

SHB 1296 - H AMD TO H AMD (H-1828.2/25) **404**

By Representative Walsh

NOT ADOPTED 03/12/2025

1 On page 5, after line 7 of the striking amendment, insert the
2 following:

3 "(5) The discrimination protections based on gender identity
4 and gender expression required by this section do not extend to
5 individuals who utilize non-human gender identities and expressions.
6 This subsection (5) does not limit protections against
7 discrimination on the basis of other characteristics, including
8 race, disability, or other legally protected classes for individuals
9 who utilize non-human gender identities and expressions.

10 (6) For the purposes of this section:

11 (a) "Gender identity" and "gender expression" means those
12 aspects of identity and self-presentation that correspond to human
13 gender categories as generally understood in social, cultural, and
14 legal contexts;

15 (b) "Non-human gender identity and expression" means gender
16 identities that identify with or express characteristics associated
17 with non-human entities, such as animals, mythological creatures, or
18 abstract concepts, and do not fall within the generally accepted
19 categories of human gender identity and expression; and

20 (c) "Human gender identity and expression" means a gender
21 identity that aligns with human biological sex or socioculturally
22 recognized human gender categories, including male, female, and non-
23 binary.

24

25 **Sec. 103.** RCW 28A.642.010 and 2010 c 240 s 2 are each amended
26 to read as follows:

27

1 (1) Discrimination in Washington public schools on the basis of
2 race, creed, religion, color, national origin, honorably discharged
3 veteran or military status, sexual orientation including gender
4 expression or identity, the presence of any sensory, mental, or
5 physical disability, or the use of a trained dog guide or service
6 animal by a person with a disability is prohibited. The definitions
7 given these terms in chapter 49.60 RCW apply throughout this chapter
8 unless the context clearly requires otherwise.

9 (2) For the purposes of this section, "gender expression or
10 identity" does not include or apply to non-human gender identities and
11 expressions as defined in RCW 28A.642.080."

12
13 Renumber the remaining sections consecutively and correct any
14 internal references accordingly.

EFFECT: (1) Provides that discrimination protections in policies, procedures, training materials, and rules that are adopted by school districts, charter schools, and the Washington State School Directors' Association do not extend to individuals who utilize non-human gender identities and expressions.

(2) Specifies that the non-extension of discrimination protections do not limit protections against discrimination on the basis of other characteristics, including race, disability, or other legally protected classes for individuals who utilize non-human gender identities and expressions.

(3) Modifies the list of protected classes for discrimination prohibitions applicable to public schools to specify that gender expression or identity does not include or apply to non-human gender identities and expressions.

(4) Adds definitions of "gender identity" and "gender expression," "non-human gender identity and expression," and "human gender identity and expression."

--- END ---