

Feb. 13, 2023

To: KS Senate Public Health and Welfare Committee % Donola.Fairbanks@Senate.ks.gov.

From: Carol Williamson, ksscienceteacher@gmail.com

Re: Opponent Testimony - Written Only for Feb. 15, 2023 Hearing on Senate Bill 180

Chair Gossage, Vice Chair Erickson, Ranking Minority Member Pettey, and Members of the Kansas Senate Public Health and Welfare Committee:

I oppose SB 180. It is not, as it states a “Women’s Bill of Rights” because it seeks to unconstitutionally discriminate on the basis of sex, and it proposes to misuse science to define biological sex as a way to limit the rights of some Kansans and promote discriminatory practices.

I am a lifelong Kansan, a parent, a grandparent, and a now-retired Kansas science teacher of 35 years. Describing SB 180 as a “Women’s Bill of Rights” is, at best, disingenuous, but more accurately, a lie. SB 180 would give no rights to me or the women in our state. I am mortified at the hubris of the language of the bill that defines biological sex with a misuse of science when science shows there is more to biological sex than what is listed on one’s birth certificate or internal anatomy.

In *The Lancet*, ‘The misuses of “biological sex”,’ (v. 394, issue10212, pp, 1898-1899, Nov. 23, 2010, [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(19\)32764-3/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(19)32764-3/fulltext)) Katrina Karkazis, Yale School of Medicine, states,

“The US military definition of sex relies on the sex designation on a birth certificate, which is likely based on a glance at the genitals at birth. But its definition of biological sex includes ‘chromosomes, gonads, hormones, and genitals’ - that is, all four characteristics. Someone with what are understood as female-type genitals, and 46 XY chromosomes would be classified as female if genitals are used as the indicator but male if chromosomes are used.” Karkazis continues, “Science does not drive these policies; the desire to exclude does. This intentional gerrymandering of sex opportunistically uses the idea of ‘biological sex’ - which lends a veneer of science and thus rationality to any definition - to remove certain individuals from a category based on intolerance.”

Defining biological sex is a complex and nuanced endeavor. SB 180 attempts to define biological sex for statutory purposes in a way that misuses science and limits rights of Kansans. The definition of biological sex in SB 180 uses only morphological data, including internal morphological data that is observable only with intrusive practices, and ignores genetic data. SB 180 would enable discriminatory practices and intolerance. The US Supreme Court interprets that it is unconstitutional to discriminate on the basis of sex. SB 180 would discriminate on the basis of sex with an unscientific definition of biological sex.

Thank you for the opportunity to provide testimony.

Respectfully submitted,
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