

H.B. 257

SEX-BASED DESIGNATIONS FOR PRIVACY, ANTI-BULLYING, AND WOMEN'S OPPORTUNITIES

HOUSE FLOOR AMENDMENTS

AMENDMENT 3

JANUARY 19, 2024 11:19 AM

Representative **Kera Birkeland** proposes the following amendments:

1. *Page 1, Line 27 through Page 2, Line 30:*

- 27 ▶ requires government entities to:
- 28 • provide ~~{a certain number of single-occupant restroom and locker~~
29 ~~room}~~ single-occupant facilities
- 29 in new construction; and
- 30 • ~~{study}~~ consider the feasibility of certain retrofit or remodel projects;

2. *Page 12, Lines 359 through 363:*

- 359 (3) An individual who enters a privacy space in violation of Subsection (1) commits
360 the offense of criminal trespass under Section 76-6-206 if the individual:
- 361 (a) under circumstances which ~~{the person should know will}~~ a reasonable person would
362 expect to likely cause affront or
363 alarm to, on, or in the presence of another individual; or
- 363 (b) for any purpose other than the intended use of the privacy space.

3. *Page 13, Lines 386 through 389:*

- 386 The availability of a unisex facility or single-occupant facility ~~{constitutes a reasonable~~
387 accommodation for} satisfies a government entity's obligations regarding an individual who is
388 uncomfortable using a privacy space in accordance
389 with Section 63G-31-301 or 63G-31-302 because of the individual's gender identity, as defined
389 in Section 34A-5-102, or reasonable fear of bullying.

4. *Page 13, Lines 393 through 396:*

- 393 (1) for a new construction of a sex-designated privacy space, a government entity shall
394 ensure that ~~{an adequate percentage of all toilets and showers are single-occupant facilities}~~ the
395 new construction includes a single-occupant facility ;
- 395 (2) for existing privacy spaces, a government entity:
- 396 (a) shall ~~{study}~~ consider the feasibility of retrofitting or remodeling to include: