

# STATE OF NEW YORK

5993

2017-2018 Regular Sessions

## IN SENATE

May 9, 2017

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

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 in public places, including but not  
5 limited to those located in restaurants, bars, mercantile establish-  
6 ments, factories or state-owned or operated buildings, shall be desig-  
7 nated as gender neutral for use by no more than one occupant at a time  
8 or for family or assisted use. For purposes of this section, "state-  
9 owned or operated buildings" shall mean any state-owned property used  
10 for official office building space, and shall include any office space,  
11 not owned by the state, but whose primary use is for official state  
12 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 and the princi-  
19 pal or other person in charge of every nonpublic elementary or secondary  
20 school within the state shall authorize the promulgation of rules or  
21 policies requiring that all single occupancy bathroom facilities are  
22 designated as gender neutral for use by no more than one occupant at a  
23 time or for family or assisted use. Such gender neutral bathroom facili-  
24 ties shall be clearly designated by the posting of such on or near each  
25 facility.

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

LBD10268-02-7

1 § 3. The education law is amended by adding a new section 362 to read  
2 as follows:

3 § 362. Gender neutral single occupancy bathroom facilities. The board  
4 of trustees of the state university of New York shall authorize the  
5 promulgation of rules or policies requiring each state university of New  
6 York, including all their constituent units including community  
7 colleges, that all single occupancy bathroom facilities are designated  
8 as gender neutral for use by no more than one occupant at a time or for  
9 family or assisted use. Such gender neutral bathroom facilities shall be  
10 clearly designated by the posting of such on or near each facility.

11 § 4. The education law is amended by adding a new section 6206-a to  
12 read as follows:

13 § 6206-a. Gender neutral single occupancy bathroom facilities. The  
14 board of trustees of the city university of New York shall authorize the  
15 promulgation of rules or policies requiring the city university of New  
16 York, including all their constituent units including community  
17 colleges, that all single occupancy bathroom facilities are 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. This act shall take effect immediately.