



AB 1732 – Equal Restroom Access Act

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Cosponsors: Equality California, California National Organization for Women, Transgender Law Center

In Brief

Restricting access to single-occupancy restrooms by gender creates problems of safety, fairness, and convenience. California must change its focus from segregating access to equalizing access to single-occupancy restrooms. This will enable everyone to get in and out on the same terms.

AB 1732 would enact the most progressive statewide restroom access policy in the nation, requiring all single-occupancy restrooms in businesses, government buildings and places of public accommodation to be available to everyone. Compliance with the bill is a matter of changing a sign on a restroom door.

The Issues

A 2013 survey and report published by the Williams Institute at the UCLA School of Law found that gender specific restrooms pose serious safety risks to transgender and gender non-conforming people. Many of California's older buildings were designed and built with inadequate restroom facilities for women. Newer buildings often do not have the capacity they need to accommodate women efficiently either. This can result in women being forced to wait or postpone having their needs met while a men's single-occupancy restroom is available. Further, when out in public, children of a different gender than their caretakers, and people with disabilities who rely on caretakers of a different gender often have no choice but to break a social norm when the only available restroom is designated to a specific gender.

The Solution

AB 1732 eliminates the fears and frustration that many people experience in restrooms on a daily basis. Specifically, the bill would require all single-occupancy restrooms (rooms with a toilet and/or urinal and sink) in businesses, government buildings, and locations otherwise dedicated for public use to be gender-neutral. A health inspection official would be authorized to check for compliance with this law during a health inspection.

This bill will help resolve the safety concerns of transgender and gender non-conforming people, promote bathroom equity for everyone, regardless of gender, and provide better options for parents of different-gender children and people with disabilities who rely on caretakers of a different gender. Everyone can benefit from expanded access to single occupancy restrooms; the status quo simply presents unnecessary problems for too many people.

Background

Unrestricted restroom access is not a novel concept. Restrooms in homes and airplanes, for example, are not gender-specific. The same is true for portable restrooms, existing restrooms in many small businesses (such as small restaurants or coffee shops), and existing "family restrooms" in airports and other commercial locations.

The value of equal access to single-occupancy restrooms is increasingly being recognized. In 2015, the United States Department of Labor's Occupational Safety and Health Administration (OSHA) named gender-neutral single-occupancy restrooms as a best practice in the workplace. A number of cities across the country have passed ordinances requiring the practice. In California, such ordinances are in place in Berkeley, Cathedral City, and West Hollywood. In addition, the University of California has had a gender-neutral single-occupancy restroom policy since 2014.

Support

Equality California (Cosponsor)
California NOW (Cosponsor)
Transgender Law Center (Cosponsor)
American Civil Liberties Union of California
Golden Gate Restaurant Association
Our Family Coalition
San Francisco Unified School District
Santa Clara County Board of Supervisors

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