

STATE OF NEW YORK

8053

2025-2026 Regular Sessions

IN ASSEMBLY

April 22, 2025

Introduced by M. of A. BARCLAY, BLANKENBUSH, GRAY -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to providing for temporary exemptions to educational institutions from certain requirements related to the use of multi-occupancy bathrooms and locker rooms and to authorizing the use of state building aid for related facility improvements

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

1 Section 1. Legislative intent. It is the intent of the Legislature to
2 ensure that all students in New York State educational institutions have
3 access to private, inclusive, and comfortable bathroom and locker room
4 facilities. This act provides that all educational institutions in the
5 state of New York shall be exempt from the requirement to permit the use
6 of multi-occupancy bathrooms and locker rooms until such facilities are
7 converted, renovated, or newly constructed to ensure a private, inclu-
8 sive, and comfortable environment for all students.

9 § 2. Section 296 of the executive law is amended by adding a new
10 subdivision 4-a to read as follows:

11 4-a. (a) For the purposes of this subdivision, the following terms
12 shall have the following meanings:

13 (i) "Educational institution" means any public school district, char-
14 ter school, board of cooperative educational services, or other entity
15 authorized to provide kindergarten through twelfth grade public educa-
16 tion in the state.

17 (ii) "Multi-occupancy bathroom or locker room" means a facility
18 designed for simultaneous use by more than one individual and customar-
19 ily designated for use based on gender.

20 (iii) "Private, inclusive, and comfortable space" means a bathroom or
21 locker room facility designed to allow all students access to privacy

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

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1 and inclusivity regardless of gender identity or expression, including
2 but not limited to single-occupancy or individually partitioned spaces.

3 (iv) "Transgender" means a person whose gender identity differs from
4 the gender identity typically associated with the sex they were assigned
5 at birth.

6 (b)(i) All educational institutions in the state shall be temporarily
7 exempt from any state-imposed requirement pursuant to subdivision four
8 of this section related to allowing unrestricted use of multi-occupancy
9 bathrooms and locker rooms by transgender students until such time as
10 the relevant facilities are converted, renovated, or newly constructed
11 to provide private, inclusive, and comfortable spaces for all students.

12 (ii) This exemption shall remain in effect for each institution until
13 the completion of the institution's necessary facility modifications as
14 described in subparagraph (i) of this paragraph.

15 (c)(i) School districts and other educational institutions shall be
16 eligible for state building aid pursuant to subdivision six of section
17 three thousand six hundred two of the education law to support the costs
18 of converting, renovating, or constructing bathroom and locker room
19 facilities to provide private, inclusive, and comfortable spaces for all
20 students.

21 (ii) The commissioner of education shall provide guidance on eligible
22 expenses and procedures for obtaining state building aid for such
23 purposes.

24 § 3. Severability clause. If any provision of this act or its applica-
25 tion to any person, legal entity, or circumstance is held invalid, the
26 remainder of the act or the application of the provision to other
27 persons, legal entities or circumstances shall not be affected.

28 § 4. This act shall take effect immediately.