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## DIGEST

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HB 81 Reengrossed

2023 Regular Session

Crews

**Abstract:** Requires public school employees to use certain names and pronouns for students unless parents provide written permission to do otherwise.

Proposed law requires school employees to:

- (1) Use the name for a student that is listed on his birth certificate, or a derivative thereof, unless his parent provides written permission to do otherwise.
- (2) Use the pronoun for a student that aligns with his sex unless his parent provides written permission to do otherwise.

Proposed law provides that an employee shall not be required to use pronouns for any person that differ from the pronouns that align with that person's sex if doing so is contrary to the employee's religious or moral convictions. Authorizes parents to request a transfer to another teacher if a teacher objects to using a pronoun for a student on these grounds.

Proposed law defines "employee" as any individual working in any capacity at a public school, paid or volunteer, including but not limited to teachers and other school employees, school bus operators, extracurricular personnel, and independent contractors, and defines "sex" as the biological sex as listed on the person's original birth certificate.

Proposed law further provides:

- (1) Proposed law shall not shall be construed to prohibit employees from discussing matters of public concern outside the context of their official duties.
- (2) Any individual aggrieved by an intentional violation of proposed law may seek relief; however, provides that a school employee shall not be held liable if the administration fails to provide information relative to a student's name or pronouns.
- (3) Employees shall not discuss the application of proposed law relative to a student's preferred name and pronouns with other students.
- (4) Each public school governing authority shall adopt policies for proposed law implementation.

(Adds R.S. 17:2122 and 3996(B)(75))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Allow using a derivative of the name listed on a student's birth certificate.

The House Floor Amendments to the engrossed bill:

1. Authorize parents to request a transfer to another teacher if a teacher objects to using a pronoun for a student based on religious or moral convictions.
2. Limit authority of an individual aggrieved by violations of proposed law to seek relief to intentional violations and provide that an employee shall not be held liable if the administration fails to provide information relative to a student's name or pronouns.
3. Prohibit employees from discussing the application of proposed law relative to a student's preferred name and pronouns with other students.