

# State of South Dakota

NINETY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2018

938Z0164

## HOUSE BILL NO. 1296

Introduced by: Representatives Goodwin, Brunner, DiSanto, Frye-Mueller, Howard, Livermont, and Peterson (Sue) and Senators Jensen (Phil) and Nelson

1 FOR AN ACT ENTITLED, An Act to require each school board to establish a policy on the use  
2 of certain school district facilities by transgender persons.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 13-8 be amended by adding a NEW SECTION to read:

5 The school board of each public school district in the state shall establish and make available  
6 to the public a policy regarding the use of the bathrooms and locker rooms located in schools  
7 within the school district by any transgender person.

8 For the purposes of this Act, a transgender person is a person whose gender identity does  
9 not match the person's biological sex assigned at birth. The person's biological sex is the  
10 physical condition of being male or female as determined by the person's chromosomes and  
11 anatomy as identified at birth.

