

HOUSE BILL No. 1041

DIGEST OF INTRODUCED BILL

Citations Affected: IC 21-18-13.5; IC 34-30-2.1-292.5.

Synopsis: Student eligibility in interscholastic sports. Requires, for purposes of interscholastic athletic events, state educational institutions, private postsecondary educational institutions, and certain athletic associations to expressly designate an athletic team or sport as one of the following: (1) A male, men's, or boys' team or sport. (2) A female, women's, or girls' team or sport. (3) A coeducational or mixed team or sport. Prohibits a male, based on the student's biological sex at birth in accordance with the student's genetics and reproductive biology, from participating on an athletic team or sport designated as being a female, women's, or girls' athletic team or sport. Requires certain out-of-state athletic teams to provide notice to specified individuals if the out-of-state team allows a male student to compete in Indiana against an athletic team or sport designated as a female, women's, or girls' team or sport. Requires state educational institutions, certain private postsecondary educational institutions, and certain athletic associations to establish grievance procedures for a violation of these provisions. Establishes a civil action for a violation of these provisions. Provides that state educational institutions, certain private postsecondary educational institutions, and certain athletic associations are not subject to liability in a civil, administrative, disciplinary, or criminal action for acting in compliance with these provisions.

Effective: July 1, 2025.

Davis, Jeter, King, Heaton

January 8, 2025, read first time and referred to Committee on Education.



First Regular Session of the 124th General Assembly (2025)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2024 Regular Session of the General Assembly.

HOUSE BILL No. 1041



A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 21-18-13.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2025]:
4 **Chapter 13.5. Athletic Teams and Sports**
5 **Sec. 1. This chapter applies to the following:**
6 **(1) An athletic team or sport that is organized, sanctioned, or**
7 **sponsored by a state educational institution in which the**
8 **students participating on the athletic team or in the sport**
9 **compete against students participating on an athletic team or**
10 **in a sport that is organized, sanctioned, or sponsored by**
11 **another state educational institution or a private**
12 **postsecondary educational institution.**
13 **(2) An athletic team or sport that is organized, sanctioned, or**
14 **sponsored by a private postsecondary educational institution**
15 **that voluntarily competes against an athletic team or in a**
16 **sport that is organized, sanctioned, or sponsored by a state**
17 **educational institution.**



1 **(3) An athletic team or sport approved or sanctioned by an**
 2 **association for purposes of participation in a postsecondary**
 3 **educational institution interscholastic athletic event.**

4 **Sec. 2. As used in this chapter, "association" has the meaning set**
 5 **forth in IC 21-18-13-2.**

6 **Sec. 3. (a) A state educational institution, private postsecondary**
 7 **educational institution, or association that organizes, sanctions, or**
 8 **sponsors an athletic team or sport described in section 1 of this**
 9 **chapter shall expressly designate the athletic team or sport as one**
 10 **(1) of the following:**

11 **(1) A male, men's, or boys' team or sport.**

12 **(2) A female, women's, or girls' team or sport.**

13 **(3) A coeducational or mixed team or sport.**

14 **(b) A male, based on a student's biological sex at birth in**
 15 **accordance with the student's genetics and reproductive biology,**
 16 **may not participate on an athletic team or sport designated under**
 17 **this section as being a female, women's, or girls' athletic team or**
 18 **sport.**

19 **Sec. 4. (a) An out-of-state athletic team or sport that allows a**
 20 **male, based on a student's biological sex at birth in accordance**
 21 **with the student's genetics and reproductive biology, to compete**
 22 **against an athletic team or sport designated under this section as**
 23 **being a female, women's, or girls' athletic team or sport must**
 24 **provide notice concerning the student's biological sex and intent to**
 25 **compete at least sixty (60) days before any competition taking place**
 26 **in Indiana.**

27 **(b) The notice described in subsection (a) must be provided to:**

28 **(1) the coach;**

29 **(2) the athletic director; and**

30 **(3) each individual athlete;**

31 **of the athletic team or sport designated under this section as being**
 32 **a female, women's, or girls' athletic team or sport that the**
 33 **out-of-state male athlete intends to compete against.**

34 **(c) If an out-of-state athletic team described in subsection (a)**
 35 **violates the notice requirements of this section, a student who is**
 36 **directly or indirectly injured as a result of the violation may bring**
 37 **a civil action against the out-of-state institution that organized,**
 38 **sanctioned, or sponsored the out-of-state athletic team.**

39 **Sec. 5. (a) A student or parent of a student may submit a**
 40 **grievance to a state educational institution, private postsecondary**
 41 **educational institution, or association for a violation of section 3 of**
 42 **this chapter.**



1 (b) Each state educational institution, private postsecondary
2 educational institution, and association described in section 3 of
3 this chapter shall establish and maintain a grievance procedure for
4 the resolution of a grievance submitted under this section.

5 Sec. 6. (a) If a state educational institution, private
6 postsecondary educational institution, or association violates this
7 chapter, a student who is:

- 8 (1) deprived of an athletic opportunity; or
- 9 (2) otherwise directly or indirectly injured;

10 as a result of the violation may bring a civil action against the state
11 educational institution, private postsecondary educational
12 institution, or association.

13 (b) A state educational institution, private postsecondary
14 educational institution, or association may not retaliate or
15 otherwise take any adverse action against a student for reporting
16 a violation or bringing a civil action for a violation of this chapter.

17 Sec. 7. The court may award to a student who prevails in an
18 action under section 4 or 6 of this chapter any of the following:

- 19 (1) Injunctive relief.
- 20 (2) The greater of:
 - 21 (A) actual and consequential damages resulting from the
 - 22 violation; or
 - 23 (B) liquidated damages of not more than one thousand
 - 24 dollars (\$1,000).
- 25 (3) Costs and reasonable attorney's fees.
- 26 (4) Any other appropriate relief determined by the court.

27 Sec. 8. A state educational institution, a private postsecondary
28 educational institution, and an association are not subject to
29 liability in:

- 30 (1) a civil;
- 31 (2) an administrative;
- 32 (3) a disciplinary; or
- 33 (4) a criminal;

34 **action for acting in good faith in compliance with this chapter.**

35 SECTION 2. IC 34-30-2.1-292.5 IS ADDED TO THE INDIANA
36 CODE AS A NEW SECTION TO READ AS FOLLOWS
37 [EFFECTIVE JULY 1, 2025]: **Sec. 292.5. IC 21-18-13.5-8**
38 **(Concerning state educational institutions, private postsecondary**
39 **educational institutions, and athletic associations that comply with**
40 **requirements regarding athletic teams and sports).**

