

## Transgender athlete ban vetoed by governor, lawmakers call special session

Mar 22, 2022, 12:03 PM

Updated: Mar 24, 2022, 10:41 am

<https://kslnnewsradio.com/1965908/utah-lawmakers-consider-overriding-governors-impending-veto-on-transgender-athlete-ban/>



Sen. Curt Bramble, R-Provo, left, and Sen. Daniel McCay, R-Riverton, right, confer during a debate on HB11, Student Eligibility in Interscholastic Activities, during the last evening of the Utah Legislature’s 2022 general session at the Capitol in Salt Lake City on Friday, March 4, 2022. Sen. McCay proposed an all-out ban on transgender female students participating on girls sports teams. (Laura Seitz/ Deseret News)

**BY LINDSAY AERTS, KIRA HOFFELMEYER AND SAMANTHA HERRERA**  
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SALT LAKE CITY — On Tuesday, Gov. Spencer Cox vetoed [H.B. 11](#), the bill banning a transgender athlete, specifically girls, from girls’ sports. And moments later, Utah lawmakers called for a special session to override the governor’s veto.

***On Thursday, the speaker of the Utah House, Rep. Brad Wilson, spoke on Utah’s Morning News with a preview of the special session. That interview is below:***

### **Cox’s statement on the veto**

The governor wrote a five-page letter, addressed to House Speaker Brad Wilson and Senate President Stuart Adams. You can read it in full [here](#).

In it, he called the bill “fundamentally flawed” and said that this topic is one of the “most divisive topics of our time.”

“Because the bill was substantially changed in the final hours of the legislative session with no public input and in a way that will likely bankrupt the Utah High School [Activities] Association and result in millions of dollars in legal fees for local school districts with no state protection, and for several other reasons below, I have chosen to veto this bill,” wrote Cox.

Lawmakers will hold the special session on Friday, March 25.

In his statement, the governor said if lawmakers do override his veto, he’ll call them back.

“Should this occur, I will immediately call a special session to change this section of the bill in order to avoid bankrupting our athletic association and local schools,” Cox wrote. “A simple veto override will not resolve this fundamental issue.”

#### **Adams’s statement on transgender athlete ban**

“We must work to preserve the integrity of women’s sports and ensure it remains fair and safe for all,” wrote Adams in a statement. “While Gov. Cox and I disagree on this bill, I respect the legislative process. We have been listening to our constituents, talking with experts, and we feel it’s important to make decisions now that protect athletes and ensure women are not edged out of their sport. Creating a safe and fair environment for athletes takes work. We care deeply for all students, but we can not ignore the scientific facts that biological boys are built differently than girls. Doing nothing is taking a step backward for women. Finding a solution to this complicated issue is necessary to maintain fair competition now and in the future.”

#### **Wilson’s statement on transgender athlete ban**

“Governor Cox made his intention to veto the bill clear from the day it was passed so his action today was expected,” wrote Wilson. “Members of the Legislature, including the sponsor, have worked tirelessly for more than a year to find the best way to approach a complex issue and I anticipate that we will have sufficient votes to override the veto. Ultimately, the Legislature recognizes the value of girls athletics and our members want to ensure girls have the level playing field to compete that was created by Title IX.”

#### **Equality Utah’s reaction**

Equality Utah’s Executive Director Troy Williams commented, “If in fact, the legislature overrides Governor Cox’s veto, which we expect them to try to do, it will be a complete collapse of the Utah way.” Williams recalled the 2015 employment and housing protections that had passed in Utah for the transgender community. He noted that those protections weren’t easy to pass and it took working together to find a way forward.

“That’s been the model of collaboration that has completely collapsed,” he said.

Williams said Equality Utah had approached Adams and Wilson this week to establish their willingness to negotiate. But, Williams said, talks had fallen apart because lawmakers are “afraid of the far-right in their party.”

Williams said that the Utah High School Activities Association counts 85,000 registered high school athletes. He added, “Only four of those numbers are transgender students who just want to play games and sports with their friends.”

He said that if there is no justice for those children through the legislature, Equality Utah would seek justice through the courts. Williams told KSL NewsRadio that Equality Utah had started seeking the option of taking the decision to court.

#### **How the original bill came together**

During the session, Rep. Kera Birkeland, R-Morgan, told KSL NewsRadio there was a meeting between Cox, Adams, the ACLU of Utah, and Equality Utah where the Senate expressed that there wasn't support from the majority caucus for Birkeland's version of the bill.

"They really just wanted a ban," Birkeland told KSL NewsRadio. "And [after that meeting] nothing was set in stone, honestly, that I was made aware of until about an hour before it was heard on the floor."

Birkeland adds Cox proposed trying to "soften" the bill to find a compromise between LGBTQ+ advocates and lawmakers. To which the senate reiterated their support for the ban.

*This story is developing and will be updated.*

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