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HOUSE OF REPRESENTATIVES

Whitman W. Riddle
John Fisher

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Blain

Justin Sklar

FLOOR AMENDMENT NO. _____

BY: *M.S.J.*

1 Amend C.S.H.B. No. 1818 (house committee report) by adding
2 the following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) The legislature finds that it is the
5 public policy of this state that residents have a reasonable
6 expectation of privacy when using intimate facilities owned,
7 leased, or controlled by or otherwise under the authority of the
8 Railroad Commission of Texas and that protecting the safety,
9 welfare, and well-being of all Texas residents in intimate
10 facilities owned, leased, or controlled by or otherwise under the
11 authority of the commission is of the utmost priority and moral
12 obligation of this state.

13 (b) Subchapter B, Chapter 81, Natural Resources Code, is
14 amended by adding Section 81.022 to read as follows:

15 Sec. 81.022. SINGLE-SEX MULTIPLE-OCCUPANCY BATHROOM OR
16 CHANGING FACILITY. (a) In this section:

17 (1) "Biological sex" means the physical condition of
18 being male or female, which is stated on a person's birth
19 certificate.

20 (2) "Multiple-occupancy bathroom or changing
21 facility" means a facility designed or designated for use by more
22 than one person at a time, where a person may be in a state of
23 undress in the presence of another person, regardless of whether
24 the facility provides curtains or partial walls for privacy. The
25 term includes a restroom, locker room, changing room, or shower
26 room.

27 (3) "Single-occupancy bathroom or changing facility"
28 means a facility designed or designated for use by only one person
29 at a time, where a person may be in a state of undress, including a

1 single toilet restroom with a locking door that is designed or
2 designated as unisex or for use based on biological sex.

3 (b) The commission shall require that each
4 multiple-occupancy bathroom or changing facility located in a
5 building owned, leased, or controlled by or otherwise under the
6 authority of the commission be designated for and used only by
7 persons of the same biological sex.

8 (c) This section does not prohibit the commission from
9 providing an accommodation, including a single-occupancy bathroom
10 or changing facility, on request due to special circumstances. The
11 commission may not provide an accommodation that allows a person to
12 use a multiple-occupancy bathroom or changing facility designated
13 for the biological sex opposite to the person's biological sex.

14 (d) A designation of a multiple-occupancy bathroom or
15 changing facility under Subsection (b) does not apply to:

16 (1) a person entering a multiple-occupancy bathroom or
17 changing facility designated for the biological sex opposite to the
18 person's biological sex:

19 (A) for a custodial purpose;
20 (B) for a maintenance or inspection purpose;
21 (C) to render medical or other emergency
22 assistance;

23 (D) to accompany a person needing assistance in
24 using the facility; or

25 (E) to receive assistance in using the facility;
26 or

27 (2) a child who is:

28 (A) younger than 10 years of age entering a
29 multiple-occupancy bathroom or changing facility designated for
30 the biological sex opposite to the child's biological sex; and

31 (B) accompanying a person caring for the child.