

Senate Amendments to House Bill No. 1607

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

7 SECTION 1. This act shall be known and may be cited as the
8 "Mississippi Women's Bill of Rights."

9 SECTION 2. The Legislature finds:

10 (a) Men and women are legally equal but possess unique
11 and immutable biological difference that manifest before birth and
12 increase as they age and experience puberty.

13 (b) The State of Mississippi has an important interest
14 in preventing unjust sex discrimination and in maintaining safety,
15 privacy and fairness for all Mississippians.

16 (c) Biological differences between the sexes are
17 enduring and, in some circumstances, may warrant the creation of
18 separate social, educational, athletic or other spaces in order to
19 ensure safety or allow members of each sex to succeed and thrive.

20 (d) Inconsistencies in court rulings and policy
21 initiatives regarding sex discrimination and common sex-based
22 words have endangered women's rights and resources and have put
23 the existence of sex-based legal distinctions in jeopardy.

24 **SECTION 3.** (1) In order to prevent unjust discrimination,
25 maintain safety, protect privacy, and ensure fairness, the
26 following terms have the definitions ascribed in this section:

27 (a) "Woman" means an adult human of the female sex.

28 (b) "Man" means an adult human of the male sex.

29 (c) "Girl" means a human female who is a legal minor as
30 defined in Section 1-3-27 unless otherwise provided by a specific
31 statute.

32 (d) "Boy" means a human male who is a legal minor as
33 defined in Section 1-3-27 unless otherwise provided by a specific
34 statute.

35 (e) "Mother" means a female parent of a child or
36 children.

37 (f) "Father" means a male parent of a child or
38 children.

39 (g) "Female," when this term is used in reference to a
40 natural person, means an individual who has, had, will have
41 through the course of normal development, or would have, but for a
42 developmental anomaly, genetic anomaly, or accident, the
43 reproductive system that at some point produces ova.

44 (h) "Male," when this term is used in reference to a
45 natural person, means an individual who has, had, will have
46 through the course of normal development, or would have, but for a
47 developmental anomaly, genetic anomaly, or accident, the
48 reproductive system that at some point produces sperm.

49 (i) "Sex" means a person's biological sex, either male
50 or female, as observed or clinically verified at birth. "Sex" is
51 objective and fixed: there are only two (2) sexes, and every
52 individual is either male or female. "Sex" does not include
53 gender identity or other terms intended to convey a person's
54 subjective sense of self. "Gender identity" and other such
55 subjective terms may not be used as synonyms or substitutes for
56 "sex."

57 (2) Whenever the term "girl" or "boy" is used in a statute
58 in reference to the participation of a high-school-aged individual
59 in a school or extracurricular program, the terms may not be
60 understood to exclude the participation of a student who is a
61 "woman" or "man," respectively.

62 (3) Persons with "DSD conditions," sometimes referred to as
63 "differences in sex development," "disorders of sex development"
64 or "intersex conditions," are not members of a third sex. Persons
65 with a congenital and medically verifiable DSD diagnosis must be
66 accommodated consistent with state and federal law.

67 (4) "Equal" does not necessarily mean "same" or "identical"
68 with respect to the treatment of persons of different sexes
69 because there are objective, immutable and enduring physical
70 differences between males and females.

71 **SECTION 4.** If any provision of this act or the application
72 of such provision to any person or circumstance is held to be
73 unconstitutional, the remainder of this act and the application of

74 the provisions of such to any person or circumstance is not
75 affected and remains in full force and effect.

76 **SECTION 5.** Sections 1 through 4 of this act shall be
77 codified as a new article in Title 1, Chapter 3, Mississippi Code
78 of 1972.

79 **SECTION 6.** This act shall take effect and be in force from
80 and after July 1, 2024, and shall stand repealed on June 30, 2024.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO BE KNOWN AS THE "MISSISSIPPI WOMEN'S BILL OF
2 RIGHTS"; TO DECLARE CERTAIN LEGISLATIVE FINDINGS; TO DEFINE
3 VARIOUS TERMS AND DECLARE RESTRICTIONS ON THE USE OF CERTAIN OTHER
4 TERMS AS THOSE DEFINED AND RESTRICTED TERMS ARE USED IN STATUTES;
5 AND FOR RELATED PURPOSES.

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Amanda White
Secretary of the Senate