

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1522
(Representatives Dyk, Christensen, Timmons, VanWinkle)
(Senators Beard, Weston)

AN ACT to create and enact a new section to chapter 14-02.4 and a new section to chapter 15.1-06 of the North Dakota Century Code, relating to preferred pronouns and providing accommodations to a transgender student; to provide a penalty; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

Preferred pronoun - Government entity.

1. Unless otherwise required by law, a government entity may not adopt a policy requiring or prohibiting:
 - a. An employee's use of an individual's preferred pronoun when addressing or mentioning the individual in work-related communications; or
 - b. The designation of an employee's preferred pronoun in work-related communications.
2. An individual may assert a violation of this section as a claim or defense in a judicial proceeding and is entitled to recover appropriate relief, including reasonable attorney fees and court costs.

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

Transgender student accommodations.

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

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

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1522 and that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 68 Nays 22 Absent 4

Speaker of the House

Chief Clerk of the House

This certifies that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 40 Nays 6 Absent 1

President of the Senate

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2023.

Approved at _____ M. on _____, 2023.

Governor

Filed in this office this _____ day of _____, 2023,
at _____ o'clock _____ M.

Secretary of State