

HOUSE BILL NO. 4195

March 07, 2023, Introduced by Reps. Fox and Carra and referred to the Committee on Government Operations.

A bill to require that certain educational institutions in this state, when providing students with multiple occupancy restrooms, changing areas, and similar facilities, do so in a manner that ensures each student's privacy from individuals of the opposite biological sex; and to provide for the powers and duties of certain state and local governmental officers and entities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act may be cited as the "student restroom privacy
2 act".

1 Sec. 2. As used in this act:

2 (a) "Biological sex" means the physical condition of being
3 male or female, as stated on an individual's original birth
4 certificate.

5 (b) "Educational institution" means that term as defined in
6 section 401 of the Elliot-Larsen civil rights act, 1976 PA 453, MCL
7 37.2401.

8 (c) "Multiple occupancy restroom or changing area" means an
9 area in an educational institution designed or designated to be
10 used by more than 1 student at a time, where students may be in
11 various stages of undress in the presence of other students or
12 individuals. The term includes, but is not limited to, a restroom,
13 locker room, changing room, or shower room provided for students by
14 an educational institution.

15 Sec. 3. (1) An educational institution shall require every
16 multiple occupancy restroom or changing area designated for student
17 use to be used by individuals based on their biological sex.

18 (2) This section does not apply to individuals entering a
19 multiple occupancy restroom or changing area designated for use by
20 the opposite biological sex when entering in any of the following
21 circumstances:

22 (a) For custodial purposes.

23 (b) For maintenance or inspection purposes.

24 (c) To render medical assistance.

25 (d) To accompany a student needing assistance when the
26 assisting individual is an employee of the educational institution
27 or the student's parent or legal guardian or authorized caregiver.

28 (e) To receive assistance in using the area.

29 (f) When the multiple occupancy restroom or changing area has

- 1 been temporarily designated for use by those of the individual's
- 2 biological sex.