STATE OF NEW YORK

5240--A

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, 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, REYES, LAVINE, SMULLEN -- read once and referred to the Committee on Governmental Operations -- recommitted to the Committee on Governmental Operations in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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-p to read as follows:

§ 79-p. 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, or factories, 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, "single-occupancy bathroom" shall have the same meaning as paragraph (d) of subdivision one of section one hundred forty-five of the public buildings law.

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

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

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

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§ 409-m. Gender neutral single-occupancy bathroom facilities. The board of education or trustees of every school district or, in the case 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 the entry door of each facility. For purposes of this section, "single-occupancy bathroom" shall have the same meaning as paragraph (d) of subdivision one of section one hundred forty-five of the public buildings law.

§ 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 the entry door of each facility. For purposes of this section, "single-occupancy bathroom" shall have the same meaning as paragraph (d) of subdivision one of section one hundred forty-five of the public buildings law.

§ 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 the entry door of each facility. For purposes of this section, "single-occupancy bathroom" shall have the same meaning as paragraph (d) of subdivision one of section one hundred forty-five of the public buildings law.

§ 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 the entry door of each facility. For purposes of this section, "single-occupancy bathroom" shall have the same meaning as paragraph (d) of subdivision one of section one hundred forty-five of the public buildings law.

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