

Sixty-eighth  
Legislative Assembly  
of North Dakota

## ENGROSSED 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 transgender student who has suffered damages because  
18 of the violation.

19 4.5. Notwithstanding section 32-03.2-11, a court shall award the following remedies to a  
20 plaintiff that prevails in an action under subsection 34:

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.