

STATE OF NEW YORK

7489

2025-2026 Regular Sessions

IN SENATE

April 17, 2025

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

AN ACT to provide for temporary exemptions to educational institutions from certain requirements related to the use of multi-occupancy bathrooms and locker rooms; and to authorize 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. Definitions. For the purposes of this act, the following terms
10 shall have the following meanings:
- 11 (a) "Educational institution" means any public school district, char-
12 ter school, board of cooperative educational services, or other entity
13 authorized to provide kindergarten through twelfth grade public educa-
14 tion in the state.
- 15 (b) "Multi-occupancy bathroom or locker room" means a facility
16 designed for simultaneous use by more than one individual and customar-
17 ily designated for use based on gender.
- 18 (c) "Private, inclusive, and comfortable space" means a bathroom or
19 locker room facility designed to allow all students access to privacy
20 and inclusivity regardless of gender identity or expression, including
21 but not limited to single-occupancy or individually partitioned spaces.

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

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

4 § 3. Temporary exemption. (a) All educational institutions in the
5 state shall be temporarily exempt from any state-imposed requirement
6 pursuant to subdivision four of section two hundred ninety-six of the
7 executive law related to allowing unrestricted use of multi-occupancy
8 bathrooms and locker rooms by transgender students until such time as
9 the relevant facilities are converted, renovated, or newly constructed
10 to provide private, inclusive, and comfortable spaces for all students.

11 (b) This exemption shall remain in effect for each institution until
12 the completion of the necessary facility modifications as described in
13 subdivision (a) of this section.

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

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

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

27 § 6. This act shall take effect immediately.