

**SB79 ENROLLED**



1 SB79  
2 XNXVEE7-3  
3 By Senators Weaver, Bell, Livingston, Chambliss, Gudger,  
4 Sessions, Kelley, Barfoot  
5 RFD: County and Municipal Government  
6 First Read: 04-Feb-25



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1 Enrolled, An Act,

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4 Relating to sex-based terminology; to amend Section  
5 1-1-1, Code of Alabama 1975, to define certain sex-based  
6 terms; to provide policy relating to sex; to allow public  
7 entities to establish certain single sex spaces or  
8 environments; and to require public entities that collect  
9 vital statistics related to sex as male or female to identify  
10 each individual as male or female as observed at birth.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. (a) The purpose of this act is to bring  
13 clarity, certainty, and uniformity to the laws of Alabama  
14 regarding sex discrimination, equality of the sexes, and  
15 benefits or services specifically provided to males and men  
16 and to females and women.

17 (b) This act applies wherever state law classifies  
18 individuals on the basis of sex or otherwise mentions  
19 individuals as being male or female, men or women, or boys or  
20 girls.

21 Section 2. The Legislature finds and declares all of  
22 the following:

23 (1) Men and women are legally equal but are not  
24 physically the same.

25 (2) The State of Alabama has an important interest in  
26 preventing unjust sex discrimination and in maintaining  
27 safety, privacy, and fairness for both sexes.

28 (3) Inconsistencies in court rulings and policy



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29 initiatives regarding sex discrimination and common sex-based  
30 words have endangered women's rights and resources and have  
31 put the existence of private, single-sex spaces in jeopardy.

32 (4) There are only two sexes, and every individual is  
33 either male or female. The term "sex" is objective and fixed.  
34 Individuals with differences in sex development, also known as  
35 "DSDs" or "intersex conditions," are not a third sex.  
36 Individuals with a congenital or medically verifiable DSD  
37 diagnosis must be accommodated consistent with state and  
38 federal law.

39 (5) With respect to equality of the sexes, the term  
40 "equal" does not mean "same" or "identical."

41 Section 3. Section 1-1-1, Code of Alabama 1975, is  
42 amended to read as follows:

43 "§1-1-1

44 The following words, whenever they appear in this ~~Code,~~  
45 ~~shall have the signification attached to them in this~~  
46 ~~section~~code, have the following meanings unless otherwise  
47 apparent from the context or otherwise explicitly defined:

48 (1) BOY. A human male who has not yet reached  
49 adulthood.

50 (2) FATHER. The male parent of a child or children.

51 (3) FEMALE. When used in reference to a natural person,  
52 an individual who has, had, will have, or would have, but for  
53 a developmental anomaly, genetic anomaly, or accident, the  
54 reproductive system that at some point produces ova.

55 (4) GIRL. A human female who has not yet reached  
56 adulthood.



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57           (6) MALE. When used in reference to a natural person,  
58 an individual who has, had, will have, or would have, but for  
59 a developmental anomaly, genetic anomaly, or accident, the  
60 reproductive system that at some point produces sperm.

61           (7) MAN. An adult human of the male sex.

62           (9) MOTHER. The female parent of a child or children.

63           ~~(1)~~(10) PERSON. The word "person" includes a  
64 corporation as well as a natural personIncludes an individual,  
65 corporation, partnership, company, or other business entity.

66           ~~(2) WRITING. The word "writing" includes typewriting~~  
67 ~~and printing on paper.~~

68           ~~(3) OATH. The word "oath" includes affirmation.~~

69           (14) SEX. When the term is used to classify or describe  
70 a natural person, the state of being male or female as  
71 observed or clinically verified at birth.

72           ~~(4)~~(15) SIGNATURE or SUBSCRIPTION. The words  
73 "signature" or "subscription" includeIncludes a mark when the  
74 personan individual cannot write, if his or her name is  
75 written near the mark, ~~and witnessed by a person~~an individual  
76 who writes his or her own name as a witness, ~~and include with~~  
77 ~~respect to corporate securities facsimile signature placed~~  
78 ~~upon any instrument or writing with intent to execute or~~  
79 ~~authenticate such instrument or writing.~~

80           ~~(5) LUNATIC, INSANE or NON COMPOS MENTIS. The words~~  
81 ~~"lunatic" or "insane" or the term "non compos mentis" include~~  
82 ~~all persons of unsound mind.~~

83           ~~(6)~~(12) PROPERTY. The word "property" includesIncludes  
84 both real and personal property.



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85           ~~(7)~~ (13) REAL PROPERTY. ~~The term "real property"~~  
86 ~~includes~~ Includes lands, tenements, and hereditaments.

87           ~~(8)~~ (11) PERSONAL PROPERTY. ~~The term "personal property"~~  
88 ~~includes~~ Includes money, goods, chattels, things in action and  
89 evidence of debt, deeds, and conveyances.

90           ~~(9)~~ CIRCUIT. ~~The word "circuit" means judicial circuit.~~

91           ~~(10)~~ PRECEDING. ~~The word "preceding" means next before.~~

92           ~~(11)~~ FOLLOWING. ~~The word "following" means next after.~~

93           ~~(12)~~ (16) STATE. ~~The word "state," when~~ When applied to  
94 the different parts of the United States, includes the  
95 District of Columbia and the several territories of the United  
96 States.

97           ~~(13)~~ (17) UNITED STATES. ~~The term "United States"~~  
98 ~~includes~~ Includes the territories thereof and the District of  
99 Columbia.

100           ~~(14)~~ (5) JURY or JURIES. ~~The words "jury" or "juries"~~  
101 ~~include~~ Includes courts or judges in all cases when a jury  
102 trial is waived, or when the court or judge is authorized to  
103 ascertain and determine the facts as well as the law.

104           ~~(15)~~ (8) MONTH. ~~The word "month" means a~~ A calendar  
105 month.

106           (18) WOMAN. An adult human of the female sex.

107           ~~(16)~~ (19) YEAR. ~~The word "year" means a~~ A calendar  
108 year, ~~but,~~ except whenever the word "year" is used in  
109 reference to any appropriations for the payment of money out  
110 of the treasury, ~~it shall mean~~ the term shall mean a fiscal  
111 year."

112           Section 4. (a) Any state law that prohibits



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113 discrimination on the basis of sex thereby forbids unfair  
114 treatment of females or males.

115 (b) Neither the state nor any political subdivision of  
116 the state shall be prohibited from establishing separate  
117 single-sex spaces or environments for males and females when  
118 biology, privacy, safety, or fairness are implicated.

119 Section 5. (a) Any school district or public school,  
120 and any state agency, department, bureau, or commission, or  
121 political subdivision that collects vital statistics related  
122 to sex as male or female for the purpose of complying with  
123 anti-discrimination laws or for the purpose of gathering  
124 accurate public health, crime, economic, or other data shall  
125 identify each individual who is part of the collected data set  
126 as either male or female. This subsection shall not be  
127 construed to prohibit the entry of "unknown" as the sex on a  
128 child's certificate of birth, fetal death, or death when sex  
129 cannot be medically determined for developmental or other  
130 reasons at the time the facts of birth, fetal death, or death  
131 are reported to the Office of Vital Statistics.

132 (b) Compliance with subsection (a) shall not require  
133 the collection of data regarding sex unless otherwise required  
134 by law, and the requirements of subsection (a) shall not  
135 prevent the collection of additional data points besides  
136 biological sex.

137 Section 6. The provisions of this act are severable. If  
138 any part of this act is declared invalid or unconstitutional,  
139 that declaration shall not affect the part which remains.

140 Section 7. This act shall become effective on October

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141 1, 2025.



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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB79

Senate 06-Feb-25

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,  
Secretary.

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House of Representatives  
Amended and passed: 12-Feb-25

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Senate concurred in House amendment

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By: Senator Weaver