

16 March 2021

North Dakota Senate Judiciary Committee

I write in opposition of HB 1298.

There simply is no need for this bill. It addresses a concern that does not exist.

The bill as currently written would be devastating to youth activities in ND. The consequences of the language of the bill are far reaching leading to negative impacts in physical, emotional, and financial health. It is clear the collateral ramifications of the bill were not vetted before the legislation was written and passed in the House. I am concerned of the same happening in the Senate.

The intent of the bill is to prevent transgender females from competing in sports. Governing bodies of youth and high school sports have regulations in place that have been developed and vetted by medical professionals. There are hormone therapy policies in place that must happen for 12 or more months prior to competition. There are blood testing requirements to measure hormone levels. The governing bodies have done the work. North Dakota High School Activities Association (NDHSAA) has a policy in place that models the national governing bodies. This bill negates of those entities to put an absolute ban in place.

The “unintended” consequences of this bill impact everyone in ND. This bill prevents rental use of publicly funded or owned facilities to organizations in which governing bodies that would allow transgender participation. School facilities will sit empty as NDHSAA has policies that would allow transgender participation after 12 months of hormone suppression. Passing this bill would either shut down HS sports or force NDHSAA to consider legislation changes as well. School facilities would no longer be rented to organizations with governing bodies that have vetted policies in place. The only mechanism to make up loss of rental revenue would be an increase in taxes. The impact of lost events will be felt by businesses within the communities. I fail to see how a transgender girl participating in swimming warrants these trickle-down impacts of the legislation.

There are amendments that will likely be proposed to “fix” some these concerns. They, too, will create other unintended or yet unknown consequences. Other states considering similar bills are losing events that have scheduled to be hosted in those states. The economic impact is in the billions. Again, I fail to see how this legislation fixes anything. Rather, it creates many more real concerns.

I write to you as a parent, educator, and volunteer and urge you to vote NO to HB 1298 in its current or potentially amended form.

Lisa Montplaisir