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## A BILL FOR AN ACT

RELATING TO HIGH SCHOOL ATHLETICS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that Title IX of the  
2 federal Education Amendments of 1972 was passed to ensure women  
3 have equal opportunity in sports and education. However, there  
4 is an ongoing debate about whether transgender women should be  
5 allowed to compete in women's sports. Although there is a lack  
6 of peer reviewed studies examining questions related to hormones  
7 and athletic performance, a 2019 study by the Karolinska  
8 Institute of Stockholm, titled "Muscle Strength, Size, and  
9 Composition Following 12 months of Gender-affirming Treatment in  
10 Transgender Individuals", concluded that following one year of  
11 testosterone suppression and cross-hormone therapy, transgender  
12 women had not seen a significant decrease in muscle mass.

13           The purpose of this Act is to prohibit biologically born  
14 males from competing in any athletic program offered by a public  
15 high school that is designated for women or girls.

16           SECTION 2. Section 302A-461, Hawaii Revised Statutes, is  
17 amended to read as follows:



1           "**§302A-461 Gender equity in athletics.** (a) No person, on  
2 the basis of sex, shall be excluded from participating in, be  
3 denied the benefits of, or be subjected to discrimination in  
4 athletics offered by a public high school, pursuant to Public  
5 Law 92-318, Title IX of the federal Education Amendments of  
6 1972.

7           (b) It shall be a violation of subsection (a) for a public  
8 high school offering athletics to permit a person whose  
9 biological sex at birth is male to compete in any athletic  
10 program of the public high school that is designated for women  
11 or girls.

12           ~~(b)~~ (c) This section shall apply to public schools as  
13 defined in section 302A-101; provided that it shall apply to  
14 grades nine to twelve only.

15           ~~(e)~~ (d) No private right of action at law shall arise  
16 under this section."

17           SECTION 3. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: James S. Kay

JAN 27 2021



# H.B. NO. 1304

**Report Title:**

Youth Athletics; Public High Schools; Prohibition

**Description:**

Prohibits biologically born males from competing in any athletic program offered by a public high school that is designated for women or girls.

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