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

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RFD: Education Policy

First Read: 09-FEB-22

1	215271-1:n:10/04/2021:AHP*/cmg LSA2021-2104
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8	SYNOPSIS: There is no existing law that specifically
9	addresses the privacy rights of a public K-12
10	student relating to the use of school facilities
11	designated for the biological sex of the student.
12	This bill would require public K-12 schools
13	to designate all rooms that are accessible to
14	multiple students of one sex to be used by male and
15	female students on the basis of biological sex.
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17	A BILL
18	TO BE ENTITLED
19	AN ACT
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21	Relating to public K-12 schools; to require public
22	K-12 schools to designate the use of rooms where students may
23	be in various stages of undress upon the basis of biological
24	sex.
25	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
26	Section 1. (a) For the purposes of this section, the
27	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.

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- (2) MULTIPLE OCCUPANCY RESTROOM OR CHANGING AREA. An area in a public K-12 school building designed or designated to be used by more than one individual student at a time, where students may be in various stages of undress in the presence of other students or individuals. The term may include, but is not limited to, a school restroom, locker room, changing room, or shower room.
- (b) A public K-12 school shall require every multiple occupancy restroom or changing area designated for student use to be used by individuals based on their biological sex.
- (c) This section does not apply to individuals entering a multiple occupancy restroom or changing area designated for use by the opposite sex when entering in any of the following circumstances:
  - (1) For custodial purposes.
  - (2) For maintenance or inspection purposes.
  - (3) To render medical assistance.
- (4) To accompany a student needing assistance when the assisting individual is an employee of the local board of education or the student's parent or authorized caregiver.
  - (5) To receive assistance in using the area.
- (6) When the restroom has been temporarily designated for use by that individual's biological sex.

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