

2026 -- S 2790

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

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A N A C T

RELATING TO EDUCATION -- SAVE WOMEN'S SPORTS ACT

Introduced By: Senators E Morgan, Patalano, de la Cruz, Raptakis, Dimitri, Rogers, and
Burke

Date Introduced: March 04, 2026

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Legislative findings. The general assembly hereby finds and declares that:

2 (1) With respect to biological sex, one is either male or female.

3 (2) A person's sex is determined at fertilization and revealed at birth or, increasingly, in
4 utero.

5 (3) Biological differences between males and females are determined genetically during
6 embryonic development.

7 (4) Secondary sex characteristics that develop during puberty generate anatomical
8 divergence beyond the reproductive system, leading to adult body types that are measurably
9 different between sexes.

10 (5) There are inherent differences between men and women, and that these differences
11 remain cause for celebration, but not for denigration of the members of either sex or for artificial
12 constraints on an individual's opportunity.

13 (6) In studies of large cohorts of children from six (6) years old, boys typically scored
14 higher than girls on cardiovascular endurance, muscular strength, muscular endurance, and
15 speed/agility, but lower on flexibility.

16 (7) Physiological differences between males and females relevant to sports performance
17 include a larger body size with more skeletal-muscle mass, a lower percentage of body fat, and
18 greater maximal delivery of anaerobic and aerobic energy.

19 (8) Men also have higher natural levels of testosterone, which affects traits such as

1 hemoglobin levels, body fat content, the storage and use of carbohydrates, and the development of
2 Type 2 muscle fibers, all of which result in men being able to generate higher speed and power
3 during physical activity.

4 (9) There is a sports performance gap between males and females, such that the
5 physiological advantages conferred by biological sex appear, on assessment of performance data,
6 insurmountable.

7 (10) While classifications based on sex are generally disfavored, the Supreme Court has
8 recognized that sex classifications may be used to compensate women for particular economic
9 disabilities they have suffered, to promote equal employment opportunity, and to advance full
10 development of the talent and capacities of our Nation's people. One place where sex classifications
11 allow for the full development of the talent and capacities of our Nation's people is in the context
12 of sports and athletics.

13 (11) Courts have recognized that the inherent, physiological differences between males and
14 females result in different athletic capabilities.

15 (12) The benefits that natural testosterone provides to male athletes is not diminished
16 through the use of testosterone suppression. A recent study on the impact of such treatments found
17 that policies like those of the International Olympic Committee requiring biological males to
18 undergo at least one year of testosterone suppression before competing in women's sports do not
19 create a level playing field. Rather, the study found male performance advantage over females
20 remains substantial and raises obvious concerns about fair and safe competition.

21 (13) Having separate sex-specific teams furthers efforts to promote sex equality by
22 providing opportunities for female athletes to demonstrate their skill, strength and athletic abilities
23 while also providing them with opportunities to obtain recognition, accolades, college scholarships
24 and the numerous other long-term benefits that flow from success in athletic endeavors.

25 SECTION 2. Title 16 of the General Laws entitled "EDUCATION" is hereby amended by
26 adding thereto the following chapter:

27 CHAPTER 91.2

28 SAVE WOMEN'S SPORTS ACT

29 **16-91.2-1. Short title.**

30 This chapter shall be known and may be cited as the "Save Women's Sports Act".

31 **16-91.2-2. Definitions.**

32 As used in this chapter, the following words shall have the following meaning unless the
33 context shall clearly indicate another or different meaning or intent:

34 (1) "School" means:

1 (i) An educational institution that provides instruction in any combination of kindergarten
2 programs or grades one through twelve (12); or

3 (ii) An institution of higher education.

4 **16-91.2-3. Interscholastic and intramural athletics - designation of teams.**

5 (a) Each interscholastic or intramural athletic team or sport that is sponsored by a public
6 school or a private school whose students or teams compete against a public school shall be
7 expressly designated as one of the following based on the biological sex of the students who
8 participate on the team or in the sport:

9 (1) "Males", "men" or "boys";

10 (2) "Females", "women" or "girls"; or

11 (3) "Coed" or "mixed".

12 (b) Athletic teams or sports designated for "females", "women" or "girls" shall not be open
13 to students of the male sex.

14 (c) This chapter does not restrict the eligibility of any student to participate in any
15 interscholastic or intramural athletic team or sport designated as being for "males", "men" or "boys"
16 or designated as "coed" or "mixed".

17 **16-91.2-4. Adverse action prohibited.**

18 A government entity, any licensing or accrediting organization or any athletic association
19 or organization shall not entertain a complaint, open an investigation or take any other adverse
20 action against a school for maintaining separate interscholastic or intramural athletic teams or sports
21 for students of the female sex.

22 **16-91.2-5. Cause of action.**

23 (a) Any student who is deprived of an athletic opportunity or suffers any direct or indirect
24 harm as a result of a school knowingly violating this chapter shall have a private cause of action
25 for injunctive relief, damages and any other relief available under law against the school.

26 (b) Any student who is subject to retaliation or another adverse action by a school or an
27 athletic association or organization as a result of reporting a violation of this chapter to an employee
28 or representative of the school or the athletic association or organization, or to any state or federal
29 agency with oversight of schools in this state, shall have a private cause of action for injunctive
30 relief, damages and any other relief available under law against the school or the athletic association
31 or organization.

32 (c) Any school that suffers any direct or indirect harm as a result of a violation of this
33 chapter shall have a private cause of action for injunctive relief, damages and any other relief
34 available under law against the government entity, the licensing or accrediting organization or the

1 athletic association or organization.

2 **16-91.2-6. Statute of limitations.**

3 All civil actions shall be initiated within two (2) years after the alleged violation of this
4 chapter occurred. A person or organization that prevails on a claim brought pursuant to this chapter
5 is entitled to monetary damages, including damages for any psychological, emotional or physical
6 harm suffered, reasonable attorneys' fees and costs and any other appropriate relief.

7 **16-91.2-7. Severability.**

8 If any clause, sentence, paragraph, section, or part of this chapter shall be adjudged by any
9 court of competent jurisdiction to be unconstitutional or otherwise invalid, that judgment shall not
10 affect, impair, or invalidate the remainder of this chapter but shall be confined in its operation to
11 the clause, sentence, paragraph, section, or part directly involved in the controversy in which that
12 judgment shall have been rendered.

13 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO EDUCATION -- SAVE WOMEN'S SPORTS ACT

1 This act would mandate that interscholastic or intramural athletic teams that are
2 sponsored by a public school or a private school whose teams compete against a public school, be
3 designated as: (1) "males", "men" or "boys"; (2) "females", "women" or "girls"; or (3) "coed" or
4 "mixed". It would prohibit athletic teams designated for "females", "women" or "girls" to be open
5 to male students but would allow any student to participate in any sport designated as being for
6 "males", "men", "boys", "coed" or "mixed". The act would also prohibit a government entity,
7 licensing, accrediting or athletic organization from entertaining a complaint, investigating or taking
8 adverse action against a school for maintaining separate teams for students of the female sex.
9 Further, the act would allow private causes of action for damages sustained as a result of violations
10 of the act affecting students and schools.

11 This act would take effect upon passage.

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