

HOUSE BILL 185

**57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

INTRODUCED BY

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AN ACT

RELATING TO HUMAN RIGHTS; ENACTING THE PROTECTION OF WOMEN'S  
SPORTS ACT; PROVIDING DEFINITIONS; REQUIRING EQUAL ATHLETIC  
OPPORTUNITIES FOR MALES AND FEMALES; REQUIRING SEPARATE  
ATHLETIC OPPORTUNITIES IN CERTAIN CIRCUMSTANCES; REQUIRING  
DESIGNATION OF ATHLETIC TEAMS, SPORTS, ATHLETIC COMPETITIONS  
AND ATHLETIC EVENTS AS FOR EITHER SEX SEPARATELY OR AS  
COEDUCATIONAL; PROHIBITING MALE PARTICIPATION FOR, AGAINST OR  
WITH ATHLETIC TEAMS DESIGNATED FOR FEMALES; ALLOWING MALE  
ATHLETES TO PARTICIPATE AS PRACTICE PLAYERS ON TEAMS DESIGNATED  
FOR FEMALES IN CERTAIN CIRCUMSTANCES; PROVIDING PRIVATE CAUSES  
OF ACTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be  
cited as the "Protection of Women's Sports Act".

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1           SECTION 2.   [NEW MATERIAL] DEFINITIONS.--As used in the  
2 Protection of Women's Sports Act:

3           A. "athletic association" means a governing body  
4 for athletic competition or sport or an organization of  
5 athletic conferences;

6           B. "athletic club" means a privately or publicly  
7 operated organization that operates sports teams, trains  
8 athletes for competition or allows athletes or athletic teams  
9 to use its facilities on a regular basis;

10          C. "athletic event" means a competition, contest,  
11 game, jamboree, scrimmage, tournament, showcase, combine or  
12 tryout related to a sport or physical activity;

13          D. "compete" means to participate in an athletic  
14 event or other event after which teams or participants are  
15 designated as winners, roster spots are determined or prizes  
16 awarded;

17          E. "public educational institution" means a public  
18 school, school district or public post-secondary educational  
19 institution;

20          F. "sex" means a person's biological sex of either  
21 male or female as designated at birth; and

22          G. "team" means a group of people that participate  
23 in athletic or physical competitions for the same organization,  
24 school, club, college, university or cause.

25           SECTION 3.   [NEW MATERIAL] ATHLETIC OPPORTUNITIES--

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1 SEPARATE ATHLETIC TEAMS.--

2 A. A public educational institution that offers,  
3 operates or sponsors interscholastic or intercollegiate  
4 athletics shall provide equal athletic opportunities for both  
5 sexes.

6 B. Notwithstanding the requirements of Subsection A  
7 of this section, a public educational institution or private  
8 athletic club located within this state may operate or sponsor  
9 single-sex teams and provide that selection for such teams is  
10 based upon competitive skill or that the activity involved is a  
11 contact sport.

12 SECTION 4. [NEW MATERIAL] DESIGNATION OF ATHLETIC  
13 OPPORTUNITIES.--

14 A. All public educational institutions and athletic  
15 clubs that participate in athletic competitions or events with  
16 or against other institutions or clubs must designate each  
17 athletic team, sport, athletic competition or athletic event as  
18 a:

19 (1) team, sport, competition or event for  
20 males, men or boys;

21 (2) team, sport, competition or event for  
22 females, women or girls; or

23 (3) a coeducational or mixed team, sport,  
24 competition or event.

25 B. An individual who competes in any sport,

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1 athletic competition or athletic event designated for females,  
2 women or girls must be biologically female. The sex listed on  
3 a participant's birth certificate may be relied on to establish  
4 the participant's eligibility pursuant to this section if the  
5 sex designated on the birth certificate was designated at or  
6 near the time of the participant's birth.

7 SECTION 5. [NEW MATERIAL] WOMEN'S ATHLETIC COMPETITION  
8 PROTECTIONS.--A public educational institution, an athletic  
9 club or an athletic association that operates, sponsors or  
10 permits athletic competitions or events shall not allow a male  
11 to compete for, against or with a team designated for females,  
12 women or girls or to compete in an event designated for  
13 females, women or girls.

14 SECTION 6. [NEW MATERIAL] MALE PRACTICE PLAYERS--  
15 PERMITTED.--Nothing in the Protection of Women's Sports Act  
16 shall prohibit a public educational institution, an athletic  
17 club or an athletic association from allowing male athletes to  
18 participate as practice players on teams designated for  
19 females, women or girls; provided that no such player takes a  
20 roster spot, opportunity to compete, scholarship or spot at the  
21 school from a female.

22 SECTION 7. [NEW MATERIAL] COMPLIANCE.--A governmental  
23 entity, a licensing or accrediting organization or an athletic  
24 association shall not consider a complaint, open an  
25 investigation or take adverse action against a public

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1 educational institution for complying with the Protection of  
2 Women's Sports Act.

3 SECTION 8. [NEW MATERIAL] CAUSE OF ACTION--REMEDIES.--

4 A. An individual who is deprived of an athletic  
5 opportunity or who suffers or who will suffer direct or  
6 indirect harm resulting from a violation of the Protection of  
7 Women's Sports Act may bring a private cause of action for  
8 injunctive relief, compensatory damages and legal fees against  
9 the violating entity.

10 B. A public educational institution, an athletic  
11 association or an athletic club that suffers or will suffer  
12 direct or indirect harm as a result of a violation of the  
13 Protection of Women's Sports Act may bring a private cause of  
14 action against the violating entity for injunctive relief and  
15 compensatory damages.

16 C. An individual, a team or an athletic club  
17 subjected to retaliation or other adverse action as a result of  
18 reporting a violation of the Protection of Women's Sports Act  
19 to an employee or representative of a public educational  
20 institution, an athletic association or an athletic club or  
21 subjected to retaliation or other adverse action as a result of  
22 reporting a violation of that act to a state or federal  
23 government entity with oversight authority may bring a private  
24 cause of action against the retaliating entity for injunctive  
25 relief, damages and any other relief available under law.

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D. An action brought pursuant to this section shall  
be commenced within one year of the event giving rise to the  
complaint.