1 A bill to be entitled 2 An act relating to single-sex public facilities; 3 providing purpose and legislative findings; creating 4 s. 760.55, F.S.; providing definitions; requiring that 5 use of single-sex public facilities be restricted to 6 persons of the sex for which the facility is 7 designated; prohibiting knowingly and willfully entering a single-sex public facility designated for 8 or restricted to persons of the other biological sex; 9 10 providing criminal penalties; providing exemptions; providing private cause of action against violators; 11 12 providing for preemption; providing an effective date. 13 14 Be It Enacted by the Legislature of the State of Florida: 15 16 Section 1. (1) The purpose of this act is to secure 17 privacy and safety for all individuals using single-sex public facilities. 18 19 (2) The Legislature finds that: (a) There is a longstanding history of restricting access 20 21 to single-sex public facilities on the basis of sex. 2.2 There is an expectation of privacy in single-sex (b) 23 public facilities. 24 Users of single-sex public facilities reasonably (C) 25 expect not to be exposed to individuals of the other sex while 26 using those facilities.

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27	(d) Single-sex public facilities are places of increased
28	vulnerability and present the potential for crimes against
29	individuals using those facilities, including, but not limited
30	to, assault, battery, molestation, rape, voyeurism, and
31	exhibitionism.
32	Section 2. Section 760.55, Florida Statutes, is created to
33	read:
34	760.55 Privacy for persons using single-sex public
35	facilities
36	(1) DEFINITIONSFor purposes of this section:
37	(a) "Person" means a natural person or human being.
38	(b) "Public accommodations" has the same meaning provided
39	<u>in s. 760.02.</u>
40	(c) "Single-sex public facilities" means bathrooms,
41	restrooms, dressing rooms, fitting rooms, locker rooms, showers,
42	and other similar facilities where there is a reasonable
43	expectation of privacy; that are maintained by an owner of
44	public accommodations, a school, or a place of employment; that
45	are conspicuously designated with appropriate signage for use by
46	persons of only one sex; and that are designed or designated to
47	be used by more than one person at a time.
48	(d) "Sex" means a person's biological sex, either male or
49	female, at birth. For purposes of this paragraph, the term
50	"male" means a person born as a biological male and the term
51	"female" means a person born as a biological female.
52	(2) PROHIBITED CONDUCT

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53	(a) Single-sex public facilities designated for girls,
54	women, ladies, or persons of the female sex shall be restricted
55	to persons who are biological females.
56	(b) Single-sex public facilities designated for boys, men,
57	gentlemen, or persons of the male sex shall be restricted to
58	persons who are biological males.
59	(c) A person who knowingly and willfully enters a single-
60	sex public facility designated for or restricted to persons of
61	the other biological sex commits a misdemeanor of the first
62	degree, punishable as provided in s. 775.082 or s. 775.083.
63	(3) EXEMPTIONS.
64	(a) This section does not apply to public facilities that
65	are conspicuously designated for unisex or family use.
66	(b) This section does not apply to public facilities that
67	are designated to be used by only one person at a time.
68	(c) This section does not require any place of public
69	accommodation, school, or place of employment to construct or
70	maintain single-sex public facilities or to modify existing
71	public facilities.
72	(d) Restricting access to single-sex public facilities in
73	the manner required by subsection (2) may not be deemed unlawful
74	discrimination under s. 760.08.
75	(4) PRIVATE CAUSE OF ACTION
76	(a) A person who knowingly and willfully enters a single-
77	sex public facility designated for the other biological sex is
78	liable in a civil action to any person who is lawfully using the
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79	same single-sex public facility at the time of the unlawful
80	entry for the damages caused by the unlawful entry, together
81	with reasonable attorney fees and costs.
82	(b) An owner of public accommodations, a school, or a
83	place of employment who maintains single-sex public facilities
84	and advertises, promotes, or encourages use of those facilities
85	in violation of subsection (2), or fails to take reasonable
86	remedial measures after learning of such use, is liable in a
87	civil action to any person who is lawfully using those
88	facilities at the time of the unlawful entry for the damages
89	caused by the unlawful entry, together with reasonable attorney
90	fees and costs.
91	(5) PREEMPTIONThis section preempts any law, regulation,
92	policy, or decree enacted or adopted by any city, county,
93	municipality, or other political subdivision within the state
94	that purports to permit or require owners of public
95	accommodations, schools, or places of employment to permit use
96	of single-sex public facilities by persons whose biological sex
97	is different from the sex for which such facilities are
98	designated.
99	Section 3. This act shall take effect July 1, 2015.
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