

January 25th, 2021

RE: Opposition to HB 1298

Good Morning Chairman Weisz and Committee Members;

I am Brandi Hardy and I am the Legislative Coordinator for North Dakota Human Rights Coalition (NDHRC).

The NDHRC is opposed to HB 1298 for two main reasons; it's unconstitutional and harmful.

HB 1298 violates already existing policies, federally and statewide. Similar bills to HB 1298 have been introduced in 20 states and only passed in one, Idaho. After Governor Brad Little signed the bill into law, it was immediately challenged in federal court; *Hecox v. Little*, which is now on appeal at the Ninth Circuit Court of Appeals. This legal fight has had significant costs for Idaho due to litigation fees. If HB 1298 should become law, it will be likely to be extremely expensive for North Dakota and a waste of our taxpayer dollars. Dollars that could be far more useful during a pandemic and go towards jobs, healthcare, and economic services.

HB 1298 is unnecessary. North Dakota High Schools Activities Associations (NDHSAA) has already established a regulation to ensure ALL students had access to any school activity they wish to participate in, including sports. These regulations were set into place on November 20, 2015. That was six years ago.

Many important life lessons are learned in sports; such as, leadership, confidence, self-respect, and what it means to be part of a team. By passing HB 1298, transgender students would be singled out and more vulnerable to bullying, rejection, and violence. This will lead to higher rates of self-harm and suicide, which are already significantly higher with transgender students. However, according to the Trevor Project, the world's largest suicide and crisis prevention organization for LGBTQ young people. LGBTQ youth who participate in sports reported nearly 20% lower rates of depression. Even better, transgender youth who participated in sports reported grades as mostly A's.

HB 1298 could also single out girls in rural communities where there is not the funding or population for separate boys and girls teams. It is common for girls to join hockey, football, wrestling, and other physical activities alongside their male classmates. HB 1298 would take away opportunities from the very girls this bill claims to protect.

NDHRC urges the committee to vote DO NOT PASS on HB 1298. If there are further questions regarding my testimony, my contact information is listed below.

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