

# STATE OF NEW YORK

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6500--A

2017-2018 Regular Sessions

## IN ASSEMBLY

March 7, 2017

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Introduced by M. of A. O'DONNELL, DICKENS, MOSLEY, JAFFEE, ORTIZ -- read once and referred to the Committee on Governmental Operations -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules

AN ACT to amend the civil rights law and the education law, in relation to single occupancy bathroom facilities

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The civil rights law is amended by adding a new section  
2 79-o to read as follows:

3 § 79-o. Gender neutral single occupancy bathroom facilities. 1. All  
4 single occupancy bathroom facilities located in public places, including  
5 but not limited to those located in restaurants, bars, mercantile estab-  
6 lishments, factories or state-owned or operated buildings, shall be  
7 designated as gender neutral for use by no more than one occupant at a  
8 time or for family or assisted use. For purposes of this section,  
9 "state-owned or operated buildings" shall mean any state-owned property  
10 used for official state business and shall include any building or  
11 office space, not owned by the state, but which primary use is for offi-  
12 cial state business.

13 2. Such gender neutral bathroom facilities shall be clearly designated  
14 by the posting of such on or near each facility.

15 § 2. The education law is amended by adding a new section 409-m to  
16 read as follows:

17 § 409-m. Gender neutral single occupancy bathroom facilities. The  
18 board of education or trustees of every school district or, in the case  
19 of the city school district of New York, the chancellor, and every board  
20 of cooperative educational services, charter school and nonpublic school  
21 within the state shall develop policies and procedures requiring that  
22 all single occupancy bathroom facilities are designated as gender

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 neutral for use by no more than one occupant at a time or for family or  
2 assisted use. Such gender neutral bathroom facilities shall be clearly  
3 designated by the posting of such on or near each facility.

4 § 3. Section 355 of the education law is amended by adding a new  
5 subdivision 20 to read as follows:

6 20. The state university trustees shall adopt rules requiring that  
7 each institution of the state university of New York adopt written poli-  
8 cies requiring that all public single occupancy bathroom facilities be  
9 designated as gender neutral for use by no more than one occupant at a  
10 time or for family or assisted use. Such gender neutral bathroom facili-  
11 ties shall be clearly designated by the posting of such on or near each  
12 facility.

13 § 4. Section 6206 of the education law is amended by adding a new  
14 subdivision 20 to read as follows:

15 20. The board of trustees shall adopt rules requiring that each insti-  
16 tution of the city university of New York adopt written policies requir-  
17 ing that all public single occupancy bathroom facilities be designated  
18 as gender neutral for use by no more than one occupant at a time or for  
19 family or assisted use. Such gender neutral bathroom facilities shall be  
20 clearly designated by the posting of such on or near each facility.

21 § 5. Section 6306 of the education law is amended by adding a new  
22 subdivision 11 to read as follows:

23 11. The board of trustees of each community college shall adopt writ-  
24 ten policies requiring that all public single occupancy bathroom facili-  
25 ties be designated as gender neutral for use by no more than one occu-  
26 pant at a time or for family or assisted use. Such gender neutral  
27 bathroom facilities shall be clearly designated by the posting of such  
28 on or near each facility.

29 § 6. This act shall take effect on the ninetieth day after it shall  
30 have become a law.