

HOUSE BILL NO. HB0050

What is a Woman Act.

Sponsored by: Representative(s) Ward, Allemand, Angelos,
Bear, Haroldson, Hornok, Jennings, Locke,
Neiman, Ottman, Pendergraft, Penn,
Rodriguez-Williams, Slagle, Smith and Strock

A BILL

for

1 AN ACT relating to common law, statutes and rules of
2 construction; specifying definitions and standards for the
3 application of a person's biological sex in law, rules or
4 regulations; providing for the law to distinguish between
5 accommodations for males and females; requiring the
6 collection of vital statistics and other data to identify
7 persons as male or female at birth; and providing for an
8 effective date.

9

10 *Be It Enacted by the Legislature of the State of Wyoming:*

11

12 **Section 1.** W.S. 8-1-110 is created to read:

13

1 **8-1-110. References to males and females; separate**
2 **accommodations for males and females; data reporting**
3 **requirements.**

4

5 (a) Notwithstanding any other provision of law, with
6 respect to the application of a person's biological sex
7 under any law or rule and regulation in this state, the
8 following definitions and standards shall apply:

9

10 (i) A person's "sex" means the person's
11 biological sex, either male or female, at birth;

12

13 (ii) "Female" means a person whose biological
14 reproductive system is developed to produce ova and/or who
15 exhibits XX chromosomes and does not exhibit a Y
16 chromosome;

17

18 (iii) "Male" means a person whose biological
19 reproductive system is developed to fertilize the ova of a
20 female and/or who exhibits XY chromosomes or exhibits a Y
21 chromosome;

22

1 (iv) The terms "woman" and "girl" refer to human
2 females, and the terms "man" and "boy" refer to human
3 males;

4

5 (v) "Mother" means a parent of the female sex;

6

7 (vi) "Father" means a parent of the male sex;

8

9 (vii) With respect to biological sex, the term
10 "equal" does not mean "same" or "identical";

11

12 (viii) With respect to biological sex, separate
13 accommodations are not inherently unequal; and

14

15 (ix) A person born with a medically recognized
16 condition of a "disorder or difference in sex development"
17 shall be provided legal protections and accommodations
18 afforded under the Americans with Disabilities Act, as
19 amended, and any other applicable Wyoming law.

20

21 (b) The legislature finds that laws, rules and
22 regulations that distinguish between the sexes are subject
23 to intermediate constitutional scrutiny. Intermediate

1 constitutional scrutiny forbids unfair discrimination
2 against similarly situated male and female persons but
3 allows the law to distinguish between the sexes where such
4 distinctions are substantially related to important
5 governmental objectives.

6

7 (c) Notwithstanding any provision of law to the
8 contrary, laws, rules and regulations that recognize or
9 enforce distinctions between the sexes with respect to
10 athletics, prisons or other detention facilities, domestic
11 violence shelters, rape crisis centers, locker rooms,
12 restrooms and other areas where safety or privacy are
13 implicated and that result in separate accommodations
14 between the sexes are substantially related to the
15 important governmental objectives of protecting the health,
16 safety and privacy of persons in such circumstances.

17

18 (d) Any school district, or public school thereof,
19 and any state agency, department, office or other political
20 subdivision that collects vital statistics for the purpose
21 of complying with anti-discrimination laws or for the
22 purpose of gathering accurate public health, crime,
23 economic or other data shall identify each person who is

1 part of the collected data set as either male or female
2 consistent with the persons sex at birth.

3

4 **Section 2.** This act is effective immediately upon
5 completion of all acts necessary for a bill to become law
6 as provided by Article 4, Section 8 of the Wyoming
7 Constitution.

8

9

(END)