

MODEL LEGISLATION

An Act to Ensure the Accuracy of Sex-Based Statistics

Section 1: Purpose and General Application.

- A. The purpose of this Act is to improve the government's response to harms and trends that affect the sexes uniquely.
- B. This Act shall apply wherever the State or an instrumentality of the State collects data on the basis of sex.
- C. Nothing in this Act shall prohibit the State from collecting data that pertains to identity or any other category.

Section 2: Findings.

- A. Males and females possess unique and immutable biological differences;
- B. These differences can manifest in unique risks, harms, or sex-based discrimination, including crime victimhood, access to pregnancy-based resources, and substance abuse;
- C. Where the government seeks to understand and address sex-based differences particularly, data must be accurately collected on the basis of sex. Failure to do so risks improper identification and alleviation of trends and harms affecting citizens of the State.

Section 3: Data Collection.

- A. Any public school, public school district, state agency, or subdivision of the State that directly collects vital statistics related to sex or the categories of male and female for the purpose of complying with anti-discrimination laws or for the purpose of gathering accurate public health, crime, economic, or other data shall identify each natural person who is part of the collected data set as either male or female.
- B. As used in this section and/or any administrative rules, regulations, or public policies adopted by the State or its instrumentalities:
 - a. A “**female**,” when this term is used in reference to a natural person, is an individual who naturally has, had, will have through the course of normal development, or would have but for a developmental anomaly, genetic anomaly, or accident the reproductive system that at some point produces ova;

- b. A “**male**,” when this term is used in reference to a natural person, is an individual who naturally has, had, will have through the course of normal development, or would have but for a developmental anomaly, genetic anomaly, or accident the reproductive system that at some point produces sperm;
- c. “**Sex**,” when this term is used to classify or describe a natural person, means the state of being either male or female as observed or clinically verified at birth. There are only two sexes, and every individual is either male or female. “Sex” does not include “gender identity” or any other term intended to convey a person’s subjective sense of self; “gender identity” and other subjective terms are not synonyms or substitutes for “sex.”

###