

23.0864.06001  
Title.

Prepared by the Legislative Council staff for  
Representative Dyk  
March 13, 2023

PROPOSED AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1522

Page 1, line 10, replace "shall" with "may"

Renumber accordingly

Sixty-eighth  
Legislative Assembly  
of North Dakota

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 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 may 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 student who has suffered damages because of the  
18 violation.
- 19 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 4:
  - 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.