
ASSEMBLY BILL NO. 374—ASSEMBLYMEN GURR, GALLANT, GRAY;
DELONG, DICKMAN, HANSEN, HARDY, HIBBETTS, KASAMA,
KOENIG, MCARTHUR AND YUREK

MARCH 22, 2023

JOINT SPONSORS: SENATORS GOICOECHEA,
HANSEN, TITUS AND STONE

Referred to Committee on Education

SUMMARY—Revises provisions governing athletics in schools, the Nevada System of Higher Education and organizations for youth sports. (BDR 34-718)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to athletics; requiring the Nevada Interscholastic Activities Association to adopt rules and regulations requiring each interscholastic activity or event to be designated based on biological sex; requiring the Board of Regents of the University of Nevada to adopt a policy requiring each interscholastic sport or athletic event that is sanctioned or sponsored by a university, state college or community college within the Nevada System of Higher Education to be designated based on biological sex; requiring each organization for youth sports that sanctions or sponsors competitive sports for youths in this State to adopt a policy requiring each youth sport to be designated based on biological sex; defining certain terms; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes the establishment of the Nevada Interscholastic
2 Activities Association for the purpose of controlling, supervising and regulating
3 interscholastic athletic events and other interscholastic events in public schools and
4 requires the Association to adopt rules and regulations for that purpose. (NRS
5 385B.050, 385B.060) **Section 1** of this bill requires the Association to adopt rules



6 and regulations requiring each interscholastic activity and event to be designated
7 based upon biological sex as follows: (1) a male, boys', or men's interscholastic
8 activity or event, open for participation only by those pupils who are biological
9 males; (2) a female, girls' or women's interscholastic activity or event, open for
10 participation only by those pupils who are biological females; or (3) a
11 coeducational or mixed interscholastic activity or event, open for participation only
12 by those pupils who are biological males and biological females. **Section 1** further
13 defines "biological female," "biological male" and "biological sex" for the purpose
14 of such designations.

15 Existing law provides that the Nevada System of Higher Education is
16 comprised of certain entities, including universities, state colleges and community
17 colleges. (NRS 396.020) **Section 2** of this bill requires the Board of Regents of the
18 University of Nevada to adopt a policy requiring each intercollegiate sport or
19 athletic event that is sanctioned or sponsored by a university, state college or
20 community college within the System to be designated, based on biological sex, in
21 the same designations as required for interscholastic activities and events pursuant
22 to **section 1**. **Section 2** provides for the same definitions of "biological female,"
23 "biological male" and "biological sex" as in **section 1** for the purpose of such
24 designations.

25 Existing law requires each organization for youth sports that sanctions or
26 sponsors competitive sports for youths in this State to adopt a policy concerning the
27 prevention and treatment of injuries to the head which occur during a youth's
28 participation in those competitive sports. (NRS 455A.200) **Section 3** of this bill
29 requires each such organization to adopt a policy requiring each youth sport that it
30 sanctions or sponsors to be designated, based on biological sex, in the same
31 designations as required for interscholastic activities and events pursuant to **section**
32 **1**. **Section 3** provides for the same definitions of "biological female," "biological
33 male" and "biological sex" as in **section 1** for the purpose of such designations.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 385B of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. The Nevada Interscholastic Activities Association shall*
4 *adopt rules and regulations in the manner provided for state*
5 *agencies by chapter 233B of NRS requiring each interscholastic*
6 *activity or event to be designated, based on biological sex, as one*
7 *of the following:*

8 *(a) A male, boys' or men's interscholastic activity or event,*
9 *which must be open for participation only by those pupils who are*
10 *biological males.*

11 *(b) A female, girls' or women's interscholastic activity or*
12 *event, which must be open for participation only by those pupils*
13 *who are biological females.*

14 *(c) A coeducational or mixed interscholastic activity or event,*
15 *which must be open for participation only by biological males and*
16 *biological females.*



1 2. *Nothing in this section shall be construed to restrict the*
2 *ability of any school to implement or maintain a coeducational or*
3 *mixed interscholastic activity or event which is open for*
4 *participation by biological males and biological females, if the*
5 *implementation or maintenance of such an activity or event does*
6 *not cause the disbanding of an existing activity or event open for*
7 *participation solely by pupils who are either biological females or*
8 *biological males.*

9 3. *As used in this section:*

10 (a) *“Biological female” means a person whose biological sex*
11 *is female.*

12 (b) *“Biological male” means a person whose biological sex is*
13 *male.*

14 (c) *“Biological sex” means a statement of the biological sex of*
15 *a person which is entered on the official birth certificate of the*
16 *person at or near the time of the birth of the person.*

17 **Sec. 2.** Chapter 396 of NRS is hereby amended by adding
18 thereto a new section to read as follows:

19 1. *The Board of Regents shall adopt a policy requiring each*
20 *intercollegiate sport or athletic event that is sanctioned or*
21 *sponsored by a university, state college or community college*
22 *within the System to be designated, based on biological sex, as one*
23 *of the following:*

24 (a) *A male, boys’ or men’s intercollegiate sport or athletic*
25 *event, which must be open for participation only by biological*
26 *males.*

27 (b) *A female, girls’ or women’s intercollegiate sport or athletic*
28 *event, which must be open for participation only by biological*
29 *females.*

30 (c) *A coeducational or mixed intercollegiate sport or athletic*
31 *event, which must be open for participation only by biological*
32 *males and biological females.*

33 2. *This section does not restrict or prohibit the ability of a*
34 *university, state college or community college within the System to*
35 *implement or maintain a coeducational or mixed intercollegiate*
36 *sport or athletic event which is open for participation by biological*
37 *males and biological females, if the implementation or*
38 *maintenance of such a sport or event does not cause the*
39 *disbanding of an existing intercollegiate sport or athletic event*
40 *open for participation solely by either biological females or*
41 *biological males.*

42 3. *As used in this section:*

43 (a) *“Biological female” means a person whose biological sex*
44 *is female.*



1 (b) *“Biological male” means a person whose biological sex is*
2 *male.*

3 (c) *“Biological sex” means a statement of the biological sex of*
4 *a person which is entered on the official birth certificate of the*
5 *person at or near the time of the birth of the person.*

6 **Sec. 3.** Chapter 455A of NRS is hereby amended by adding
7 thereto a new section to read as follows:

8 1. *Each organization for youth sports that sanctions or*
9 *sponsors competitive sports for youths in this State shall adopt a*
10 *policy requiring each such youth sport to be designated, based on*
11 *biological sex, as one of the following:*

12 (a) *A male, boys’ or men’s youth sport, which must be open for*
13 *participation only by biological males.*

14 (b) *A female, girls’ or women’s youth sport, which must be*
15 *open for participation only by biological females.*

16 (c) *A coeducational or mixed youth sport, which must be open*
17 *for participation only by biological males and biological females.*

18 2. *This section does not restrict or prohibit the ability of an*
19 *organization for youth sports to implement or maintain a*
20 *coeducational or mixed youth sport which is open for participation*
21 *by biological males and biological females, if the implementation*
22 *or maintenance of such a youth sport does not cause the*
23 *disbanding of an existing youth sport open for participation solely*
24 *by either biological females or biological males.*

25 3. *As used in this section:*

26 (a) *“Biological female” means a person whose biological sex*
27 *is female.*

28 (b) *“Biological male” means a person whose biological sex is*
29 *male.*

30 (c) *“Biological sex” means a statement of the biological sex of*
31 *a person which is entered on the official birth certificate of the*
32 *person at or near the time of the birth of the person.*

33 **Sec. 4.** 1. This section becomes effective upon passage and
34 approval.

35 2. Sections 1, 2 and 3 of this act become effective:

36 (a) Upon passage and approval for the purpose of adopting any
37 regulations and performing any other preparatory administrative
38 tasks that are necessary to carry out the provisions of this act; and

39 (b) On July 1, 2023, for all other purposes.

