

PROPOSED LOCAL LAW NO. -2024

A LOCAL LAW TO MAINTAIN A SAFE AND FAIR COMPETITIVE ENVIRONMENT FOR WOMEN AND GIRLS PARTICIPATING IN SPORTS AND ATHLETIC EVENTS

WHEREAS, Women and Girls deserve the opportunity to demonstrate their strength, skills, and athletic abilities and to provide them with equal and fair opportunities to obtain recognition and accolades, college scholarships, and the numerous other long-term benefits that result from participating and competing in athletic endeavors; and

WHEREAS, historically, Women and Girls have not received as many of the opportunities emanating from participation in sports as biological males; and

WHEREAS, it is imperative that a supportive and safe environment is maintained to foster and nurture these opportunities in sports for biological females; and

WHEREAS, Women and Girls hard work, on-field achievements, and athletic futures deserve to be fostered, nurtured, and celebrated; and

WHEREAS, the designation of separate sex-specific athletic teams or sports is necessary to maintain fairness for women's athletic opportunities; and

WHEREAS, the County of Nassau is committed to protecting Women's and Girl's rights to compete athletically and to realize the opportunities of participating in a fair sporting competition;

NOW, THEREFORE

BE IT ENACTED by the County Legislature of the County of Nassau as follows:

Section 1. A new Title 90 is added to the Miscellaneous Laws of Nassau County as follows:

Title 90

Fairness for Women and Girls in Sports

§ 1 Definitions.

For purposes of this local law, the following terms shall have the following meanings:

- a. "County" shall mean the County of Nassau;

- b. "Gender" shall mean an individual's biological sex assigned to that individual at birth;
- c. "Male", "Man", or "Boy" shall mean an individual whose gender assigned at birth was male;
- d. "Female", "Woman", or "Girl" shall mean an individual whose gender assigned at birth was female;
- e. "Coed" or "Mixed" shall include both males and females.

§ 2. Any sports leagues, organizations, teams, programs, or sports entities must expressly designate as one of the following based on the biological sex at birth of the team's individual competitors when applying for a use and occupancy permit to utilize Nassau County Parks property for the purposes of organizing a sporting event or competition:

- a. Males, men, or boys; or
- b. Females, women, or girls; or
- c. Coed or mixed, including both males and females.

§ 3. The Nassau County Department of Parks, Recreation & Museums shall not issue any permits for the use and occupancy of Nassau County Park property for the purposes of organizing a sporting event or competition that allows athletic teams or sports designated for females, women, or girls to include biological males as competitors.

§ 4. The Nassau County Department of Parks, Recreation & Museums may issue permits for the use and occupancy of Nassau County Park's property for the purposes of organizing a sporting event or competition that allows athletic teams or sports for males, men, or boys to include biological females as competitors.

§ 5. A statement of a team's individual competitor's biological sex on the team's individual competitor's official birth certificate is considered to have correctly stated the team's individual competitor's biological sex at birth if the statement was filed at or near the time of the team's individual competitor's birth.

Section 2. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the amendment of the Nassau County Administrative Code in relation to a special revenue fund is a “Type II” Action within the meaning of Section 617.5(c)(26) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which does not have a significant effect on the environment; and no further review is required.

Section 4. This local law shall take effect immediately.