

HB 2075 -- SINGLE-SEX ACCESS TO CERTAIN FACILITIES

SPONSOR: Phelps

The bill defines "biological sex" as the biological indication of male or female in the context of reproductive potential or capacity, whereas "gender" is defined as the psychological, behavioral, social, and cultural aspects of being male or female. The bill also defines the terms "school", "institution of higher education", "single-occupancy facility", "multi-occupancy facility", "family facility", and "public building".

This bill requires multi-occupancy restrooms, locker rooms, changing rooms, and shower rooms found in public buildings, schools, and institutions of higher education to be designated with clear signage for the exclusive use of person of the male biological sex or female biological sex. A member of the male biological sex will not be permitted to use a multi-occupancy facility that has been designated for the exclusive use of persons of the female biological sex, and a member of the female biological sex will not be permitted to use a multi-occupancy facility that has been designated for the exclusive use of persons of the male biological sex.

The bill specifies that a multi-occupancy facility must not be designated for use by persons of a particular gender or genders instead of, or in addition to, persons of a particular biological sex. However, this provision does not prohibit family facilities. Schools are prohibited from allowing members of the male biological sex and the female biological sex from sharing overnight accommodations in any setting where students are staying overnight, including school trips.

This bill requires policies adopted in accordance with these provisions to include accommodations for persons who request them, to include the use of single-occupancy facilities.

The bill sets forth exceptions to the above rules for the following individuals:

- (1) A child under ten years of age who is being assisted by a parent, legal guardian, or family member, as well as the parent, legal guardian, or family member who is assisting such child;
- (2) A person with a disability who is being assisted by another person, as well as the person assisting such person with a disability;

(3) An employee whose job duties require them to enter a multi-occupancy facility that is designated for a biological sex that differs from such employee's biological sex; or

(4) A person who enters a multi-occupancy facility that is designated for a biological sex that differs from the person's biological sex because the person reasonably believes he or she is responding to a legitimate emergency.

Failure to comply with the provisions of this bill will result in the revocation or withholding of state funding for the entity operating a public building, school, or institution of higher education.

This bill is similar to SB 597 (2025).