorney fees and costs and any other relief available under law against the school or institution of higher education.
- **Retaliation:**
 - A student who is subject to retaliation or other adverse action by a school, institution of higher education or athletic association or organization as a result of reporting a violation of this act to an employee or representative of the school, institution or athletic association or to any Federal or State agency with oversight of schools or institutions of higher education in Pennsylvania may bring a cause of action for injunctive relief, damages, attorney fees and costs and any other relief available under law against the school, institution or athletic association.
- **School's Cause of Action:**
 - A school or institution of higher education that suffers a direct or indirect harm as a result of a violation of this act may bring a cause of action for injunctive relief,

damages and any other relief available under law against the government entity, licensing or accrediting organization or athletic association or organization.

- **Limitation:**

- A person may not bring a civil action under this section later than two years after the day on which the harm underlying the cause of action occurs.

Severability:

- If a part of this act is found invalid, all valid parts that are severable from the invalid part will remain in effect.

Terms:

Public institutions of higher education- a community college, a rural regional college, universities within the State System of Higher Education (PASSHE), State-related institutions, Thaddeus Stevens College of Technology, and the Pennsylvania College of Technology.

Public school entity- includes school districts, intermediate units, area career and technical schools, charter schools, regional charter schools, and cyber charter schools.

Sex- biological distinction between male and female based on genetic makeup.

Effective Date:

60 days

G. Relevant Existing Laws

Federal:

Title IX of the Education Amendments of 1972 (Title IX) is a federal civil rights law that prohibits discrimination on the basis of sex in all education programs and activities operated by recipients of federal funds, including colleges, universities, and public school districts. Title IX regulations also contains specific provisions governing athletic programs and the awarding of athletic scholarships. Specifically, if an institution operates or sponsors an athletic program, it must provide equal athletic opportunities for members of both sexes.

On January 9, 2025, a federal district court vacated the 2024 Title IX Final Rule that had broadened the definition of sex-based harassment to include sexual orientation, gender identity, sex stereotypes, and pregnancy. As a result, the U.S. Department of Education's 2020 Title IX Rule is once again in effect and governs OCR enforcement. Additionally, on February 5, 2025, President Trump signed an Executive Order titled "Keeping Men Out of Women's Sports," directing that federal funds be withdrawn from educational programs that restrict fair athletic opportunities for women and girls and establishing a policy opposing male participation in women's sports.

State:

The Pennsylvania Human Relations Act (PHRA) prohibits discrimination in all Commonwealth-supervised educational institutions, including K-12 schools and higher education, based on race, color, sex, religion, ancestry, national origin, disability, association with a person with a disability, or use or training of a guide or support animal.

The Pennsylvania Fair Educational Opportunities Act (PFEOA) similarly bans discrimination in postsecondary and vocational institutions under the Department of Education's oversight on the basis of race, color, religion, ancestry, national origin, sex, disability, or association with an individual with a disability.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

2025-2026 Legislative Session:

SB 9 (J. Ward)- re-referred to the House Health Committee

2023-2024 Legislative Session:

HB216 (Gleim)- referred to House Education, with no further action.

2021-2022 Legislative Session:

HB972 (Gleim)-

House:

- **Education Committee**- Passed 15-9
- **Final Passage**- 115-84 Rep. Stephens (R) voted No, Reps. Burns, Neilson, Rozzi, Sainato voted Yes

Senate:

- **Education Committee**- Passed 7-4
- **Final Passage**- 30-20

Veto No. 7

SB1191 (J. Ward)- referred to House Education, with no further action.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 158 Session of
2025

INTRODUCED BY GLEIM, WHITE, BOROWICZ, HAMM, GREINER, PICKETT,
M. MACKENZIE, LEADBETER, JAMES, D'ORSIE, KAUFFMAN, M. BROWN,
RAPP, BANTA, MENTZER, WARNER, GROVE, KUZMA, SMITH, ROWE,
ZIMMERMAN, WALSH, REICHARD AND COOPER, JANUARY 17, 2025

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 17, 2025

AN ACT

1 Providing for sport activities in public institutions of higher
2 education and public school entities to be expressly
3 designated male, female or coed; and creating causes of
4 action for harms suffered by designation.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Fairness in
9 Women's Sports Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Public institution of higher education." Any of the
15 following:

16 (1) A community college operating under Article XIX-A of
17 the act of March 10, 1949 (P.L.30, No.14), known as the
18 Public School Code of 1949.

1 (2) A rural regional college established under Article
2 XIX-G of the Public School Code of 1949.

3 (3) A university within the State System of Higher
4 Education under Article XX-A of the Public School Code of
5 1949.

6 (4) A State-related institution as defined in section
7 2001-C of the Public School Code of 1949.

8 (5) The Thaddeus Stevens College of Technology.

9 (6) The Pennsylvania College of Technology.

10 "Public school entity." Any of the following operating under
11 the Public School Code of 1949:

12 (1) A school district.

13 (2) An intermediate unit.

14 (3) An area career and technical school.

15 (4) A charter school, regional charter school or cyber
16 charter school.

17 "Sex." The biological distinction between male and female
18 based on reproductive biology and genetic makeup.

19 Section 3. Designation of athletic teams and sports.

20 (a) Duty.--An interscholastic, intercollegiate, intramural
21 or club athletic team or sport that is sponsored by a public
22 school entity, a public institution of higher education or a
23 school or institution where students or teams compete against a
24 public school entity or public institution of higher education
25 shall be expressly designated as one of the following based on
26 sex:

27 (1) Male, men or boys.

28 (2) Female, women or girls.

29 (3) Coed or mixed.

30 (b) Prohibition.--An athletic team or sport designated for

1 females, women or girls under subsection (a) (2) may not be open
2 to students of the male sex.

3 (c) Limitations on restriction.--Nothing in this section
4 shall be construed to restrict the eligibility of a student to
5 participate in an interscholastic, intercollegiate, intramural
6 or club athletic team or sport designed for the student's sex or
7 designated coed or mixed.

8 Section 4. Protection for educational institutions.

9 A government entity, licensing or accrediting organization or
10 an athletic association or organization may not entertain a
11 complaint, open an investigation or take other adverse action
12 against a school or institution of higher education for
13 maintaining a separate interscholastic, intercollegiate,
14 intramural or club athletic team or sport for students of the
15 female sex.

16 Section 5. Cause of action.

17 (a) Deprivation of opportunity.--A student who is deprived
18 of an athletic opportunity or who suffers a direct or indirect
19 harm as a result of a known violation of section 3 may bring a
20 cause of action for injunctive relief, damages, psychological,
21 emotional and physical harm suffered, attorney fees and costs
22 and any other relief available under law against the school or
23 institution of higher education.

24 (b) Retaliation.--A student who is subject to retaliation or
25 other adverse action by a school, institution of higher
26 education or athletic association or organization as a result of
27 reporting a violation of section 3 to an employee or
28 representative of the school, institution or athletic
29 association or organization or to any Federal or State agency
30 with oversight of schools or institutions of higher education in

1 Pennsylvania may bring a cause of action for injunctive relief,
2 damages, attorney fees and costs and any other relief available
3 under law against the school, institution or athletic
4 association or organization.

5 (c) School's cause of action.--A school or institution of
6 higher education that suffers direct or indirect harm as a
7 result of a violation of section 4 may bring a cause of action
8 for injunctive relief, damages and other relief available under
9 law against the government entity, licensing or accrediting
10 organization or athletic association or organization.

11 (d) Limitation.--A person may not bring a civil action under
12 this section later than two years after the day on which the
13 harm underlying the cause of action occurs.

14 Section 6. Severability.

15 If a part of this act is found invalid, all valid parts that
16 are severable from the invalid part shall remain in effect. If a
17 part of this act is invalid in one or more of its applications,
18 the part remains in effect in all valid applications that are
19 severable from the invalid applications.

20 Section 7. Effective date.

21 This act shall take effect in 60 days.

**HOUSE OF REPRESENTATIVES
DEMOCRATIC COMMITTEE BILL ANALYSIS**

Bill No: HB1849 PN2285
Committee: Education
Sponsor: Owlett, Clint
Date: 11/18/2025

Prepared By: Alycia Laureti, MPA
(717) 787-7044,6810
Executive Director: Kathryn Krueger

A. Brief Concept

Establishes the Dads Defending Daughters Act.

C. Analysis of the Bill

Designation of athletic teams and sports:

- Requires interscholastic, intercollegiate, intramural or club athletic teams or sports that are sponsored by a public school entity, a public institution of higher education or any school or institution where students or teams compete against a public school entity or public institution of higher education be designated as one of the following based on sex:
 - Male, men or boys.
 - Female, women or girls.
 - Coed or mixed.
- Prohibits athletic teams or sports designated for females, women or girls be open to students of the male sex.
- Nothing in this section would be construed to restrict the eligibility of a student to participate in an interscholastic, intercollegiate, intramural or club athletic team or sport designed for the student's sex or designated coed or mixed.

Protection for educational institutions:

- Prohibits a government entity, licensing or accrediting organization or an athletic association or organization from the following:
 - entertaining a complaint;
 - opening an investigation; or
 - taking any other adverse action against a school or institution of higher education for maintaining separate interscholastic, intercollegiate, intramural or club athletic teams or sports for students of the female sex.

Cause of action:

- Allows a student who is deprived of an athletic opportunity or who suffers a direct or indirect harm as a result of a known violation to bring a cause of action for injunctive relief; damages; psychological, emotional and physical harm suffered; attorney fees and costs; and any other relief available under law against the school or institution of higher education.
- Allows a student who is subject to retaliation or other adverse action by a school, institution of higher education or athletic association or organization as a result of reporting a violation to an employee or representative of the school, institution or athletic association or organization or to any Federal or State agency with oversight of schools or institutions of higher education in Pennsylvania to bring a cause of action for injunctive relief, damages, attorney fees and costs and any other relief available under law against the school, institution or athletic association or organization.
- Allows a school or institution of higher education that suffers a direct or indirect harm as a result of a violation to bring a cause of action for injunctive relief, damages and any

other relief available under law against the government entity, licensing or accrediting organization or athletic association or organization.

- Prohibits a person from bringing a civil action under this section later than two years after the day on which the harm underlying the cause of action occurs.

Severability:

- If a part of this act is found invalid, all valid parts that are severable from the invalid part would remain in effect.
- If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

Terms:

Public institution of higher education- community college, rural regional college, university within the State System of Higher Education, State-related institution, Thaddeus Stevens College of Technology, Pennsylvania College of Technology.

Public school entity- school district, intermediate unit, area career and technical school, charter school, regional charter school or cyber charter school.

Sex- person's immutable characteristics of the reproductive system that define the individual as male or female, as determined by anatomy and genetics existing at the time of birth.

Effective Date:

Immediately

G. Relevant Existing Laws

Federal:

Title IX of the Education Amendments of 1972 (Title IX) is a federal civil rights law that prohibits discrimination on the basis of sex in all education programs and activities operated by recipients of federal funds, including colleges, universities, and public school districts. Title IX regulations also contains specific provisions governing athletic programs and the awarding of athletic scholarships. Specifically, if an institution operates or sponsors an athletic program, it must provide equal athletic opportunities for members of both sexes.

On January 9, 2025, a federal district court vacated the 2024 Title IX Final Rule that had broadened the definition of sex-based harassment to include sexual orientation, gender identity, sex stereotypes, and pregnancy. As a result, the U.S. Department of Education's 2020 Title IX Rule is once again in effect and governs OCR enforcement. Additionally, on February 5, 2025, President Trump signed an Executive Order titled "Keeping Men Out of Women's Sports," directing that federal funds be withdrawn from educational programs that restrict fair athletic opportunities for women and girls and establishing a policy opposing male participation in women's sports.

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2025-2026 Legislative Session:

SB 9 (J. Ward)- re-referred to the House Health Committee

2023-2024 Legislative Session:

HB216 (Gleim)- referred to House Education, with no further action.

2021-2022 Legislative Session:

HB972 (Gleim)-

House:

Education Committee- Passed 15-9

Final Passage- 115-84 Rep. Stephens (R) voted No, Reps. Burns, Neilson, Rozzi, Sainato voted Yes

Senate:

Education Committee- Passed 7-4

Final Passage- 30-20

Veto No. 7

SB1191 (J. Ward)- referred to House Education, with no further action.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1849 Session of
2025

INTRODUCED BY OWLETT, DAVANZO, D'ORSIE, FRITZ AND HAMM,
SEPTEMBER 5, 2025

REFERRED TO COMMITTEE ON EDUCATION, SEPTEMBER 9, 2025

AN ACT

1 Providing for sport activities in public institutions of higher
2 education and public school entities to be expressly
3 designated male, female or coed; and creating causes of
4 action for harm suffered by designation.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Dads
9 Defending Daughters Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Public institution of higher education." One of the
15 following:

16 (1) A community college operating under Article XIX-A of
17 the act of March 10, 1949 (P.L.30, No.14), known as the
18 Public School Code of 1949.

19 (2) A rural regional college established under Article

1 XIX-G of the Public School Code of 1949.

2 (3) A university within the State System of Higher
3 Education under Article XX-A of the Public School Code of
4 1949.

5 (4) A State-related institution as defined in section
6 2001-C of the Public School Code of 1949.

7 (5) The Thaddeus Stevens College of Technology.

8 (6) The Pennsylvania College of Technology.

9 "Public school entity." One of the following operating under
10 the Public School Code of 1949:

11 (1) A school district.

12 (2) An intermediate unit.

13 (3) An area career and technical school.

14 (4) A charter school, regional charter school or cyber
15 charter school.

16 "Sex." A person's immutable characteristics of the
17 reproductive system that define the individual as male or
18 female, as determined by anatomy and genetics existing at the
19 time of birth.

20 Section 3. Designation of athletic teams and sports.

21 (a) Designation.--Interscholastic, intercollegiate,
22 intramural or club athletic teams or sports that are sponsored
23 by a public school entity, a public institution of higher
24 education or any school or institution where students or teams
25 compete against a public school entity or public institution of
26 higher education must be expressly designated as one of the
27 following based on sex:

28 (1) Male, men or boys.

29 (2) Female, women or girls.

30 (3) Coed or mixed.

1 (b) Prohibition.--Athletic teams or sports designated for
2 females, women or girls under subsection (a) (2) may not be open
3 to students of the male sex.

4 (c) Limitations on restriction.--Nothing in this section
5 shall be construed to restrict the eligibility of a student to
6 participate in an interscholastic, intercollegiate, intramural
7 or club athletic team or sport designed for the student's sex or
8 designated coed or mixed.

9 Section 4. Protection for educational institutions.

10 A government entity, licensing or accrediting organization or
11 an athletic association or organization may not entertain a
12 complaint, open an investigation or take any other adverse
13 action against a school or institution of higher education for
14 maintaining separate interscholastic, intercollegiate,
15 intramural or club athletic teams or sports for students of the
16 female sex.

17 Section 5. Cause of action.

18 (a) Deprivation of opportunity.--A student who is deprived
19 of an athletic opportunity or who suffers a direct or indirect
20 harm as a result of a known violation of section 3 may bring a
21 cause of action for injunctive relief; damages; psychological,
22 emotional and physical harm suffered; attorney fees and costs;
23 and any other relief available under law against the school or
24 institution of higher education.

25 (b) Retaliation.--A student who is subject to retaliation or
26 other adverse action by a school, institution of higher
27 education or athletic association or organization as a result of
28 reporting a violation of section 3 to an employee or
29 representative of the school, institution or athletic
30 association or organization or to any Federal or State agency

1 with oversight of schools or institutions of higher education in
2 Pennsylvania may bring a cause of action for injunctive relief,
3 damages, attorney fees and costs and any other relief available
4 under law against the school, institution or athletic
5 association or organization.

6 (c) School's cause of action.--A school or institution of
7 higher education that suffers a direct or indirect harm as a
8 result of a violation of section 4 may bring a cause of action
9 for injunctive relief, damages and any other relief available
10 under law against the government entity, licensing or
11 accrediting organization or athletic association or
12 organization.

13 (d) Limitation.--A person may not bring a civil action under
14 this section later than two years after the day on which the
15 harm underlying the cause of action occurs.

16 Section 6. Severability.

17 If a part of this act is found invalid, all valid parts that
18 are severable from the invalid part shall remain in effect. If a
19 part of this act is invalid in one or more of its applications,
20 the part remains in effect in all valid applications that are
21 severable from the invalid applications.

22 Section 7. Effective date.

23 This act shall take effect immediately.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No: SB0009 PN0177
Committee: Education
Sponsor: Ward, Judy
Date: 3/25/2025

Prepared By: Alycia Laureti, MPA
(717) 787-7044,6810
Executive Director: Kathryn Krueger

A. Brief Concept

Establishes the Fairness in Women's Sports Act.

C. Analysis of the Bill

SB9 creates a freestanding act entitled the Fairness in Women's Sports Act:

Designation of Athletic Teams:

- An interscholastic, intercollegiate, intramural or club athletic team or sport which is sponsored by a public school entity, a public institution of higher education or any school or institution where students or teams compete against a public school entity or public institution of higher education must be designated as one of the following based on sex:
 - Male, men or boys.
 - Female, women or girls.
 - Coed or mixed.

Prohibition:

- An athletic team or sport designated for females, women or girls may not be open to students of the male sex.

Protection for Educational Institutions:

- A government entity, licensing or accrediting organization or an athletic association may not entertain a complaint, open an investigation, or take any adverse action against a school or institution of higher education for maintaining separate interscholastic, intercollegiate, intramural or club athletic teams or sports for students of the female sex.

Cause of Action:

- **Deprivation of Opportunity:**
 - A student who is deprived of an athletic opportunity or who suffers a direct or indirect harm because of a violation may bring a cause of action for injunctive relief, damages, psychological, emotional, and physical harm suffered, attorney fees and costs and any other relief available under law against the school or institution of higher education.
- **Retaliation:**
 - A student who is subject to retaliation or other adverse action by a school, institution of higher education or athletic association or organization as a result of reporting a violation of this act to an employee or representative of the school, institution or athletic association or to any Federal or State agency with oversight of schools or institutions of higher education in Pennsylvania may bring a cause of action for injunctive relief, damages, attorney fees and costs and any other relief available under law against the school, institution or athletic association.
- **School's Cause of Action:**
 - A school or institution of higher education that suffers a direct or indirect harm as a result of a violation of this act may bring a cause of action for injunctive relief,

damages and any other relief available under law against the government entity, licensing or accrediting organization or athletic association or organization.

• **Limitation:**

- A person may not bring a civil action under this section later than two years after the day on which the harm underlying the cause of action occurs.

Severability:

- If a part of this act is found invalid, all valid parts that are severable from the invalid part will remain in effect.

Terms:

Public institution of higher education- One of the following:

- community college operating under Article XIX-A
- rural regional college established under Article XIX-G of the Public School Code of 1949.
- university within the State System of Higher Education under Article XX-A of the Public School Code of 1949.
- State-related institution as defined in section 2001-C of the Public School Code of 1949.
- Thaddeus Stevens College of Technology.
- Pennsylvania College of Technology.

Public school entity- One of the following operating under the Public School Code of 1949:

- school district.
- intermediate unit.
- area career and technical school.
- charter school, regional charter school or cyber charter school.

Sex- a person's immutable characteristics of the reproductive system that define the individual as male or female, as determined by anatomy and genetics existing at the time of birth.

Effective Date:

60 days

G. Relevant Existing Laws

Title IX of the Education Amendments of 1972 (Title IX) is a federal civil rights law that prohibits discrimination on the basis of sex in all education programs and activities operated by recipients of federal funds, including colleges, universities, and public school districts. Title IX regulations also contains specific provisions governing athletic programs and the awarding of athletic scholarships. Specifically, if an institution operates or sponsors an athletic program, it must provide equal athletic opportunities for members of both sexes.

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2025-2026 Legislative Session:

HB158 (Gleim)- referred to House Education.

2023-2024 Legislative Session:

HB216 (Gleim)- referred to House Education, with no further action.

2021-2022 Legislative Session:

HB972 (Gleim)-

House Education Committee- Passed 15-9

Final Passage- 115-84 Rep. Stephens (R) voted No, Reps. Burns, Neilson, Rozzi, Sainato voted Yes

Senate Education Committee- Passed 7-4

Final Passage- 30-20

Veto No. 7

SB1191 (J. Ward)- referred to House Education, with no further action.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 9

Session of
2025

INTRODUCED BY J. WARD, PHILLIPS-HILL, K. WARD, BAKER, BROOKS,
BARTOLOTTA, PENNYCUICK, BROWN, CULVER, KEEFER, ROTHMAN,
MASTRIANO, LANGERHOLC, HUTCHINSON, MARTIN, STEFANO, DUSH AND
FARRY, FEBRUARY 3, 2025

REFERRED TO EDUCATION, FEBRUARY 3, 2025

AN ACT

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2 education and public school entities to be expressly
3 designated male, female or coed; and creating causes of
4 action for harm suffered by designation.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

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12 have the meanings given to them in this section unless the
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15 following:

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18 Public School Code of 1949.

1 (2) A rural regional college established under Article
2 XIX-G of the Public School Code of 1949.

3 (3) An university within the State System of Higher
4 Education under Article XX-A of the Public School Code of
5 1949.

6 (4) A State-related institution as defined in section
7 2001-C of the Public School Code of 1949.

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9 (6) The Pennsylvania College of Technology.

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11 the Public School Code of 1949:

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16 charter school.

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18 reproductive system that define the individual as male or
19 female, as determined by anatomy and genetics existing at the
20 time of birth.

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22 (a) Designation.--Interscholastic, intercollegiate,
23 intramural or club athletic teams or sports that are sponsored
24 by a public school entity, a public institution of higher
25 education or any school or institution where students or teams
26 compete against a public school entity or public institution of
27 higher education must be expressly designated as one of the
28 following based on sex:

29 (1) Male, men or boys.

30 (2) Female, women or girls.

1 (3) Coed or mixed.

2 (b) Prohibition.--Athletic teams or sports designated for
3 females, women or girls under subsection (a)(2) may not be open
4 to students of the male sex.

5 (c) Limitations on restriction.--Nothing in this section
6 shall be construed to restrict the eligibility of a student to
7 participate in an interscholastic, intercollegiate, intramural
8 or club athletic team or sport designed for the student's sex or
9 designated coed or mixed.

10 Section 4. Protection for educational institutions.

11 A government entity, licensing or accrediting organization or
12 an athletic association or organization may not entertain a
13 complaint, open an investigation or take any other adverse
14 action against a school or institution of higher education for
15 maintaining separate interscholastic, intercollegiate,
16 intramural or club athletic teams or sports for students of the
17 female sex.

18 Section 5. Cause of action.

19 (a) Deprivation of opportunity.--A student who is deprived
20 of an athletic opportunity or who suffers a direct or indirect
21 harm as a result of a known violation of section 3 may bring a
22 cause of action for injunctive relief; damages; psychological,
23 emotional and physical harm suffered; attorney fees and costs
24 and any other relief available under law against the school or
25 institution of higher education.

26 (b) Retaliation.--A student who is subject to retaliation or
27 other adverse action by a school, institution of higher
28 education or athletic association or organization as a result of
29 reporting a violation of section 3 to an employee or
30 representative of the school, institution or athletic

1 association or organization or to any Federal or State agency
2 with oversight of schools or institutions of higher education in
3 Pennsylvania may bring a cause of action for injunctive relief,
4 damages, attorney fees and costs and any other relief available
5 under law against the school, institution or athletic
6 association or organization.

7 (c) School's cause of action.--A school or institution of
8 higher education that suffers a direct or indirect harm as a
9 result of a violation of section 4 may bring a cause of action
10 for injunctive relief, damages and any other relief available
11 under law against the government entity, licensing or
12 accrediting organization or athletic association or
13 organization.

14 (d) Limitation.--A person may not bring a civil action under
15 this section later than two years after the day on which the
16 harm underlying the cause of action occurs.

17 Section 6. Severability.

18 If a part of this act is found invalid, all valid parts that
19 are severable from the invalid part shall remain in effect. If a
20 part of this act is invalid in one or more of its applications,
21 the part remains in effect in all valid applications that are
22 severable from the invalid applications.

23 Section 7. Effective date.

24 This act shall take effect in 60 days.