STATE OF NEW YORK

5240

2019-2020 Regular Sessions

IN ASSEMBLY

February 7, 2019

Introduced by M. of A. O'DONNELL, DICKENS, MOSLEY, JAFFEE, ORTIZ, BLAKE, CRESPO, THIELE, SIMON, GALEF, ARROYO, GLICK, WALLACE, RAIA, HEVESI, ABINANTI, D'URSO, QUART, CUSICK, HYNDMAN, DE LA ROSA, PICHARDO, LIFTON, BRONSON, SEAWRIGHT, STECK, RIVERA, NIOU, ROZIC, SIMOTAS, BYRNE, BICHOTTE, SANTABARBARA, WOERNER, FAHY, VANEL, GUNTHER, WALKER, NOLAN, ZEBROWSKI, WRIGHT, CAHILL, STIRPE, SOLAGES, LENTOL, KIM, EPSTEIN, JEAN-PIERRE, WEINSTEIN, PERRY, CARROLL, PHEFFER AMATO, JONES, GOTTFRIED, BUCHWALD -- read once and referred to the Committee on Governmental Operations

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:

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

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

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

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

§ 409-m. Gender neutral single occupancy bathroom facilities. The board of education or trustees of every school district or, in the case

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

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of the city school district of New York, the chancellor, and every board of cooperative educational services, charter school and nonpublic school within the state shall develop policies and procedures requiring that all single occupancy bathroom facilities are designated as gender neutral for use by no more than one occupant at a time or for family or assisted use. Such gender neutral bathroom facilities shall be clearly designated by the posting of such on or near each facility.

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

20. The state university trustees shall adopt rules requiring that each institution of the state university of New York adopt written policies requiring that all public single occupancy bathroom facilities be designated as gender neutral for use by no more than one occupant at a time or for family or assisted use. Such gender neutral bathroom facilities shall be clearly designated by the posting of such on or near each facility.

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

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

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

11. The board of trustees of each community college shall adopt written policies requiring that all public single occupancy bathroom facilities be designated as gender neutral for use by no more than one occupant at a time or for family or assisted use. Such gender neutral bathroom facilities shall be clearly designated by the posting of such on or near each facility.

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