

**February 13, 2023; 1:30 pm**  
House Committee on Education  
Rep. Adam Thomas, Chair

Jae Moyer  
LGBTQ+ Kansan

**HB2238** – Creating the "fairness in women's sports" act to require that female student athletic teams only include members who are biologically female.

**Opponent, Written Only**

Chair Thomas and Members of the Committee,

Thank you for the opportunity to provide Opponent testimony on HB2238.

My name is Jae Moyer, and I live in Overland Park. I openly identify as gay and as transgender/gender non-binary. I strongly urge you to OPPOSE HB2238- for many reasons, most of which being that this policy, if enacted, would inherently create inequity between LGBTQ+ students in Kansas and their cisgender peers. This inequity would harm those students.

I do not know how to share the experiences of members of the LGBTQ+ community in words, or the feelings and emotions that we go through as we simply work every day to exist as our true, authentic selves. I do, however, oftentimes worry that words such as mine in this testimony fall on deaf ears.

I want to find a way to portray to you the outrage bills such as this cause, which is why you so often hear about self-harm and suicide rates in testimony on policy that affects the LGBTQ+ community. When I was in school, I had a difficult time dealing with my own identity, and neither the school system, nor my peers around me, were particularly well-equipped to help me through my struggle.

I am so very lucky to know my identity now- I am a passionate, driven, and creative person, and I feel very lucky to know this about myself and to be comfortable about myself. I identify as non-binary and use that label because "masculine" and "feminine", "male" and "female" just don't cut it. I don't need those binary labels to define my own personality.

However: to other members of the transgender community, those labels are highly important. In our society, we use norms, personality types, and interests to put each other into categories- this is what we call gender. These labels (when used correctly) can enable people to be true to the way they interact with other people in our society. This is why you simply cannot put any human into a box, regardless of the "physical sex" bills such as this claim are so important.

I don't want to use this space to talk about some of the things that I'm sure you'll hear in your other testimony- such as that there are very few if any transgender athletes in the state of Kansas; that these claims that men are stronger than women are simply unfounded; it lacks the comprehension of basic human biology, not to mention completely erases intersex Kansans who don't fit into one of the "two biological sexes" that are so important to this bill; and that this is simply an effort to find a solution to a problem that doesn't exist- I believe all those ideas are true, however, you shouldn't have to listen to them more than a few times to understand why.

Instead, I want to make a plea to you to let my voice and the voices of other LGBTQ+ Kansans weigh on your shoulders when you vote on this legislation. Think of who REALLY benefits by passing this legislation. No matter what rhetoric people choose to say about this bill and others like it, we shouldn't lie to ourselves. It's designed to target folks like who I was in high school. Trans people. Real people. People who are FINALLY learning about themselves in a healthier way, and are claiming the power to talk about it openly despite potential repercussion.

This bill doesn't protect women's sports. It divides Kansas students. I'm saying this to you as a member of Gen Z (I turn 24 on Feb. 11), bills like this are not the future of our society, and they are not meant to help us move forward. They are meant to harm us, and divide us. I just hope that you're listening. Think of our stories. Think of who we are. Don't think of politics, and don't think of yourselves. You can't simply erase people's identities. When we say these bills are harmful, that's exactly what we mean.

I once again urge you strongly to OPPOSE HB2238- so that instead of dividing Kansans, we can seek to accept them, and let them live their best lives.