

REFERENCE TITLE: pronouns; names; sex; school policies

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SB 1166

Introduced by
Senator Kavanagh

AN ACT

AMENDING TITLE 15, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 15-120.05; RELATING TO PUBLIC SCHOOLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 15, chapter 1, article 1, Arizona Revised
3 Statutes, is amended by adding section 15-120.05, to read:

4 15-120.05. Pronouns; first name; biological sex; parental
5 notification; prohibition; policies; definition

6 A. A PUBLIC SCHOOL MUST NOTIFY A STUDENT'S PARENTS NOT LATER THAN
7 FIVE SCHOOL DAYS AFTER THE FIRST TIME THAT AN EMPLOYEE OR INDEPENDENT
8 CONTRACTOR OF THE PUBLIC SCHOOL KNOWINGLY ADDRESSES, IDENTIFIES OR REFERS
9 TO THE STUDENT BY EITHER OF THE FOLLOWING:

10 1. A PRONOUN THAT DIFFERS FROM THE PRONOUN THAT ALIGNS WITH THE
11 STUDENT'S BIOLOGICAL SEX.

12 2. A FIRST NAME OTHER THAN THE FIRST OR MIDDLE NAME THAT IS LISTED
13 ON THE STUDENT'S OFFICIAL SCHOOL RECORDS, EXCEPT THAT AN EMPLOYEE OR
14 INDEPENDENT CONTRACTOR MAY ADDRESS, IDENTIFY OR REFER TO A STUDENT BY A
15 NICKNAME THAT IS COMMONLY ASSOCIATED WITH THE STUDENT'S NAME OF RECORD.

16 B. SUBSECTION A OF THIS SECTION DOES NOT APPLY IF THE STUDENT IS AT
17 LEAST EIGHTEEN YEARS OF AGE.

18 C. A PUBLIC SCHOOL, SCHOOL DISTRICT OR CHARTER SCHOOL MAY NOT
19 REQUIRE AN EMPLOYEE OR INDEPENDENT CONTRACTOR TO ADDRESS, IDENTIFY OR
20 REFER TO A PERSON BY A PRONOUN THAT DIFFERS FROM THE PRONOUN THAT ALIGNS
21 WITH THE PERSON'S BIOLOGICAL SEX IF DOING SO IS CONTRARY TO THE EMPLOYEE'S
22 OR INDEPENDENT CONTRACTOR'S RELIGIOUS OR MORAL CONVICTIONS.

23 D. EACH SCHOOL DISTRICT GOVERNING BOARD AND CHARTER SCHOOL
24 GOVERNING BODY SHALL ADOPT POLICIES TO IMPLEMENT THIS SECTION.

25 E. THIS SECTION DOES NOT PROHIBIT ANY PERSON DESCRIBED IN
26 SUBSECTION A OF THIS SECTION FROM DISCUSSING MATTERS OF PUBLIC CONCERN
27 OUTSIDE THE CONTEXT OF THE PERSON'S OFFICIAL DUTIES.

28 F. FOR THE PURPOSES OF THIS SECTION, "BIOLOGICAL SEX" MEANS A
29 PERSON'S IMMUTABLE BIOLOGICAL SEX AS DETERMINED BY ANATOMY, PHYSIOLOGY,
30 GENETICS AND HORMONES EXISTING AT THE TIME OF THE PERSON'S BIRTH.

31 Sec. 2. Severability

32 If a provision of this act or its application to any person or
33 circumstance is held invalid, the invalidity does not affect other
34 provisions or applications of the act that can be given effect without the
35 invalid provision or application, and to this end the provisions of this
36 act are severable.