



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3724

Introduced 2/5/2026, by Sen. Andrew S. Chesney

SYNOPSIS AS INTRODUCED:

New Act
105 ILCS 5/22-80.5 new

Creates the Gender in Athletics Act. Provides that in any intercollegiate athletic activity that is subject to rules, standards, or classifications that provide for student eligibility restrictions in order to ensure, enhance, or promote fair competition, each public institution of higher education shall make all determinations based on sex and not on gender. Grants rulemaking authority to the Board of High Education to implement and enforce the Act. Amends the School Code. Provides that no school district or nonpublic school whose students or teams compete against a school district or nonpublic school may operate, sponsor, or facilitate interscholastic or intramural athletics that permit a person whose gender is male to participate in any interscholastic or intramural athletics that are designated for females. Allows a student who is aggrieved by an alleged violation or anticipated violation to have the right to file a grievance complaint with the school district or nonpublic school for an immediate determination of whether a violation or anticipated violation exists. Provides that if a violation or anticipated violation is determined to exist, the school district or nonpublic school shall issue a decision immediately and may direct that such violation be terminated or adjusted to prevent a further violation, but if the grievance is rejected, the complaining party has the right to an immediate appeal to the State Board of Education for relief.

LRB104 18575 LNS 32018 b

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Gender
5 in Athletics Act.

6 Section 5. Definitions. As used in this Act:

7 "Public institutions of higher education" has the meaning
8 given to that term in the Board of Higher Education Act.

9 "Sex" refers only to biological distinctions between male
10 and female.

11 Section 10. Gender in athletics. In any intercollegiate
12 athletic activity that is subject to rules, standards, or
13 classifications that provide for student eligibility
14 restrictions in order to ensure, enhance, or promote fair
15 competition, public institutions of higher education shall
16 make all determinations based on sex and not on gender.

17 Section 15. Rules. The Board of Higher Education may adopt
18 rules as necessary to implement and enforce this Act.

19 Section 90. The School Code is amended by adding Section
20 22-80.5 as follows:

1 (105 ILCS 5/22-80.5 new)

2 Sec. 22-80.5. Gender in athletics.

3 (a) As used in this Section, "gender" means a person's
4 biological sex that is solely recognized based on a person's
5 reproductive biology and genetics at birth.

6 (b) No school district or nonpublic school in this State
7 whose students or teams compete against a school district or
8 nonpublic school in this State may operate, sponsor, or
9 facilitate interscholastic or intramural athletics that permit
10 a person whose gender is male to participate in any
11 interscholastic or intramural athletics that are designated
12 for females.

13 (c) A student who is aggrieved by an alleged violation or
14 anticipated violation of this Section, or the student's parent
15 or guardian, has the right to file a grievance with the
16 governing body of the school district or nonpublic school for
17 an immediate determination of whether a violation or
18 anticipated violation of this Section exists. If a violation
19 or anticipated violation is determined to exist, the governing
20 body of the school district or nonpublic school shall issue a
21 decision immediately and may direct that such violation be
22 terminated or adjusted to prevent a further violation. If a
23 grievance is rejected by the governing body of the school
24 district or nonpublic school, the complaining party has the
25 right to an immediate appeal to the State Board of Education

1 for relief.

2 (d) Nothing in this Section overrides any requirements or
3 protections prescribed in the federal Americans with
4 Disabilities Act of 1990.