

1 HB322
2 215271-1
3 By Representatives Stadthagen, Allen, Lipscomb, Wood (D),
4 Kiel, Shedd, Wilcox, Whorton, Marques, Sorrells, Simpson,
5 Robertson, Brown (C), Hanes, Standridge, Holmes, Estes,
6 Collins, Harbison, Farley, Treadaway, Kitchens, Sullivan,
7 Pettus, Rich, Oliver, Hurst, Easterbrook, Bedsole, Brown (K),
8 Reynolds, Carns, Drake, Mooney, Wingo, Fincher, Dismukes,
9 Greer, Crawford, Shiver, Sells, Garrett, Faust, Sorrell,
10 McCutcheon and Stringer
11 RFD: Education Policy
12 First Read: 09-FEB-22

SYNOPSIS: There is no existing law that specifically addresses the privacy rights of a public K-12 student relating to the use of school facilities designated for the biological sex of the student.

 This bill would require public K-12 schools to designate all rooms that are accessible to multiple students of one sex to be used by male and female students on the basis of biological sex.

A BILL
TO BE ENTITLED
AN ACT

 Relating to public K-12 schools; to require public K-12 schools to designate the use of rooms where students may be in various stages of undress upon the basis of biological sex.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

 Section 1. (a) For the purposes of this section, the following terms have the following meanings:

1 (1) BIOLOGICAL SEX. The physical condition of being
2 male or female, as stated on the individual's original birth
3 certificate.

4 (2) MULTIPLE OCCUPANCY RESTROOM OR CHANGING AREA. An
5 area in a public K-12 school building designed or designated
6 to be used by more than one individual student at a time,
7 where students may be in various stages of undress in the
8 presence of other students or individuals. The term may
9 include, but is not limited to, a school restroom, locker
10 room, changing room, or shower room.

11 (b) A public K-12 school shall require every
12 multiple occupancy restroom or changing area designated for
13 student use to be used by individuals based on their
14 biological sex.

15 (c) This section does not apply to individuals
16 entering a multiple occupancy restroom or changing area
17 designated for use by the opposite sex when entering in any of
18 the following circumstances:

19 (1) For custodial purposes.

20 (2) For maintenance or inspection purposes.

21 (3) To render medical assistance.

22 (4) To accompany a student needing assistance when
23 the assisting individual is an employee of the local board of
24 education or the student's parent or authorized caregiver.

25 (5) To receive assistance in using the area.

26 (6) When the restroom has been temporarily
27 designated for use by that individual's biological sex.

1 Section 2. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.