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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 213 Session of  
2025

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INTRODUCED BY MASTRIANO, DUSH, HUTCHINSON, COSTA AND J. WARD,  
FEBRUARY 4, 2025

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REFERRED TO STATE GOVERNMENT, FEBRUARY 4, 2025

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AN ACT

1 Recognizing two sexes, male and female; and providing for duties  
2 and prohibitions.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Two Gender  
7 Protection Act.

8 Section 2. Policy.

9 The General Assembly finds and declares that it is the policy  
10 of the Commonwealth to recognize two sexes, male and female.

11 The sexes are not changeable and are grounded in fundamental and  
12 incontrovertible reality.

13 Section 3. Definitions.

14 The following words and phrases when used in this act shall  
15 have the meanings given to them in this section unless the  
16 context clearly indicates otherwise:

17 "Boy." A juvenile human male.

18 "Female." An individual belonging, at conception, to the sex

1 that produces the large reproductive cell.

2 "Gender ideology." The replacement of the biological  
3 category of sex with a concept of self-assessed gender identity.  
4 The term includes the idea that there is a vast spectrum of  
5 genders that are disconnected from one's sex.

6 "Gender identity." A fully internal and subjective sense of  
7 self, disconnected from biological reality and sex and existing  
8 on an infinite continuum, that does not provide a meaningful  
9 basis for identification and cannot be recognized as a  
10 replacement for sex.

11 "Girl." A juvenile human female.

12 "Woman." An adult human female.

13 "Man." An adult human male.

14 "Male." An individual belonging, at conception, to the sex  
15 that produces the small reproductive cell.

16 "Sex." An individual's immutable biological classification  
17 as either male or female. The term does not include the concept  
18 of gender identity.

19 Section 4. Biological distinction.

20 (a) Guidance.--Within 30 days of the effective date of this  
21 subsection, the Secretary of Health shall provide to the  
22 Commonwealth and the public clear guidance expanding on the sex-  
23 based definitions in section 3.

24 (b) Enforcement and terms.--Each agency and State employee  
25 shall enforce laws governing sex-based rights, protections,  
26 opportunities and accommodations to protect men and women as  
27 biologically distinct sexes. Each agency should give the terms  
28 "sex," "male," "female," "men," "women," "boys" and "girls" the  
29 meanings in section 3 when interpreting or applying statutes,  
30 regulations or guidance and official agency business, documents

1 and communications.

2 (c) Sex-based distinctions.--If administering or enforcing  
3 sex-based distinctions, each agency and State employee acting in  
4 an official capacity on behalf of the agency shall use the term  
5 "sex" and not "gender" in all applicable Commonwealth policies  
6 and documents.

7 (d) Identification documents.--The Secretary of the  
8 Commonwealth shall implement changes to require that government-  
9 issued identification documents accurately reflect the holder's  
10 sex. The head of each agency shall ensure that applicable  
11 personnel records accurately report a State employee's sex.

12 (e) Removal.--Agencies shall remove statements, policies,  
13 regulations, forms, communications or other internal and  
14 external messages that promote or otherwise inculcate gender  
15 ideology and shall cease issuing the statements, policies,  
16 regulations, forms, communications or other messages. Agency  
17 forms that require an individual's sex shall list male or female  
18 and shall not request gender identity. Agencies shall take all  
19 necessary steps, as permitted by law, to end the Federal funding  
20 of gender ideology.

21 (f) Single-sex and gender neutral spaces.--

22 (1) The Attorney General shall immediately issue  
23 guidance to agencies to prohibit the requirement of gender  
24 identity-based access to single-sex spaces and shall issue  
25 guidance and assist agencies in protecting sex-based  
26 distinctions.

27 (2) State institutions, schools and other State-funded  
28 locations may provide gender neutral bathrooms and changing  
29 areas that are completely private and separate from single-  
30 sex spaces.

1 (g) Prohibition of fund use.--State funds may not be used to  
2 promote gender ideology. Each agency shall assess grant  
3 conditions and grantee preferences and ensure that grant funds  
4 do not promote gender ideology.

5 Section 5. Privacy in intimate spaces.

6 (a) Prisons.--The Attorney General and Secretary of  
7 Corrections shall ensure that males are not detained in women's  
8 prisons or housed in women's detention centers.

9 (b) Single-sex rape shelters.--The Secretary of Labor and  
10 Industry shall submit to the General Assembly a policy for the  
11 protection of women seeking single-sex rape shelters.

12 (c) Medical care.--The Attorney General shall ensure that  
13 the Department of Corrections revises its policies concerning  
14 medical care to be consistent with this act and shall ensure  
15 that no State funds are expended for a medical procedure,  
16 treatment or drug for the purpose of conforming an inmate's  
17 appearance to that of the opposite sex.

18 (d) Effectuation.--Agencies shall effectuate this act by  
19 taking appropriate action to ensure that intimate spaces  
20 designated for women, girls or females or for men, boys or males  
21 are designated by sex and not identity.

22 Section 6. Protecting rights.

23 The Attorney General shall issue guidance to ensure the  
24 freedom to express the binary nature of sex and the right to  
25 single-sex spaces in workplaces and any State-funded entities.  
26 In accordance with the guidance, the Attorney General and each  
27 head of an agency shall prioritize investigations and litigation  
28 to enforce the rights and freedoms.

29 Section 7. Agency implementation and reporting.

30 (a) Update.--Within 120 days of the effective date of this

1 subsection, each agency head shall submit an update on  
2 implementation of this act to the Governor. The update shall  
3 address:

4 (1) changes to agency documents, including regulations,  
5 guidance, forms and communications, made to comply with this  
6 act; and

7 (2) agency-imposed requirements on State-funded  
8 entities, including contractors, to achieve the policy of  
9 this act.

10 (b) Guidance documents.--Each agency head shall promptly  
11 rescind guidance documents inconsistent with the requirements of  
12 this act or the Attorney General's guidance issued under this  
13 act, or rescind the parts of any documents that are inconsistent  
14 in that manner.

15 Section 8. Construction.

16 (a) Authority.--Nothing in this act shall be construed to  
17 impair or otherwise affect the authority granted by law to an  
18 executive department or agency, or the head of the executive  
19 department or agency.

20 (b) Implementation.--This act shall be implemented  
21 consistent with applicable law and subject to the availability  
22 of appropriations.

23 (c) Right or benefit.--This act is shall not create a right  
24 or benefit, substantive or procedural, enforceable at law or in  
25 equity by any party against the Commonwealth, its departments,  
26 agencies or entities, its officers, employees or agents, or any  
27 other person.

28 Section 9. Effective date.

29 This act shall take effect in 120 days.