

UTAH POLITICS UTAH LEGISLATURE

Cox signs bill to protect school districts in lawsuits following transgender athlete ban

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Gov. Spencer Cox has signed a bill meant to protect school districts and the Utah High School Activities Association in expected lawsuits after the Legislature overrode the governor's veto of a bill that bans transgender girls in girls' high school sports.

The signing comes after drama unfolded in the final night of the session — and weeks following — when lawmakers introduced a new, last-minute version of HB11 that proposed the all-out ban. The previous version of the bill negotiated by sponsor Rep. Kera Birkeland, R-Morgan, and LGBTQ advocates sought to create a commission to determine specific transgender student eligibility, but discussions over issues with the bill continued into the final day of the session.

Immediately after the ban's passage in the Legislature, Cox promised he would veto it once it arrived on his desk due his concerns with the process the bill underwent, its potential costs to the state, and the message it sends to transgender youth. He did so, and the Legislature soon called itself into session to overturn the veto.

During a special session called by Cox on March 25, the Legislature passed HB3001, which indemnifies school districts and the activities association from lawsuits associated with HB11. The bill included a one-time appropriation of \$500,000 from the Utah attorney general's budget for litigation costs. Cox signed the bill on Wednesday, according to his office.

Senate President Stuart Adams, R-Layton, has said lawmakers expect litigation — and that's partially why they added indemnification in the special session.

Adams has said he expects the all-out ban to be overturned by the courts, but he noted HB11 is structured to activate a commission to decide if transgender kids can compete if the ban is struck down. With lawmakers' override of HB11's veto, the bill is now slated to take effect on July 1.

After HB11's veto was successfully overridden, the ACLU of Utah signaled that litigation is already looming.

"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," said a statement issued by the organization soon after the veto override. "Litigation to stop HB11 from taking effect is now both necessary and inevitable to ensure Constitutional promises of equal protection for all Utahns."