

# Kansas Becomes 1st State to Pass Law Defining Gender as a Person's Sex at Birth

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Kansas has become the first state to adopt a definition of gender with the passage of legislation that keeps men, no matter what gender they identify as, out of women's bathrooms, locker rooms, and other intimate spaces.

It also separates inmates and restricts participation in sports according to one's sex at birth.

The move came late in the afternoon of April 27, when the state Legislature voted to override Kansas Gov. Laura Kelly's veto of S.B. 180, which became known as the "Women's Bill of Rights."

Under it, a female is defined as “an individual whose biological reproductive system is developed to produce ova.” A male is defined as “an individual whose biological reproductive system is developed to fertilize the ova of a female.”

It also defines gender words calling for “woman” and “girl” to be used to refer to human females and “man” and “boy” to refer to human males. It defines “mother” as a parent of the female sex and “father” as a parent of the male sex.

The override comes a little more than a week after Kelly vetoed the bill on April 20, after it was passed by a two-to-one margin between Republicans and Democrats in both the House and Senate.

Kelly said she vetoed the legislation because she was concerned it would open the state up to costly discrimination lawsuits, cause a loss of federal funding, and hurt the Sunflower State’s economy.

The bill garnered support from a range of groups, including one staunchly pro-choice women’s rights group.

“Victory!” wrote the Women’s Liberation Front (WOLF) on Twitter, upon news of the veto override.

The national women’s rights organization, which helped craft the legislation, wrote on its website, “This bill takes procedural steps to write into law common sense definitions that ensure the meaning of words like ‘woman’ and ‘mother’ aren’t corrupted by unelected bureaucrats intent on pushing gender ideology.”

The group stated that members sent more than 600 messages to Kansas lawmakers in support of the bill.

## **Opposition Forces**

The legislation also had plenty of opposition, with critics calling it anti-trans and reminiscent of racial segregation in the 1960s.

"It's the same sayings," state Rep. John Alcalá (D-Topeka) said at a public hearing on the bill. "I don't want you in my bathroom. I don't want you drinking out of my water fountain. I don't want you over at my house. I don't want my kid hanging out with you."

Beth Oller, a physician who testified against the bill, said the title was inappropriate and violated women's rights. "This is [in] no way a women's bill of rights. The bill does the opposite of protecting women; it causes harm."

Oller said that medical doctors "for decades have agreed that there is no sufficient way to define what makes a woman."

"Gender is not binary but is a spectrum of biological, mental, and emotional traits that exist along a continuum," she said. "Intersex people exist."

The bill does include a provision that recognizes intersexual individuals. "Individuals born with a medically verifiable diagnosis of disorder/differences in sex development are to be provided available federal and state legal protections," the legislation states.

Opposition to SB 180 also came from the Kansas School Superintendents' Association, the United School Administrators of Kansas, and Kansas Legal Services.

The Kansas Coalition Against Domestic Violence also opposed the Women's Bill of Rights, which specifically cites women's shelters, rape crisis centers, domestic violence safe havens, and women's prisons as protected places where men identifying as female should be restricted.

## **Female Spaces in Danger**

Following public testimony against the bill by Rev. Carolene Dean, an associate pastor with the Plymouth Congregational Church, an attorney for WOLF asked whether Dean, a female, "had ever been unfortunate enough to find herself in a domestic violence shelter, rape crisis counseling, or a women's prison."

Attorney Lauren Bone said that with many states now opening such places up to men, women are at "increased risk of further violence and harassment."

When asked by a Republican lawmaker how many genders there are, Dean replied, "There are as many genders as there are beautiful creations in the world."

Similar gender-defining bills to the one passed in Kansas are pending in other states, including Oklahoma and Montana.

Nationwide, there have been a number of reports of assaults on women by men identifying as women.

Earlier this month, The Windsor Star reported that a man who identified as a transgender woman was arrested in Ontario on allegations that he climbed into bed with a woman at a women's shelter and sexually assaulted her.

There are also several pending civil rights lawsuits filed by attorneys on behalf of female inmates who have reported being raped by men they were incarcerated with because the men claimed to be females. One of the alleged assaults happened at the Logan Correctional Center, Illinois's largest women's prison.

Last year, as part of a plea deal, transgender prisoner Ramel Blount pled guilty to raping a female prisoner while she was taking a shower. Blount, a male who goes by the first name "Diamond," was housed with women at

New York's Rikers Island prison.

The then-33-year-old admitted to grabbing the female inmate by the neck and holding her down against her will while raping her, according to released statements from the Bronx County District Attorney's Office.

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