

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND Senate Substitute No. 2 for Senate Bill No. 39, Page 1, Section A, Line 1, by inserting  
2 after all of said section and line the following:

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4 "163.045. 1. As used in this section, the following terms mean:

5 (1) "Sex-separated high school sports", sporting activities that:

6 (a) Are facilitated through a public school;

7 (b) Are designated as either male or female; and

8 (c) Allow participation for students in grades nine to twelve;

9 (2) "Transgender student", a student whose consistent gender identity or expression does not  
10 match the sex assigned to the student at birth as reflected on the student's birth certificate or school  
11 records.

12 2. (1) The general assembly hereby finds the following:

13 (a) A noticeable disparity continues between the athletics participation rates of students who  
14 are male and students who are female; and

15 (b) Courts have recognized a legitimate and important governmental interest in redressing  
16 past discrimination against females in athletics on the basis of sex and promoting equality of athletic  
17 opportunity between the sexes under Title IX of the federal Education Amendments of 1972 (20  
18 U.S.C. Section 1681 et seq.), as amended.

19 (2) The general assembly hereby declares that it is the public policy of this state to further  
20 the governmental interest of ensuring that sufficient opportunities for safe and equitable athletics  
21 remain available for females to remedy past discrimination on the basis of sex.

22 3. There is hereby created the "Protect Athletics for Women" study group.

23 (1) The study group shall consist of the following members appointed by the governor with  
24 the advice and consent of the senate:

25 (a) One member who has served at least two terms as a school board member for a  
26 metropolitan school district or an urban school district, as defined in 160.011;

27 (b) One member who has coached a female high school team in the highest division  
28 described by the athletics association to which the majority of school districts in Missouri belong;

29 (c) One member who has served at least two terms as a school board member for a seven-  
30 director district, as defined in 160.011;

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 (d) One member who has coached a female high school team in the lowest division  
2 described by the athletics association to which the majority of school districts in Missouri belong;

3 (e) One member actively practicing in a medical profession and who is board certified in  
4 pediatric endocrinology;

5 (f) One member actively practicing in a mental health profession and who specializes in the  
6 treatment of minors;

7 (g) One member who is an attorney with experience in bringing suits for sex discrimination;

8 (h) Two members nominated by the speaker of the house of representatives; and

9 (i) One member nominated by the minority floor leader of the house of representatives.

10 (2) No member of the study group shall have any position of leadership in a political party.

11 (3) The study group may determine its own rules of procedure. Such rules shall contain at  
12 least the following provisions:

13 (a) A quorum of the study group shall consist of seven members;

14 (b) The study group shall elect a chair and vice chair from among its members;

15 (c) The study group shall meet in person at least twice each school year but may meet  
16 remotely more often;

17 (d) All meetings of the study group shall be open meetings under chapter 610; and

18 (e) At least one in-person meeting each year shall allow for public testimony.

19 (4) The study group shall be empowered to conduct the following business:

20 (a) To conduct any independent audit and review of policies and procedures relating to sex-  
21 separated high school sports in schools that receive state funds;

22 (b) To study incidents and the prevalence of sexual harassment and assault of female  
23 students while participating in school sports and other activities;

24 (c) To determine if a disparity in participation in sports exists between students of different  
25 genders and, if so, to study the reasons for such disparity;

26 (d) To study incidents and the prevalence of physical injuries in school sports including, but  
27 not limited to, chronic traumatic encephalopathy and concussion;

28 (e) To issue guidance and best practices relating to safety in school sports;

29 (f) To issue guidance and best practices relating to sex-separated high school sports; and

30 (g) To issue guidance and best practices relating to transgender student participation in  
31 school sports.

32 (5) The study group shall meet for at least four years to study the issues described in this  
33 section. Before January 1, 2029, the study group shall submit a report of its findings,  
34 recommendations, and conclusions to the general assembly. Such report shall also include any  
35 guidance or best practices issued by the study group. On December 31, 2028, or after submitting  
36 such report, whichever earlier occurs, the study group shall be disbanded.

37 (6) Members of the study group shall serve without compensation but shall be reimbursed  
38 for travel and other expenses actually incurred in the performance of such member's official duties  
39 by the office of administration."; and

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1 Further amend said bill, Page 2, Section 163.048, Lines 25-26, by deleting said lines and inserting in  
2 lieu thereof the following:

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4 "or public charter school shall allow any student to compete"; and

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6 Further amend said bill, page, and section, Lines 33-35, by deleting said lines and inserting in lieu  
7 thereof the following:

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9 "(2) A private school, public school, or public charter school may allow a female student to  
10 compete in an"; and

11  
12 Further amend said bill and section, Page 3, Lines 48-50, by deleting said lines and inserting in lieu  
13 thereof the following:

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15 "5. A private school, public school district, or public charter school that violates subdivision  
16 (1) of"; and

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18 Further amend said bill, page, and section, Line 52, by deleting the phrase "or chapter 173"; and

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20 Further amend said bill, page, and section, Lines 64-65, by deleting the phrase "and the department  
21 of higher education and workforce development shall each" and inserting in lieu thereof the word  
22 "shall"; and

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24 Further amend said bill by amending the title, enacting clause, and intersectional references  
25 accordingly.