

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE JOINT RESOLUTION NO. 53

## 101ST GENERAL ASSEMBLY

2215H.02C

DANA RADEMAN MILLER, Chief Clerk

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### JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment to Article IX of the Constitution of Missouri, by adopting one new section relating to participation in interscholastic athletic contests.

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*Be it resolved by the House of Representatives, the Senate concurring therein:*

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2022, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to Article IX of the Constitution of the state of Missouri:

Section A. Article IX, Constitution of Missouri, is amended by adding one new section, to be known as Section 11, to read as follows:

**Section 11. 1. Interscholastic or intramural athletic teams that are sponsored by a public school shall be expressly designated as one of the following based on biological sex:**

- (1) "Males", "men", or "boys";**
- (2) "Females", "women", or "girls"; or**
- (3) "Coed" or "mixed".**

**2. Athletic teams or sports designated for "females", "women", or "girls" shall not be open to students of the male sex. Students of the female sex who previously participated in athletic teams or sports designated for "females", "women", or "girls" and who have begun gender or sex transitioning shall not participate in athletic teams or sports designated for "females", "women", or "girls" but may participate in athletic teams or sports designated "coed" or "mixed". Students of the female sex may participate in athletic teams or sports designated for "males", "men", or "boys" if the public school does**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

13 not offer a comparable athletic team or sport designated for "females", "women", or  
14 "girls".

15 3. The general assembly may enact laws to implement this section, including  
16 without limitation laws concerning:

17 (1) Protections for public schools from complaints, investigations, or other adverse  
18 actions for maintaining separate interscholastic or intramural athletic teams or sports for  
19 students of the male and female sex; and

20 (2) Causes of action for injunctive relief, damages, and any other relief available  
21 under law for:

22 (a) A student who is deprived of an athletic opportunity or who suffers direct or  
23 indirect harm resulting from a violation of this section;

24 (b) A student who is subject to retaliation or other adverse action by a public school  
25 as a result of reporting a violation of this section; or

26 (c) A public school that suffers any direct or indirect harm as a result of a violation  
27 of this section.

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