HB246 INTRODUCED



- 1 HB246
- 2 5FUN3M6-1
- 3 By Representatives Stadthagen, Kiel, Colvin, Kirkland,
- 4 Standridge
- 5 RFD: Education Policy
- 6 First Read: 11-Feb-25



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4 SYNOPSIS:

This bill would prohibit employees of public schools and public institutions of higher education from using names or pronouns inconsistent with a student's legal name or biological sex without written permission from the student's parent or guardian.

This bill would protect employees from adverse employment action for declining to use a name other than a legal name or a pronoun other than a pronoun corresponding to the student's biological sex or for declining to identify his or her own pronouns.

This bill would protect students from disciplinary action for declining to use a name other than a legal name or a pronoun other than a pronoun corresponding to the student's biological sex or for declining to identify his or her own pronouns.

This bill would create a private cause of action against a public school or public institution of higher education for injunctive relief for individuals harmed by violations.

26 A BILL
27 TO BE ENTITLED

28 AN ACT

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Relating to public schools and public institutions of
higher education; to restrict the use of names or pronouns
inconsistent with a student's legal name or biological sex
without consent from a parent or guardian; to protect teachers
and students from adverse actions for declining to use or
identify pronouns; and to provide for a cause of action
against a public school or institution of higher education for

37 violations.

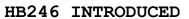
BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

- 39 Section 1. This provision shall be known and may be
- 40 cited as the Free to Speak Act.
- Section 2. For the purposes of this act, the following terms have the following meanings:
- 43 (1) FEMALE. An individual who naturally has, had, will have, or would have, but for a developmental or genetic
- 45 anomaly or historic accident, the reproductive system that at
- 46 some point produces, transports, and utilizes eggs for
- 47 fertilization.
- 48 (3) MALE. An individual who naturally has, had, will
- 49 have, or would have, but for a developmental or genetic
- anomaly or historic accident, the reproductive system that at
- 51 some point produces, transports, and utilizes sperm for
- 52 fertilization.
- 53 (3) SEX. An individual's biological sex, either male or
- female, as observed or clinically verified at birth.
- 55 Section 3. (a) An employee of a public school or public
- institution of higher education, regardless of the scope of

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- 57 his or her official duties:
- 58 (1) Shall not knowingly and intentionally address an
- unemancipated minor student by a name other than the student's
- legal name, or a derivative thereof, or by a pronoun or title
- that is inconsistent with the student's sex without the
- written permission of a student's parent or guardian;
- (2) Shall not be subject to adverse employment action
- for declining to address an unemancipated minor student using
- a name other than the student's legal name, or a derivative
- thereof, or by a pronoun or title that is inconsistent with
- the student's sex; and
- 68 (3) Shall not be subject to adverse employment action
- for declining to identify his or her pronouns.
- 70 (b) A student of a public school or public institution
- of higher education shall not be subject to any disciplinary
- 72 action for declining to:
- 73 (1) Address an individual using a name other than the
- 74 individual's legal name, or a derivative thereof, or by a
- 75 pronoun or title that is inconsistent with the individual's
- 76 sex in a school setting; or
- 77 (2) Identify his or her pronouns.
- 78 Section 4. (a) Any individual who is harmed by a
- 79 violation of this act shall have a private cause of action
- 80 against the public school or public institution of higher
- 81 education for injunctive relief, monetary damages, reasonable
- 82 attorney fees and costs, and any other appropriate relief.
- 83 (b) All civil actions brought pursuant to this section
- 84 must be initiated within two years after the violation





- 85 occurred.
- Section 5. This act shall become effective on October
- 87 1, 2025.