

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. Notwithstanding any other provision of law, a violation of this section subjects the
14 board of a school district to a civil cause of action by an individual or a parent or legal
15 guardian of a transgender student who has suffered damages because of the
16 violation.
- 17 4. Notwithstanding section 32-03.2-11, a court shall award the following remedies to a
18 plaintiff that prevails in an action under subsection 3:
- 19 a. Damages;
- 20 b. Costs and fees, including reasonable attorney fees; and
- 21 c. Exemplary damages in an amount up to twenty-five thousand dollars.

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