

Sixty-eighth
Legislative Assembly
of North Dakota

REENGROSSED HOUSE BILL NO. 1522

Introduced by

Representatives Dyk, Christensen, Timmons, VanWinkle

Senators Beard, Weston

1 A BILL for an Act to create and enact a new section to chapter 15.1-06 of the North Dakota
2 Century Code, relating to providing accommodations to a transgender student; and to declare
3 an emergency.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 15.1-06 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Transgender student accommodations.**

- 8 1. A board of a school district may not adopt a policy that requires or prohibits any
9 individual from using a student's preferred gender pronoun.
- 10 2. A board of a school district shall establish, in consultation with the parent or legal
11 guardian, a policy for the use of a separate restroom accommodation for a
12 transgender student.
- 13 3. A board of a school district or a school shall prohibit a student from using a restroom
14 that does not coincide with the student's biological sex.
- 15 4. Notwithstanding any other provision of law, a violation of this section subjects the
16 board of a school district or a school to a civil cause of action by an individual or a
17 parent or legal guardian of a student who has suffered damages because of the
18 violation.
- 19 5. Notwithstanding section 32-03.2-11, a court shall award the following remedies to a
20 plaintiff that prevails in an action under subsection 4:
- 21 a. Damages;
- 22 b. Costs and fees, including reasonable attorney fees; and
- 23 c. Exemplary damages in an amount up to twenty-five thousand dollars.

24 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.