

STATE OF NEW YORK

815

2019-2020 Regular Sessions

IN SENATE

January 9, 2019

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

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

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

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

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

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

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

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

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