

Introduced by

Representative Tveit

1 A BILL for an Act to amend and reenact section 15.1-06-21 of the North Dakota Century Code,
2 relating to compliance with transgender student accommodation provisions; and to provide an
3 effective date.

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

5 **SECTION 1. AMENDMENT.** Section 15.1-06-21 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **15.1-06-21. Transgender student accommodations.**

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

11 2. A board of a school district shall establish, with the approval of the parent or legal
12 guardian, a plan for the use of a separate restroom accommodation for a transgender
13 student.

14 3. A board of a school district or a public school shall prohibit a student from using a
15 restroom that does not coincide with the student's biological sex.

16 4. Unless otherwise required by law, a school district, public school, or public school
17 teacher may not:

18 a. Adopt a policy concerning a particular student's transgender status without
19 approval from the student's parent or legal guardian; or

20 b. Withhold or conceal information about a student's transgender status from the
21 student's parent or legal guardian.

22 5. The attorney general shall enforce this section and may conduct investigations by:

23 a. Examining under oath any person responsible for an alleged violation of this
24 section.

1 b. Issuing subpoenas to any person.

2 c. Applying to a district court for an order enforcing the subpoena or other
3 investigation demand.

4 6. For a violation of this section, the attorney general may seek and obtain in an action in
5 a district court a declaratory judgment or injunction prohibiting that board of a school
6 district, public school, or public school teacher from continuing the unlawful practice.

7 7. The court may assess a civil penalty in an amount not to exceed two thousand five
8 hundred dollars for each violation of this section.

9 **SECTION 2. EFFECTIVE DATE.** This Act becomes effective immediately upon its filing with
10 the secretary of state.