

By: Hall

S.B. No. 1082

A BILL TO BE ENTITLED

AN ACT

relating to the definition and use of the terms "male" and "female" for purposes of certain government documents.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. FINDINGS. The legislature finds that:

(1) males and females possess unique immutable biological differences that manifest prior to birth and increase as individuals age and experience puberty;

(2) biological differences between the sexes mean that only females are able to get pregnant, give birth, and breastfeed children;

(3) biological differences between the sexes mean that males are, on average, bigger, stronger, and faster than females;

(4) biological differences between the sexes leave females more physically vulnerable than males to specific forms of violence, including sexual violence;

(5) females have historically suffered discrimination in education, athletics, and employment;

(6) biological differences between the sexes are enduring and may, in some circumstances, warrant the creation of separate social, educational, athletic, or other spaces in order to ensure individuals' safety and allow members of each sex to succeed and thrive;

(7) inconsistencies in court rulings and policy

initiatives with regard to the definitions of "sex," "male," "female," "man," and "woman" have led to endangerment of single-sex spaces and resources, necessitating clarification of certain terms; and

(8) an individual's sex is defined as the individual's biological sex at birth, either male or female.

SECTION 2. Chapter 2051, Government Code, is amended by adding Subchapter G to read as follows:

SUBCHAPTER G. DEFINITIONS OF MALE AND FEMALE FOR CERTAIN
GOVERNMENT DOCUMENTS, PUBLICATIONS, AND NOTICES

Sec. 2051.251. DEFINITIONS. In this subchapter:

(1) "Female" means an individual whose biological reproductive system is developed to produce ova.

(2) "Governmental entity" has the meaning assigned by Section 2051.041.

(3) "Male" means an individual whose biological reproductive system is developed to fertilize the ova of a female.

Sec. 2051.252. DEFINITIONS OF MALE AND FEMALE FOR CERTAIN GOVERNMENT DOCUMENTS, PUBLICATIONS, AND NOTICES. A document, policy, survey, questionnaire, report, publication, notice, or other written or electronic material produced by a governmental entity or official may only reference two sexes, male and female, when requesting or providing information regarding a person's sex.

SECTION 3. This Act takes effect September 1, 2023.