

CONCERNED  
**WOMEN** *for* **AMERICA**  
LEGISLATIVE ACTION COMMITTEE

## States Act to Protect Female Athletes from Sex Discrimination

Since 2020, twenty-three [23] states have enacted laws to protect female athletes from unfair competition in sports designated for women and girls.

- States are acting as female athletes face discrimination in their own sports, and the Biden Administration and National Collegiate Athletic Association (NCAA) double down on redefining the meaning of “sex” under Title IX as “gender identity,” not biological reality, prioritizing inclusion of trans-identifying male athletes over the rights of female athletes in women’s sports.

In 2020, **Idaho’s** Fairness in Women Sports Act, sponsored by Idaho State Rep. and former NCAA basketball coach Barbara Ehardt, and signed by Republican Gov. Brad Little, became the first state law to prevent trans-identifying male athletes from participating in sports designated for women and girls.

In 2021, eight [8] states joined Idaho enacting laws to protect female athletes:

- **Alabama, Arkansas, Florida, Mississippi, Montana, Tennessee, Texas, and West Virginia** passed laws signed by Republican governors.
- Republican Govs. Kristi Noem of South Dakota and Doug Burgum of North Dakota, and Democrat Govs. John Bel Edwards of Louisiana and Laura Kelly of Kansas vetoed bills. Attempts to override these vetoes failed.

In 2022, nine [9] more states enacted laws protecting women’s sports:

- **Arizona, Iowa, Oklahoma, South Carolina, and South Dakota** passed laws signed by Republican governors.
- **Indiana** and **Utah** passed bills that were vetoed by Republican Govs. Eric Holcomb (Indiana) and Spencer Cox (Utah). **Kentucky** passed a bill vetoed by Democrat Gov. Andy Beshear. Each of these vetoes was overridden by their state legislatures to take effect.
- **Louisiana** passed the Fairness in Women’s Sports Act, supported by nearly half of its Senate Democrats. The law was enacted without the signature of Democrat Gov. John Bel Edwards.
- Kansas and Pennsylvania legislatures passed bills that were vetoed by Democrat Govs. Laura Kelly (Kansas) and Tom Wolf (Pennsylvania). Attempts to override these vetoes failed.

In 2023, momentum continues as lawmakers in nearly every state without a law – from Alaska to Hawaii to New Jersey and New Hampshire – sponsor legislation to prevent discrimination against female athletes in their own sports.

- In 2023, five [5] additional states have passed laws to protect fairness in sports for female athletes bringing the total to 23 states, some without the support of their governors.
  - **Wyoming’s** law goes into effect without the signature of Republican Gov. Mark Gordon.
  - **Kansas’** legislature successfully overrode the third veto of Democrat Gov. Laura Kelly.
  - **North Dakota** Republican Gov. Doug Burgum reversed an earlier veto decision and signed two bills covering K-12 and college sports teams.

- **Missouri** Republican Gov. Mike Parson signed a bill protecting women's sports from K-college.
- **North Carolina's** General Assembly overrode the veto of Democrat Gov. Roy Cooper to enact protections for female athletes from middle school through college. Two House Democrats voted with the majority.
- Two states added protections for college women athletes with bipartisan support.
  - **Alabama** Republican Gov. Kay Ivey signed legislation adding protection for college women athletes to state law. Notably, the bill passed with bipartisan support in both chambers with only nine votes against combined. (83-5 in the House, 26-4 in the Senate).
  - **Texas** Gov. Greg Abbott signed legislation adding college women's athletics to the state law. In the House, 11 Democrats voted in favor.