

How many kids will be impacted by Utah's ban on transgender athletes?

Utah lawmakers expect the state will be sued over the ban on transgender girls playing in school sports.



(Rick Bowmer | AP) A ban on transgender athletes playing female school sports in Utah would affect transgender girls like this 12-year-old swimmer seen at a pool in Utah on Monday, Feb. 22, 2021. She and her family spoke with The Associated Press on the condition of anonymity to avoid outing her publicly. She cried when she heard about the proposal that would ban transgender girls from competing on girls' sports teams in public high schools, which would separate her from her friends. She's far from the tallest girl on her team, and has worked hard to improve her times but is not a dominant swimmer in her age group, her coach said. "Other than body parts I've been a girl my whole life," she said.

By Kim Bojórquez

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The state Legislature this week struck down Gov. Spencer Cox's veto of a [controversial transgender athletes' sports ban](#), making Utah the 12th state to impose restrictions on transgender girls participating in school sports aligning with their gender identity.

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Here's what you need to know about the law slated to take effect this summer.

Which Utah student-athletes will be impacted by the ban?

Of the 75,000 students registered to play school sports in Utah, only four athletes identify as transgender children, including one transgender girl, according to Cox.

However, the bill's sponsor, state Rep. Kera Birkeland, R-Morgan said "a lot more" transgender athletes are playing in coed sports. Birkeland also emphasized that the law would not impact transgender athletes playing in coed sports.

Does the ban apply to collegiate sports athletes?

No. Troy Williams, executive director of Equality Utah, an LGBTQ advocacy organization, said the NCAA has policies to ensure fairness and opportunity in competition.

"The NCAA have policies in place to ensure fairness and opportunity in competition. They also expressly have policies to include transgender athletes," Williams said. "The state should not intervene or meddle in collegiate sports. HB11 has caused immense pain amongst transgender Utahns and a nightmare for conservative lawmakers who are now facing primary challengers from extremists within their own party. I hope lawmakers have learned that these pointless culture war bills only lead to heartache, anger and division."

When is the ban planned to take effect?

Under the law, the ban is expected to take effect on July 1.

How likely is a lawsuit over the law?

Very likely.

Both Republicans and Democrats have expressed that the ban would open the state to costly litigation. During a news conference on Friday, Senate President Stuart Adams said he expected the state to be sued.

It's why lawmakers on Friday passed a bill that would indemnify schools and school districts if the educational institutions are sued over the ban. Lawmakers also set aside \$500,000 from the state's General Fund for lawsuits.

In a statement, the ACLU of Utah called the probability of a legal battle "inevitable."

"We are deeply disappointed and saddened at today's votes by the Utah Legislature to discriminate against transgender youth to exclude them from participating fully on sports teams," according to a statement from the ACLU of Utah. "Litigation to stop H.B. 11 from taking effect is now both necessary and inevitable to ensure Constitutional promises of equal protection to all Utahns."

What happens if a Utah court strikes down the ban?

If a lawsuit over the ban is taken to a Utah court and is found to be unconstitutional, a commission to evaluate whether a transgender athlete can compete in school sports will take effect.

Does the ban apply to Utah private schools?

Yes, the ban applies to all schools, according to Dave Spatafore, a lobbyist for the Utah High School Activities Association. However, if the commission were to take effect, transgender students in private schools would go through existing policies set up by the Utah High School Activities Association.

Who will serve on the commission?

Under the law, the Senate president, House speaker and the governor will each be charged with appointing two individuals to serve on the commission. The panel will consist of a mental health professional, a statistician, a physician with "expertise in gender identity health care," a sports physiologist, representative of an athletic association, a college athletic trainer and an ad hoc member who serves on a case-by-case basis.

How have Utah's professional sports teams responded?

The Utah Jazz immediately condemned the ban on transgender athletes, calling the legislation discriminatory in nature.

“The Utah Jazz oppose discriminatory legislation. We are committed to our values of inclusivity, mutual respect, and fair play. Beyond basketball, we hope for an equitable solution that shows love and compassion for all our youth,” according to a statement from the Utah Jazz.

Salt Lake City’s soccer club, Real Salt Lake, also opposed the legislation.

“Real Salt Lake stands opposed to legislating discrimination, according to a statement from the soccer club. “Our club remains steadfastly committed to the “soccer for all” tenets of inclusion, respect and fair play. Beyond the field, we always strive for equitable solutions that demonstrate love and compassion for all, especially the youth in our community.”

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