

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2026

Legislative Document

No. 2239

I.B. 3

House of Representatives, March 19, 2026

**An Act to Designate School Sports Participation and Facilities by
Sex**

Transmitted to the Clerk of the 132nd Maine Legislature by the Secretary of State on
March 18, 2026 and ordered printed.

Robert B. Hunt
ROBERT B. HUNT
Clerk

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA §4602, sub-§5**, as enacted by PL 2021, c. 366, §19, is amended to
3 read:

4 **5. Application.** Nothing in this section:

5 A. Requires an educational institution to provide separate athletic or other
6 extracurricular programs to serve a person with a physical or mental disability;

7 B. May be construed to affect the rights of a person with a physical or mental disability
8 to special education programs under state or federal law;

9 C. Requires a religious corporation, association or society that does not receive public
10 funding to comply with this section as it relates to sexual orientation or gender identity;
11 ~~or~~

12 D. Requires an educational institution to participate in or endorse any religious beliefs
13 or practices; to the extent that an educational institution permits religious expression,
14 it cannot discriminate between religions in so doing; ~~or~~

15 E. May be construed to conflict with the provisions of Title 20-A, section 4017.

16 **Sec. 2. 20-A MRSA §4017** is enacted to read:

17 **§4017. Participation in interscholastic and competitive sports; privacy in facilities**

18 **1. Short title.** This section may be known and cited as "the Protect Girls' Sports in
19 Maine Act."

20 **2. Definition.** For the purposes of this section, "sex" means a person's biological status
21 as male or female recorded at birth on the person's original birth certificate.

22 **3. Designation of athletic teams.** A public school subject to this Title, or an entity that
23 governs interscholastic or competitive sports by public schools in the State, shall expressly
24 designate athletic teams as one of the following:

25 A. "Males, "boys" or "men";

26 B. "Females, "girls" or "women"; or

27 C. "Coeducational" or "mixed."

28 **4. Eligibility.** The following provisions govern eligibility.

29 A. Athletic teams designated for females, girls or women must be restricted to students
30 whose sex is female.

31 B. Athletic teams designated for males, boys or men must be restricted to students
32 whose sex is male.

33 C. Athletic teams designated as coeducational or mixed must be open to all eligible
34 females and males.

35 D. A female student may participate on an athletic team designated for males, boys or
36 men if no athletic team designated for females, girls or women is available in that sport.

37 **5. Privacy in facilities.** A public school shall maintain separate restrooms, locker
38 rooms, shower rooms and other private spaces for each sex. A member of one sex may not
39 be permitted to use a facility designated for members of the opposite sex.

