



UTAH STATE LEGISLATURE

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Utah Legislature Overrides Veto on H.B. 11

SALT LAKE CITY – Today, the Utah State Legislature convened in a veto override session to reconsider H.B. 11 *Student Eligibility in Interscholastic Activities*. The Senate voted 21-8 and the House voted 56-18 in favor of overturning the veto, meeting the constitutional requirement.

The Legislature also met in a special session to adjust the indemnification of local education agencies (LEAs) in H.B. 3001 *Sex-designated Interscholastic Athletics Indemnification*. This amendment clarifies that the state holds legal responsibility in case of potential litigation. It also set aside \$500,000 for possible legal challenges. H.B. 3001 passed both the Senate and House.

“Over the last two years, we have grappled with tough questions, heard debates and searched for solutions,” said President J. Stuart Adams. “H.B. 11 is that solution. Though we believe a ban will protect female athletes the most, we have a data-driven commission in place under H.B. 11 that will continue to protect athletes if the courts allow biological males to compete in female sports. H.B. 11 is not about discrimination, it’s about keeping sports fair. As state leaders, we also must consider all students, including the thousands of high school female athletes who are worried about their future collegiate and professional opportunities. Female athletes and Title IX are worth defending. This issue is not something we can take lightly.”

H.B. 11 also creates an unbiased, evidence-based commission if a court *stays* the ban on transgender participation. The seven-member School Activity Eligibility Commission, made up of data scientists and experts on the human body and sport, will decide transgender participation in K-12 school sports on a case-by-case basis. This commission will help ensure athletes can play fairly and safely.

“This summer will mark 50 years since Title IX was enacted, in part to ensure an opportunity for girls to participate in school athletic events,” said Speaker Brad Wilson. “Since then, thousands of girls have undeniably benefitted from being part of a team, practicing, and competing. The Legislature’s decision to override the governor’s veto of H.B. 11 establishes a process that will help ensure girls can compete on a level playing field while outlining a policy and contingent process for transgender athletes. We recognize this is a complex issue that evokes strong emotions. We appreciate the work of the bill sponsors and advocates on all sides who have worked tirelessly and with respect in an effort to find the best path forward. I look forward to continuing to work on this issue.”

“We need to pay attention to what is unfolding around us. States failing to pass legislation are leaving women totally unprotected,” said Sen. Curt Bramble, Senate sponsor of H.B. 11. “There are important biological differences between men and women. Though there are some who say

transgender participation isn't an issue in our state, we are seeing the negative repercussions in our country due to unfair advantage. We have to consider the girls who are concerned about privacy and lost opportunities to compete in a fair athletic environment. As the proud father of an elite female athlete, I believe H.B. 11 is the best way to preserve women's sports as we navigate this difficult and sensitive issue.”

“From the beginning, my goal has been to protect and preserve women’s sports and speak out for Utah’s female athletes,” said Rep. Kera Birkeland, House sponsor of H.B. 11. “We have seen the necessity of such legislation play out recently and I am proud to stand up and fight for girls to have the opportunity to compete on an even playing field. Good policy is made by considering a variety of viewpoints and working to find the right solution. Over the past two years, I have made every effort to find a balanced and reasonable solution to a tough and divisive issue and am convinced Utah has taken the right step forward.”

The legislation will go into effect on July 1, 2022.

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Utah Legislature to Hold a Veto Override Session

SALT LAKE CITY – President J. Stuart Adams and Speaker Brad Wilson will call a veto override session to reconsider H.B. 11 *Student Eligibility in Interscholastic Activities*. As outlined in the Utah Constitution, the President and Speaker conducted a poll of their respective members, and two-thirds of the members of each chamber were in favor of reconvening for a veto override session.

“We must work to preserve the integrity of women's sports and ensure it remains fair and safe for all,” said President Adams. “While Gov. Cox and I disagree on this bill, I respect the legislative process. We have been listening to our constituents, talking with experts, and we feel it's important to make decisions now that protect athletes and ensure women are not edged out of their sport. Creating a safe and fair environment for athletes takes work. We care deeply for all students, but we can not ignore the scientific facts that biological boys are built differently than girls. Doing nothing is taking a step backward for women. Finding a solution to this complicated issue is necessary to maintain fair competition now and in the future.”

“Governor Cox made his intention to veto the bill clear from the day it was passed so his action today was expected,” said Speaker Wilson. “Members of the Legislature, including the sponsor, have worked tirelessly for more than a year to find the best way to approach a complex issue and I anticipate that we will have sufficient votes to override the veto. Ultimately, the Legislature recognizes the value of girls athletics and our members want to ensure girls have the level playing field to compete that was created by Title IX.”

The Legislature will convene in a veto override session on Friday, March 25. A live stream will be available at le.utah.gov. The official call will be posted on the legislative website.

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