

**House Judiciary Committee Voting Meeting
Room 60 East Wing
Harrisburg, PA 17120
July 1, 2026
Call of the Chair**

Agenda

House Bill 158 (GLEIM) For purposes of rereferral.

House Bill 1849 (OWLETT) For purposes of rereferral.

Senate Bill 9 (J. WARD) For purposes of rereferral.

Senate Bill 362 (BOSCOLA) An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, further providing for false statements, investigations and penalty.

A04050 (BRIGGS)

Senate Bill 1212 (PENNYCUICK) An Act amending the act of November 29, 2006 (P.L.1471, No.165), known as the Sexual Assault Testing and Evidence Collection Act, further providing for definitions.

A04105 (BRIGGS)

Senate Bill 1273 (BARTOLOTTA) An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, in turnpike, further providing for electronic toll collection.

And any other business that comes before the Committee

Adjournment

Please advise Maya Fitterer, MFitterer@pahouse.net, with your attendance plans. Thank you.

Attachments:

- Judiciary Meeting Agenda
- SB362
- A04050 to SB362
- SB362 BA
- SB1212
- SB1212 BA
- SB1273
- SB1273 BA
- HB158
- HB1849
- SB9

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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

JUDICIARY, *CHAIRMAN*

CAUCUSES

LIFE SCIENCE, *CHAIR*
BRAIN INJURY, *CHAIR*

PENNSYLVANIA STATE SYSTEM OF HIGHER
EDUCATION (PASSHE), *BOARD OF GOVERNORS*
PENNSYLVANIA COMMISSION ON CRIME &
DELINQUENCY (PCCD), *COMMISSIONER*

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Senate Bill 1273 (Bartolotta) An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, in turnpike, further providing for electronic toll collection.

And any other business that comes before the Committee

Adjournment

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 362 Session of 2025

INTRODUCED BY BOSCOLA, PHILLIPS-HILL, FONTANA, LAUGHLIN, J. WARD, STEFANO, FARRY, SCHWANK AND PICOZZI, FEBRUARY 28, 2025

AS AMENDED ON THIRD CONSIDERATION, JUNE 22, 2026

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An
2 act to consolidate, editorially revise, and codify the public
3 welfare laws of the Commonwealth," in public assistance,
4 further providing for false statements, investigations and
5 penalty.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 481(c), (d) and (f) of the act of June
9 13, 1967 (P.L.31, No.21), known as the Human Services Code, are
10 amended and the section is amended by adding subsections to
11 read:

12 Section 481. False Statements; Investigations; Penalty.--* *

13 *

14 (a.1) A person commits an offense if the person knowingly
15 and with intent to defraud:

16 (1) Possesses, uses or attempts to use a scanning device to
17 access, read, obtain, memorize or store, temporarily or
18 permanently, a recipient's access device information.

19 (2) Possesses, uses or attempts to use a reencoder to

1 replicate a recipient's access device information on one or more
2 access devices or on any other medium that allows the use of a
3 recipient's access device information.

4 (3) Possesses, uses or attempts to use one or more access
5 devices or information from one or more access devices that
6 replicate a recipient's access device information.

7 * * *

8 (b.1) (1) A first offense under subsection (a.1)
9 constitutes a felony of the third degree.

10 (2) A second or subsequent offense under subsection (a.1)
11 constitutes a felony of the second degree.

12 (b.2) For the purposes of this section, in determining
13 whether an offense is a first, second or subsequent offense, the
14 court shall include a conviction, acceptance of Accelerated
15 Rehabilitative Disposition or other form of preliminary
16 disposition, occurring before the sentencing on the present
17 violation, for an offense under this section, an offense
18 substantially similar to an offense under this section or under
19 the prior laws of this Commonwealth or a similar offense under
20 the statutes of any other state or of the United States.

21 (c) Any person committing a crime enumerated in subsection
22 (a) or (a.1) shall be ordered to pay restitution of any moneys
23 received by reason of any false statement, misrepresentation,
24 impersonation, failure to disclose required information or
25 fraudulent means. Restitution ordered under this subsection may
26 be paid in a lump sum, by monthly installments or according to
27 such other schedule as is deemed just by the sentencing court.
28 Notwithstanding the provisions of 18 Pa.C.S. § 1106(c) (2)
29 (relating to restitution for injuries to person or property) to
30 the contrary, the period of time during which the offender is

1 ordered to make restitution may exceed the maximum term of
2 imprisonment to which the offender could have been sentenced for
3 the crime of which that person was convicted, if the sentencing
4 court determines such period to be reasonable and in the
5 interests of justice.

6 (d) There shall be a [~~four-year~~] five-year statute of
7 limitations on all crimes enumerated in [~~subsection~~] subsections
8 (a) and (a.1).

9 * * *

10 (f) An applicant for or recipient of [~~aid to families with~~
11 ~~dependent children or general assistance~~] Temporary Assistance
12 for Needy Families convicted of any offense pursuant to
13 subsection (a) or (a.1) shall be ineligible to receive cash
14 assistance for a period of six months from the date of a first
15 conviction, for a period of twelve months from the date of a
16 second conviction and permanently from the date of a third
17 conviction.

18 (G) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES <--
19 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS
20 THE CONTEXT CLEARLY INDICATES OTHERWISE:

21 "REENCODER" MEANS A DEVICE THAT PLACES INFORMATION FROM AN
22 ACCESS DEVICE ONTO ANY MEDIUM THAT ALLOWS THE ACCESS DEVICE'S
23 INFORMATION TO BE RETRIEVED.

24 "SCANNING DEVICE" MEANS A SCANNER, READER OR ANY OTHER
25 ELECTRONIC DEVICE THAT IS USED TO ACCESS, READ, SCAN, OBTAIN,
26 MEMORIZE OR STORE, TEMPORARILY OR PERMANENTLY, INFORMATION ON AN
27 ACCESS DEVICE.

28 Section 2. This act shall take effect in 60 days.

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO SENATE BILL NO. 362

Sponsor: **Briggs**

Printer's No. 1833

- 1 Amend Bill, page 2, lines 14 through 16, by striking out ",
- 2 acceptance of Accelerated" in line 14, all of line 15 and
- 3 "disposition," in line 16

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

| | | | |
|-------------------|---------------|----------------------------|--------------------------------------|
| Bill No: | SB0362 PN1833 | Prepared By: | David Vitale, Esq. (717) 705-7011 |
| Committee: | Judiciary | Executive Director: | David Vitale, Esq. |
| Sponsor: | Boscola, Lisa | | |
| Date: | 6/24/2026 | | |

A. Brief Concept

Prohibits the possession, use or attempted use of a skimming device to steal SNAP benefits from low-income families.

C. Analysis of the Bill

Amends the Human Service Code, Section 481 to provide penalties for knowingly and intentionally producing, using, trafficking in, controlling, or possessing devices that replicate the payment information of individuals receiving SNAP benefits. The bill classifies the offense as a felony of the third degree for a first offense and as a felony of the second degree for second and subsequent violations.

The bill utilizes existing restitution requirements and extends the statute of limitations for public assistance fraud by one year, from four to five years.

Individuals convicted under this offense is ineligible for cash assistance for six months from the date of a first conviction, twelve months for a second conviction, and permanently for a third conviction.

Definitions:

"Reencoder" means a device that places information from an access device onto any medium that allows the access device's information to be retrieved.

"Scanning device" means a scanner, reader or any other electronic device that is used to access, read, scan, obtain, memorize or store, temporarily or permanently, information on an access device.

Effective Date:

60 Days.

G. Relevant Existing Laws

Act 21 of 1967 (Human Services Code)

Section 481. False Statements; Investigations; Penalty.--(a) Any person who, either prior to, or at the time of, or subsequent to the application for assistance, by means of a wilfully false statement or misrepresentation, or by impersonation or by wilfully failing to disclose a material fact regarding eligibility or other fraudulent means, secures, or attempts to secure, or aids or abets or attempts to aid or abet any person in securing assistance, or Federal food stamps, commits a crime which shall be graded as provided in subsection(b).

(b) Any person violating subsection (a) commits the grade of crime determined from the following schedule: Amount of Assistance Degree of Crime or Food Stamps \$1,000 or more Felony of the third degree \$999 and under, or an attempt to commit any act prohibited in subsection (a) Misdemeanor of the first degree ((b) amended Oct. 24, 2018, P.L.777, No.125)

(c) Any person committing a crime enumerated in subsection (a) shall be ordered to pay restitution of any moneys received by reason of any false statement, misrepresentation, impersonation, failure to disclose required information or fraudulent means. Restitution ordered under this subsection may be paid in a lump sum, by monthly installments or according to such other schedule as is deemed just by the sentencing court. Notwithstanding the provisions of 18 Pa.C.S. § 1106(c)(2) (relating to restitution for injuries to person or property) to the contrary, the period of time during which the offender is ordered to make restitution may exceed the maximum term of imprisonment to which the offender could have been sentenced for the crime of which that person was convicted, if the sentencing court determines such period to be reasonable and in the interests of justice.

(d) There shall be a four-year statute of limitations on all crimes enumerated in subsection (a).

(e) The Treasury Department shall have the power to investigate and prosecute any case involving replacement of or duplicate receipt of or altered assistance checks and shall have the power to collect any funds as a result of such investigations and prosecution. For purposes of this section those employees of the Treasury Department as are designated "investigators" are given the power and authority to subpoena any document for review or audit and may question and subpoena any person believed to have any knowledge in such cases. The Treasury Department shall make such rules and regulations as may be necessary to carry out the provisions of this section.

(f) An applicant for or recipient of aid to families with dependent children or general assistance convicted of any offense pursuant to subsection (a) shall be ineligible to receive cash assistance for a period of six months from the date of a first conviction, for a period of twelve months from the date of a second conviction and permanently from the date of a third conviction.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

SB 980 of 2023.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1212 Session of
2026

INTRODUCED BY PENNYCUICK, BROWN, LANGERHOLC, BARTOLOTTA,
HAYWOOD, J. WARD, VOGEL, KIM, STEFANO AND PICOZZI,
MARCH 12, 2026

REFERRED TO JUDICIARY, MARCH 12, 2026

AN ACT

1 Amending the act of November 29, 2006 (P.L.1471, No.165),
2 entitled "An act providing for a sexual assault evidence
3 collection program and for powers and duties of the
4 Department of Health and the Pennsylvania State Police;
5 establishing civil immunity; and providing for rights of
6 sexual assault victims," further providing for definitions.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The definition of "awaiting testing" in section 2
10 of the act of November 29, 2006 (P.L.1471, No.165), known as the
11 Sexual Assault Testing and Evidence Collection Act, is amended
12 to read:

13 Section 2. Definitions.

14 The following words and phrases when used in this act shall
15 have the meanings given to them in this section unless the
16 context clearly indicates otherwise:

17 "Awaiting testing." [With respect to sexual assault
18 evidence,] Sexual assault evidence that [meets all of the
19 following:

1 (1) Has been collected and is in the possession of a
2 local law enforcement agency.

3 (2) Has not received DNA and other appropriate forensic
4 analyses.

5 (3) Is related to a criminal case or investigation in
6 which final disposition has not been reached.

7 (4) Should undergo DNA or other appropriate forensic
8 analysis as determined by a local law enforcement agency.]

9 has been collected and has not received DNA and other
10 appropriate forensic analyses.

11 * * *

12 Section 2. This act shall take effect immediately.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

| | | | |
|-------------------|-------------------|----------------------------|--------------------------------------|
| Bill No: | SB1212 PN1499 | Prepared By: | David Vitale, Esq. (717) 705-7011 |
| Committee: | Judiciary | Executive Director: | David Vitale, Esq. |
| Sponsor: | Pennycuick, Tracy | | |
| Date: | 6/29/2026 | | |

A. Brief Concept

Amends the Sexual Assault Testing and Evidence Collection Act to standardize the submission process for all kits obtained by law enforcement.

C. Analysis of the Bill

Amends Pennsylvania's Sexual Assault Testing and Evidence Collection Act by revising the definition of "awaiting testing" to encompass all sexual assault evidence that has been collected but has not yet received DNA or other appropriate forensic analyses. This change provides a more accurate accounting of untested sexual assault evidence and promotes greater transparency within the Commonwealth's sexual assault kit tracking and reporting systems.

Effective Date:

Immediately.

G. Relevant Existing Laws

"Awaiting testing." With respect to sexual assault evidence, evidence that meets all of the following:

- (1) Has been collected and is in the possession of a local law enforcement agency.
- (2) Has not received DNA and other appropriate forensic analyses.
- (3) Is related to a criminal case or investigation in which final disposition has not been reached.
- (4) Should undergo DNA or other appropriate forensic analysis as determined by a local law enforcement agency.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

None.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1273 Session of
2026

INTRODUCED BY BARTOLOTTA, BROWN, VOGEL, KANE AND STEFANO,
APRIL 17, 2026

REFERRED TO TRANSPORTATION, APRIL 17, 2026

AN ACT

1 Amending Title 74 (Transportation) of the Pennsylvania
2 Consolidated Statutes, in turnpike, further providing for
3 electronic toll collection.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 8117(d)(2) of Title 74 of the
7 Pennsylvania Consolidated Statutes is amended by adding a
8 subparagraph to read:

9 § 8117. Electronic toll collection.

10 * * *

11 (d) Privacy of electronic toll collection information.--

12 * * *

13 (2) Paragraph (1) shall not be deemed to do any of the
14 following:

15 * * *

16 (iv) Preclude the provision of information to law
17 enforcement officials for the purpose of assisting in the
18 recovery of abducted children and missing persons who are

1 at a special risk of harm or injury as identified through
2 the Pennsylvania Amber Alert System or Missing Endangered
3 Person Advisory System established under the act of
4 November 24, 2004 (P.L.1270, No.153), referred to as the
5 Pennsylvania Amber Alert System Law, or any successor
6 system established by law.

7 * * *

8 Section 2. This act shall take effect in 60 days.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

| | | | |
|-------------------|--------------------|----------------------------|--------------------------------------|
| Bill No: | SB1273 PN1610 | Prepared By: | David Vitale, Esq. (717) 705-7011 |
| Committee: | Judiciary | Executive Director: | David Vitale, Esq. |
| Sponsor: | Bartolotta, Camera | | |
| Date: | 6/29/2026 | | |

A. Brief Concept

Authorizes the Turnpike Commission to share electronic tolling information with law enforcement for purposes of assisting in recovering abducted children and missing persons.

C. Analysis of the Bill

Amends Title 74 (Transportation) to clarify information sharing between the Pennsylvania Turnpike Commission and law enforcement agencies during Amber Alerts.

Section 8117 (relating to electronic toll collection) is amended by adding a subparagraph explicitly authorizing the Pennsylvania Turnpike Commission to share electronic tolling information with law enforcement officials for purposes of assisting in the recovery of abducted children and missing persons who are at a special risk of harm or injury as identified through the Pennsylvania Amber Alert System Law.

Effective Date:

60 Days.

G. Relevant Existing Laws

Title 74 Section 8117(d)(2) provides the following regarding electronic toll collection information collected by the Turnpike Commission:

- A court of competent jurisdiction is not precluded from issuing an order directing the information to be provided to law enforcement officials if the information is reasonably described and solely in connection with criminal law enforcement action.
- The exchange of information between any entities with jurisdiction over or which operates a toll collection system within the Commonwealth or any other jurisdiction is not precluded.
- The use of the information exclusively for the purpose of billing electronic toll collection accounts, deducting toll charges from an account, enforcing toll collection laws and related regulations, or enforcing the provision of an account is allowed.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

None.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 158 Session of
2025

INTRODUCED BY GLEIM, WHITE, BOROWICZ, HAMM, GREINER, PICKETT,
M. MACKENZIE, LEADBETER, JAMES, D'ORSIE, KAUFFMAN, M. BROWN,
RAPP, BANTA, MENTZER, WARNER, GROVE, KUZMA, SMITH, ROWE,
ZIMMERMAN, WALSH, REICHARD AND COOPER, JANUARY 17, 2025

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 17, 2025

AN ACT

1 Providing for sport activities in public institutions of higher
2 education and public school entities to be expressly
3 designated male, female or coed; and creating causes of
4 action for harms suffered by designation.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Fairness in
9 Women's Sports Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Public institution of higher education." Any of the
15 following:

16 (1) A community college operating under Article XIX-A of
17 the act of March 10, 1949 (P.L.30, No.14), known as the
18 Public School Code of 1949.

1 (2) A rural regional college established under Article
2 XIX-G of the Public School Code of 1949.

3 (3) A university within the State System of Higher
4 Education under Article XX-A of the Public School Code of
5 1949.

6 (4) A State-related institution as defined in section
7 2001-C of the Public School Code of 1949.

8 (5) The Thaddeus Stevens College of Technology.

9 (6) The Pennsylvania College of Technology.

10 "Public school entity." Any of the following operating under
11 the Public School Code of 1949:

12 (1) A school district.

13 (2) An intermediate unit.

14 (3) An area career and technical school.

15 (4) A charter school, regional charter school or cyber
16 charter school.

17 "Sex." The biological distinction between male and female
18 based on reproductive biology and genetic makeup.

19 Section 3. Designation of athletic teams and sports.

20 (a) Duty.--An interscholastic, intercollegiate, intramural
21 or club athletic team or sport that is sponsored by a public
22 school entity, a public institution of higher education or a
23 school or institution where students or teams compete against a
24 public school entity or public institution of higher education
25 shall be expressly designated as one of the following based on
26 sex:

27 (1) Male, men or boys.

28 (2) Female, women or girls.

29 (3) Coed or mixed.

30 (b) Prohibition.--An athletic team or sport designated for

1 females, women or girls under subsection (a) (2) may not be open
2 to students of the male sex.

3 (c) Limitations on restriction.--Nothing in this section
4 shall be construed to restrict the eligibility of a student to
5 participate in an interscholastic, intercollegiate, intramural
6 or club athletic team or sport designed for the student's sex or
7 designated coed or mixed.

8 Section 4. Protection for educational institutions.

9 A government entity, licensing or accrediting organization or
10 an athletic association or organization may not entertain a
11 complaint, open an investigation or take other adverse action
12 against a school or institution of higher education for
13 maintaining a separate interscholastic, intercollegiate,
14 intramural or club athletic team or sport for students of the
15 female sex.

16 Section 5. Cause of action.

17 (a) Deprivation of opportunity.--A student who is deprived
18 of an athletic opportunity or who suffers a direct or indirect
19 harm as a result of a known violation of section 3 may bring a
20 cause of action for injunctive relief, damages, psychological,
21 emotional and physical harm suffered, attorney fees and costs
22 and any other relief available under law against the school or
23 institution of higher education.

24 (b) Retaliation.--A student who is subject to retaliation or
25 other adverse action by a school, institution of higher
26 education or athletic association or organization as a result of
27 reporting a violation of section 3 to an employee or
28 representative of the school, institution or athletic
29 association or organization or to any Federal or State agency
30 with oversight of schools or institutions of higher education in

1 Pennsylvania may bring a cause of action for injunctive relief,
2 damages, attorney fees and costs and any other relief available
3 under law against the school, institution or athletic
4 association or organization.

5 (c) School's cause of action.--A school or institution of
6 higher education that suffers direct or indirect harm as a
7 result of a violation of section 4 may bring a cause of action
8 for injunctive relief, damages and other relief available under
9 law against the government entity, licensing or accrediting
10 organization or athletic association or organization.

11 (d) Limitation.--A person may not bring a civil action under
12 this section later than two years after the day on which the
13 harm underlying the cause of action occurs.

14 Section 6. Severability.

15 If a part of this act is found invalid, all valid parts that
16 are severable from the invalid part shall remain in effect. If a
17 part of this act is invalid in one or more of its applications,
18 the part remains in effect in all valid applications that are
19 severable from the invalid applications.

20 Section 7. Effective date.

21 This act shall take effect in 60 days.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1849 Session of
2025

INTRODUCED BY OWLETT, DAVANZO, D'ORSIE, FRITZ AND HAMM,
SEPTEMBER 5, 2025

REFERRED TO COMMITTEE ON EDUCATION, SEPTEMBER 9, 2025

AN ACT

1 Providing for sport activities in public institutions of higher
2 education and public school entities to be expressly
3 designated male, female or coed; and creating causes of
4 action for harm suffered by designation.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Dads
9 Defending Daughters Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Public institution of higher education." One of the
15 following:

16 (1) A community college operating under Article XIX-A of
17 the act of March 10, 1949 (P.L.30, No.14), known as the
18 Public School Code of 1949.

19 (2) A rural regional college established under Article

1 XIX-G of the Public School Code of 1949.

2 (3) A university within the State System of Higher
3 Education under Article XX-A of the Public School Code of
4 1949.

5 (4) A State-related institution as defined in section
6 2001-C of the Public School Code of 1949.

7 (5) The Thaddeus Stevens College of Technology.

8 (6) The Pennsylvania College of Technology.

9 "Public school entity." One of the following operating under
10 the Public School Code of 1949:

11 (1) A school district.

12 (2) An intermediate unit.

13 (3) An area career and technical school.

14 (4) A charter school, regional charter school or cyber
15 charter school.

16 "Sex." A person's immutable characteristics of the
17 reproductive system that define the individual as male or
18 female, as determined by anatomy and genetics existing at the
19 time of birth.

20 Section 3. Designation of athletic teams and sports.

21 (a) Designation.--Interscholastic, intercollegiate,
22 intramural or club athletic teams or sports that are sponsored
23 by a public school entity, a public institution of higher
24 education or any school or institution where students or teams
25 compete against a public school entity or public institution of
26 higher education must be expressly designated as one of the
27 following based on sex:

28 (1) Male, men or boys.

29 (2) Female, women or girls.

30 (3) Coed or mixed.

1 (b) Prohibition.--Athletic teams or sports designated for
2 females, women or girls under subsection (a) (2) may not be open
3 to students of the male sex.

4 (c) Limitations on restriction.--Nothing in this section
5 shall be construed to restrict the eligibility of a student to
6 participate in an interscholastic, intercollegiate, intramural
7 or club athletic team or sport designed for the student's sex or
8 designated coed or mixed.

9 Section 4. Protection for educational institutions.

10 A government entity, licensing or accrediting organization or
11 an athletic association or organization may not entertain a
12 complaint, open an investigation or take any other adverse
13 action against a school or institution of higher education for
14 maintaining separate interscholastic, intercollegiate,
15 intramural or club athletic teams or sports for students of the
16 female sex.

17 Section 5. Cause of action.

18 (a) Deprivation of opportunity.--A student who is deprived
19 of an athletic opportunity or who suffers a direct or indirect
20 harm as a result of a known violation of section 3 may bring a
21 cause of action for injunctive relief; damages; psychological,
22 emotional and physical harm suffered; attorney fees and costs;
23 and any other relief available under law against the school or
24 institution of higher education.

25 (b) Retaliation.--A student who is subject to retaliation or
26 other adverse action by a school, institution of higher
27 education or athletic association or organization as a result of
28 reporting a violation of section 3 to an employee or
29 representative of the school, institution or athletic
30 association or organization or to any Federal or State agency

1 with oversight of schools or institutions of higher education in
2 Pennsylvania may bring a cause of action for injunctive relief,
3 damages, attorney fees and costs and any other relief available
4 under law against the school, institution or athletic
5 association or organization.

6 (c) School's cause of action.--A school or institution of
7 higher education that suffers a direct or indirect harm as a
8 result of a violation of section 4 may bring a cause of action
9 for injunctive relief, damages and any other relief available
10 under law against the government entity, licensing or
11 accrediting organization or athletic association or
12 organization.

13 (d) Limitation.--A person may not bring a civil action under
14 this section later than two years after the day on which the
15 harm underlying the cause of action occurs.

16 Section 6. Severability.

17 If a part of this act is found invalid, all valid parts that
18 are severable from the invalid part shall remain in effect. If a
19 part of this act is invalid in one or more of its applications,
20 the part remains in effect in all valid applications that are
21 severable from the invalid applications.

22 Section 7. Effective date.

23 This act shall take effect immediately.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 9

Session of
2025

INTRODUCED BY J. WARD, PHILLIPS-HILL, K. WARD, BAKER, BROOKS,
BARTOLOTTA, PENNYCUICK, BROWN, CULVER, KEEFER, ROTHMAN,
MASTRIANO, LANGERHOLC, HUTCHINSON, MARTIN, STEFANO, DUSH AND
FARRY, FEBRUARY 3, 2025

REFERRED TO EDUCATION, FEBRUARY 3, 2025

AN ACT

1 Providing for sport activities in public institutions of higher
2 education and public school entities to be expressly
3 designated male, female or coed; and creating causes of
4 action for harm suffered by designation.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Fairness in
9 Women's Sports Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Public institution of higher education." One of the
15 following:

16 (1) A community college operating under Article XIX-A of
17 the act of March 10, 1949 (P.L.30, No.14), known as the
18 Public School Code of 1949.

1 (2) A rural regional college established under Article
2 XIX-G of the Public School Code of 1949.

3 (3) An university within the State System of Higher
4 Education under Article XX-A of the Public School Code of
5 1949.

6 (4) A State-related institution as defined in section
7 2001-C of the Public School Code of 1949.

8 (5) The Thaddeus Stevens College of Technology.

9 (6) The Pennsylvania College of Technology.

10 "Public school entity." One of the following operating under
11 the Public School Code of 1949:

12 (1) A school district.

13 (2) An intermediate unit.

14 (3) An area career and technical school.

15 (4) A charter school, regional charter school or cyber
16 charter school.

17 "Sex." A person's immutable characteristics of the
18 reproductive system that define the individual as male or
19 female, as determined by anatomy and genetics existing at the
20 time of birth.

21 Section 3. Designation of athletic teams and sports.

22 (a) Designation.--Interscholastic, intercollegiate,
23 intramural or club athletic teams or sports that are sponsored
24 by a public school entity, a public institution of higher
25 education or any school or institution where students or teams
26 compete against a public school entity or public institution of
27 higher education must be expressly designated as one of the
28 following based on sex:

29 (1) Male, men or boys.

30 (2) Female, women or girls.

1 (3) Coed or mixed.

2 (b) Prohibition.--Athletic teams or sports designated for
3 females, women or girls under subsection (a)(2) may not be open
4 to students of the male sex.

5 (c) Limitations on restriction.--Nothing in this section
6 shall be construed to restrict the eligibility of a student to
7 participate in an interscholastic, intercollegiate, intramural
8 or club athletic team or sport designed for the student's sex or
9 designated coed or mixed.

10 Section 4. Protection for educational institutions.

11 A government entity, licensing or accrediting organization or
12 an athletic association or organization may not entertain a
13 complaint, open an investigation or take any other adverse
14 action against a school or institution of higher education for
15 maintaining separate interscholastic, intercollegiate,
16 intramural or club athletic teams or sports for students of the
17 female sex.

18 Section 5. Cause of action.

19 (a) Deprivation of opportunity.--A student who is deprived
20 of an athletic opportunity or who suffers a direct or indirect
21 harm as a result of a known violation of section 3 may bring a
22 cause of action for injunctive relief; damages; psychological,
23 emotional and physical harm suffered; attorney fees and costs
24 and any other relief available under law against the school or
25 institution of higher education.

26 (b) Retaliation.--A student who is subject to retaliation or
27 other adverse action by a school, institution of higher
28 education or athletic association or organization as a result of
29 reporting a violation of section 3 to an employee or
30 representative of the school, institution or athletic

1 association or organization or to any Federal or State agency
2 with oversight of schools or institutions of higher education in
3 Pennsylvania may bring a cause of action for injunctive relief,
4 damages, attorney fees and costs and any other relief available
5 under law against the school, institution or athletic
6 association or organization.

7 (c) School's cause of action.--A school or institution of
8 higher education that suffers a direct or indirect harm as a
9 result of a violation of section 4 may bring a cause of action
10 for injunctive relief, damages and any other relief available
11 under law against the government entity, licensing or
12 accrediting organization or athletic association or
13 organization.

14 (d) Limitation.--A person may not bring a civil action under
15 this section later than two years after the day on which the
16 harm underlying the cause of action occurs.

17 Section 6. Severability.

18 If a part of this act is found invalid, all valid parts that
19 are severable from the invalid part shall remain in effect. If a
20 part of this act is invalid in one or more of its applications,
21 the part remains in effect in all valid applications that are
22 severable from the invalid applications.

23 Section 7. Effective date.

24 This act shall take effect in 60 days.