

REFERENCE TITLE: sex-based terms; laws; rules; regulations

State of Arizona  
House of Representatives  
Fifty-seventh Legislature  
First Regular Session  
2025

## **HB 2062**

Introduced by  
Representatives Fink: Keshel, Powell, Way

AN ACT

AMENDING TITLE 1, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 9; RELATING TO SEX-BASED TERMS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 1, Arizona Revised Statutes, is amended by adding  
3 chapter 9, to read:

4 CHAPTER 9

5 SEX-BASED TERMS IN LAW

6 ARTICLE 1. GENERAL PROVISIONS

7 1-901. Definitions for sex-based terms used in statutes,  
8 administrative rules, regulations and public  
9 policies

10 THE FOLLOWING TERMS HAVE THE FOLLOWING MEANINGS AS USED IN STATUTES,  
11 ADMINISTRATIVE RULES, REGULATIONS AND PUBLIC POLICIES ADOPTED BY THIS  
12 STATE OR BY A POLITICAL SUBDIVISION OF THIS STATE:

13 1. "BOY" MEANS A HUMAN MALE WHO HAS NOT YET REACHED ADULTHOOD.

14 2. EQUAL, WITH RESPECT TO EQUALITY OF THE SEXES, DOES NOT MEAN SAME  
15 OR IDENTICAL.

16 3. "FATHER" MEANS A MALE PARENT OF A CHILD OR CHILDREN AS DEFINED  
17 BY LAW.

18 4. "FEMALE", WHEN USED IN REFERENCE TO A NATURAL PERSON, MEANS AN  
19 INDIVIDUAL WHO HAS, NATURALLY HAD, WILL HAVE OR WOULD HAVE, BUT FOR A  
20 DEVELOPMENTAL ANOMALY OR ACCIDENT, THE REPRODUCTIVE SYSTEM THAT AT SOME  
21 POINT PRODUCES OVA.

22 5. "GIRL" MEANS A HUMAN FEMALE WHO HAS NOT YET REACHED ADULTHOOD.

23 6. "MALE", WHEN USED IN REFERENCE TO A NATURAL PERSON, MEANS AN  
24 INDIVIDUAL WHO HAS, NATURALLY HAD, WILL HAVE OR WOULD HAVE, BUT FOR A  
25 DEVELOPMENTAL ANOMALY OR ACCIDENT, THE REPRODUCTIVE SYSTEM THAT AT SOME  
26 POINT PRODUCES SPERM FOR FERTILIZATION OF FEMALE OVA.

27 7. "MAN" MEANS AN ADULT HUMAN OF THE MALE SEX.

28 8. "MOTHER" MEANS A FEMALE PARENT OF A CHILD OR CHILDREN AS DEFINED  
29 BY LAW.

30 9. "SEX":

31 (a) MEANS A PERSON'S BIOLOGICAL SEX, EITHER MALE OR FEMALE, AT  
32 BIRTH.

33 (b) INCLUDES ONLY TWO SEXES AND EVERY INDIVIDUAL IS EITHER A MALE  
34 OR FEMALE. AN INDIVIDUAL WITH A DIFFERENCE IN SEX DEVELOPMENT DOES NOT  
35 ESTABLISH A THIRD SEX. AN INDIVIDUAL WITH A CONGENITAL AND MEDICALLY  
36 VERIFIABLE DISORDER OR DIFFERENCE IN SEX DEVELOPMENT MUST BE ACCOMMODATED  
37 CONSISTENT WITH FEDERAL AND STATE LAW.

38 (c) IS OBJECTIVE AND FIXED.

39 (d) DOES NOT INCLUDE GENDER IDENTITY OR ANY OTHER TERM THAT IS  
40 INTENDED TO CONVEY A PERSON'S SUBJECTIVE SENSE OF SELF AND MAY NOT BE USED  
41 AS A SYNONYM OR SUBSTITUTE FOR THE TERM SEX.

1           1-902. Use of the term sex; sex discrimination; single-sex  
2                                   environments; vital statistics related to sex

3           A. ANY POLICY, PROGRAM, RULE OR LAW THAT PROHIBITS SEX  
4 DISCRIMINATION MUST PROHIBIT THE UNFAIR TREATMENT OF A FEMALE OR MALE IN  
5 RELATION TO A SIMILARLY SITUATED MEMBER OF THE OPPOSITE SEX.

6           B. THIS STATE AND A POLITICAL SUBDIVISION OF THIS STATE MAY PROVIDE  
7 A SEPARATE SINGLE-SEX ENVIRONMENT FOR A MALE OR FEMALE IF THE SEXES ARE  
8 NOT SIMILARLY SITUATED, PARTICULARLY WITH RESPECT TO BIOLOGY. A  
9 SINGLE-SEX ENVIRONMENT INCLUDES ATHLETICS, LIVING FACILITIES, LOCKER  
10 ROOMS, BATHROOMS, DOMESTIC VIOLENCE SHELTERS AND SEXUAL ASSAULT CRISES  
11 CENTERS.

12           C. ANY PUBLIC SCHOOL OR PUBLIC SCHOOL DISTRICT OR THIS STATE AND  
13 ANY AGENCY, DEPARTMENT OR POLITICAL SUBDIVISION OF THIS STATE THAT  
14 COLLECTS VITAL STATISTICS RELATED TO SEX TO COMPLY WITH STATE OR FEDERAL  
15 ANTIDISCRIMINATION LAWS OR TO GATHER ACCURATE PUBLIC HEALTH, CRIME,  
16 ECONOMIC OR OTHER DATA SHALL IDENTIFY EACH NATURAL PERSON WHO IS PART OF  
17 THE COLLECTED DATA SET AS EITHER MALE OR FEMALE.

18           D. COMPLYING WITH SUBSECTION D OF THIS SECTION DOES NOT DO EITHER  
19 OF THE FOLLOWING:

20           1. REQUIRE THE COLLECTION OF DATA REGARDING SEX UNLESS OTHERWISE  
21 REQUIRED BY LAW.

22           2. PREVENT THE COLLECTION OF ADDITIONAL DATA POINTS OTHER THAN  
23 BIOLOGICAL SEX.

24           Sec. 2. Purpose

25           The purpose of this act is to bring clarity, certainty and  
26 uniformity to the laws of this state regarding sexual discrimination,  
27 equality of the sexes and benefits or services that are specifically  
28 provided to males and men and females and women.

29           Sec. 3. Severability

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

35           Sec. 4. Short title

36           This act shall be known and cited as the "Arizona Sex-based Terms  
37 Act".