

SENATE BILL NO. 597

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR GREGORY (15).

1800S.01I

KRISTINA MARTIN, Secretary

AN ACT

To amend chapters 8, 171, and 173, RSMo, by adding thereto three new sections relating to single-sex access to certain facilities.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapters 8, 171, and 173, RSMo, are amended by
2 adding thereto three new sections, to be known as sections
3 8.1000, 171.422, and 173.1422, to read as follows:

8.1000. 1. As used in this section, the following
2 terms mean:

3 (1) "Biological sex", as such term is defined in
4 section 191.1720;

5 (2) "Family facility", a family restroom or shower
6 room that does not have more than one toilet or shower;

7 (3) "Gender", as such term is defined in section
8 191.1720;

9 (4) "Multi-occupancy facility", a restroom, locker
10 room, changing room, or shower room that is accessible to
11 multiple individuals at the same time. "Multi-occupancy
12 facility" shall not include a family facility;

13 (5) "Public building", any building owned by the state
14 or any department, division, agency, or commission thereof,
15 and any building operated by an entity that receives state
16 funds.

17 2. (1) An entity operating a public building shall
18 designate with clear signage each multi-occupancy facility

19 that is accessible by multiple persons at the same time for
20 the exclusive use of persons of the male biological sex only
21 or for the exclusive use of persons of the female biological
22 sex only.

23 (2) An entity operating a public building shall not
24 permit a member of the female biological sex to use a multi-
25 occupancy facility that has been designated by the public
26 building for the exclusive use of persons of the male
27 biological sex only.

28 (3) An entity operating a public building shall not
29 permit a member of the male biological sex to use a multi-
30 occupancy facility that has been designated by the public
31 building for the exclusive use of persons of the female
32 biological sex only.

33 (4) An entity operating a public building shall not
34 construct, establish, or maintain a multi-occupancy facility
35 that is designated for the use of persons of a gender or
36 genders instead of, or in addition to, being designated for
37 the exclusive use of persons of the male biological sex only
38 or for the exclusive use of persons of the female biological
39 sex only. This subdivision shall not be construed to
40 prohibit an entity operating a public building from
41 constructing, establishing, or maintaining a family facility.

42 3. This section shall not be construed to prohibit an
43 entity operating a public building from adopting and
44 enforcing a policy on the use of a multi-occupancy facility
45 in accordance with the provisions of this section. Any such
46 policy shall provide an option for alternative
47 accommodations, including, but not limited to, the use of
48 single-occupancy facilities or faculty facilities, upon the
49 request of a person due to special circumstances.

50 4. Subsection 2 of this section shall not apply to any
51 of the following:

52 (1) A child under ten years of age who is being
53 assisted by a parent, legal guardian, or family member, as
54 well as the parent, legal guardian, or family member who is
55 assisting such child;

56 (2) A person with a disability who is being assisted
57 by another person, as well as the person assisting such
58 person with a disability;

59 (3) An employee of any department, division, agency,
60 or commission of the state whose job duties require the
61 employee to enter a multi-occupancy facility that is
62 designated for a biological sex that differs from such
63 employee's biological sex; or

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

 171.422. 1. As used in this section, the following
2 terms mean:

3 (1) "Biological sex", as such term is defined in
4 section 191.1720;

5 (2) "Family facility", a family restroom or shower
6 room that does not have more than one toilet or shower;

7 (3) "Gender", as such term is defined in section
8 191.1720;

9 (4) "Multi-occupancy facility", a restroom, locker
10 room, changing room, or shower room that is accessible to
11 multiple individuals at the same time. "Multi-occupancy
12 facility" shall not include a family facility;

13 (5) "School", includes the following:

14 (a) Any charter school established pursuant to the
15 provisions of sections 160.400 to 160.425;

16 (b) Any public school, as such term is defined in
17 section 160.011; and

18 (c) Any school district, as such term is defined in
19 section 160.011.

20 2. (1) A school shall designate with clear signage
21 each multi-occupancy facility that is accessible by multiple
22 students at the same time, whether located in a school
23 building or in a facility used by the school for a school-
24 sponsored activity, for the exclusive use of students of the
25 male biological sex only or for the exclusive use of
26 students of the female biological sex only.

27 (2) A school shall not permit a member of the female
28 biological sex to use a multi-occupancy facility that has
29 been designated by the school for the exclusive use of
30 students of the male biological sex only.

31 (3) A school shall not permit a member of the male
32 biological sex to use a multi-occupancy facility that has
33 been designated by the school for the exclusive use of
34 students of the female biological sex only.

35 (4) A school shall not construct, establish, or
36 maintain a multi-occupancy facility that is designated for
37 the use of students of a gender or genders instead of, or in
38 addition to, being designated for the exclusive use of
39 students of the male biological sex only or for the
40 exclusive use of students of the female biological sex
41 only. This subdivision shall not be construed to prohibit a
42 school from constructing, establishing, or maintaining a
43 family facility.

44 3. (1) A school shall not permit a member of the
45 female biological sex to share overnight accommodations with

46 a member of the male biological sex in any setting where
47 students are required to stay overnight, including, but not
48 limited to, any school trip.

49 (2) A school shall not permit a member of the male
50 biological sex to share overnight accommodations with a
51 member of the female biological sex in any setting where
52 students are required to stay overnight, including, but not
53 limited to, any school trip.

54 4. This section shall not be construed to prohibit a
55 school from adopting and enforcing a policy on the use of a
56 multi-occupancy facility in accordance with the provisions
57 of this section. Any such policy shall provide an option
58 for alternative accommodations, including, but not limited
59 to, the use of single-occupancy facilities or faculty
60 facilities, upon the request of a student due to special
61 circumstances.

62 5. Subsections 2 and 3 of this section shall not apply
63 to any of the following:

64 (1) A child under ten years of age who is being
65 assisted by a parent, legal guardian, or family member, as
66 well as the parent, legal guardian, or family member who is
67 assisting such child;

68 (2) A person with a disability who is being assisted
69 by another person, as well as the person assisting such
70 person with a disability;

71 (3) An employee of an institution of higher education
72 whose job duties require the employee to enter a multi-
73 occupancy facility that is designated for a biological sex
74 that differs from such employee's biological sex; or

75 (4) A person who enters a multi-occupancy facility
76 that is designated for a biological sex that differs from

77 the person's biological sex because the person reasonably
78 believes he or she is responding to a legitimate emergency.

173.1422. 1. As used in this section, the following
2 terms mean:

3 (1) "Biological sex", as such term is defined in
4 section 191.1720;

5 (2) "Family facility", a family restroom or shower
6 room that does not have more than one toilet or shower;

7 (3) "Gender", as such term is defined in section
8 191.1720;

9 (4) "Institution of higher education", any public
10 institution of postsecondary education or proprietary school
11 in this state that is subject to the coordinating board for
12 higher education pursuant to section 173.005;

13 (5) "Multi-occupancy facility", a restroom, locker
14 room, changing room, or shower room that is accessible to
15 multiple individuals at the same time. "Multi-occupancy
16 facility" shall not include a family facility.

17 2. (1) An institution of higher education shall
18 designate with clear signage each multi-occupancy facility
19 accessible by multiple students at the same time, whether
20 located in a building of the institution or in a facility
21 used by the institution for an institution-sponsored
22 activity, for the exclusive use of students of the male
23 biological sex only or for the exclusive use of students of
24 the female biological sex only.

25 (2) An institution of higher education shall not
26 permit a member of the female biological sex to use a multi-
27 occupancy facility that has been designated by the
28 institution of higher education for the exclusive use of
29 students of the male biological sex only.

30 (3) An institution of higher education shall not
31 permit a member of the male biological sex to use a multi-
32 occupancy facility that has been designated by the
33 institution of higher education for the exclusive use of
34 students of the female biological sex only.

35 (4) An institution of higher education shall not
36 construct, establish, or maintain a multi-occupancy facility
37 that is designated for the use of students of a gender or
38 genders instead of, or in addition to, being designated for
39 the exclusive use of students of the male biological sex
40 only or for the exclusive use of students of the female
41 biological sex only. This subdivision shall not be
42 construed to prohibit an institution of higher education
43 from constructing, establishing, or maintaining a family
44 facility.

45 3. This section shall not be construed to prohibit an
46 institution of higher education from adopting and enforcing
47 a policy on the use of a multi-occupancy facility in
48 accordance with the provisions of this section. Any such
49 policy shall provide an option for alternative
50 accommodations, including, but not limited to, the use of
51 single-occupancy facilities or faculty facilities, upon the
52 request of a student due to special circumstances.

53 4. Subsection 2 of this section shall not apply to any
54 of the following:

55 (1) A child under ten years of age who is being
56 assisted by a parent, legal guardian, or family member, as
57 well as the parent, legal guardian, or family member who is
58 assisting such child;

59 (2) A person with a disability who is being assisted
60 by another person, as well as the person who is assisting
61 such person with a disability;

62 (3) A school employee whose job duties require the
63 employee to enter a multi-occupancy facility that is
64 designated for a biological sex that differs from such
65 employee's biological sex; or

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

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