

**SECOND ENGROSSMENT
with Conference Committee Amendments
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 14-02.4 and a new section to
2 chapter 15.1-06 of the North Dakota Century Code, relating to preferred pronouns and providing
3 accommodations to a transgender student; to provide a penalty; and to declare an emergency.

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

5 **SECTION 1.** A new section to chapter 14-02.4 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Preferred pronoun - Government entity.**

8 1. Unless otherwise required by law, a government entity may not adopt a policy
9 requiring or prohibiting:

10 a. An employee's use of an individual's preferred pronoun when addressing or
11 mentioning the individual in work-related communications; or

12 b. The designation of an employee's preferred pronoun in work-related
13 communications.

14 2. An individual may assert a violation of this section as a claim or defense in a judicial
15 proceeding and is entitled to recover appropriate relief, including reasonable attorney
16 fees and court costs.

17 **SECTION 2.** A new section to chapter 15.1-06 of the North Dakota Century Code is created
18 and enacted as follows:

19 **Transgender student accommodations.**

20 1. A board of a school district, public school, or public school teacher may not adopt a
21 policy that requires or prohibits any individual from using a student's preferred gender
22 pronoun.

- 1 2. A board of a school district shall establish, with the approval of the parent or legal
2 guardian, a plan for the use of a separate restroom accommodation for a transgender
3 student.
- 4 3. A board of a school district or a public school shall prohibit a student from using a
5 restroom that does not coincide with the student's biological sex.
- 6 4. Unless otherwise required by law, a school district, public school, or public school
7 teacher may not:
- 8 a. Adopt a policy concerning a particular student's transgender status without
9 approval from the student's parent or legal guardian; or
- 10 b. Withhold or conceal information about a student's transgender status from the
11 student's parent or legal guardian.

12 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.