

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  
 8           entering a single-sex public facility designated for  
 9           or restricted to persons of the other sex; providing  
 10          criminal penalties; providing a private cause of  
 11          action against violators; providing exemptions;  
 12          providing applicability with respect to other laws;  
 13          providing for preemption; providing an effective date.

14  
 15 Be It Enacted by the Legislature of the State of Florida:

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 17           Section 1. (1) The purpose of this act is to secure  
 18 privacy and safety for all individuals using single-sex public  
 19 facilities.

20           (2) The Legislature finds that:

21           (a) There is a longstanding history of restricting access  
 22 to single-sex public facilities on the basis of sex.

23           (b) There is an expectation of privacy in single-sex  
 24 public facilities.

25           (c) Users of single-sex public facilities reasonably  
 26 expect not to be exposed to individuals of the other sex while

27 using those facilities.

28 (d) Single-sex public facilities are places of increased  
 29 vulnerability and present the potential for crimes against  
 30 individuals using those facilities, including, but not limited  
 31 to, assault, battery, molestation, rape, voyeurism, and  
 32 exhibitionism.

33 Section 2. Section 760.55, Florida Statutes, is created to  
 34 read:

35 760.55 Privacy for persons using single-sex public  
 36 facilities.-

37 (1) DEFINITIONS.-As used in this section, the term:

38 (a) "Female" means a biological female or a person who has  
 39 a valid driver license or United States passport that describes  
 40 the person as female on the license or passport.

41 (b) "Male" means a biological male or a person who has a  
 42 valid driver license or United States passport that describes  
 43 the person as male on the license or passport.

44 (c) "Person" means a natural person or human being.

45 (d) "Public accommodations" has the same meaning provided  
 46 in s. 760.02.

47 (e) "Single-sex public facilities" means bathrooms,  
 48 restrooms, dressing rooms, fitting rooms, locker rooms, showers,  
 49 and other similar facilities where there is a reasonable  
 50 expectation of privacy; that are maintained by a government or  
 51 an owner of public accommodations, a school, or a place of  
 52 employment; that are conspicuously designated with appropriate

53 signage for use by persons of only one sex; and that are  
 54 designed or designated to be used by more than one person at a  
 55 time.

56 (f) "Sex" means a person's gender as male or female.

57 (2) PROHIBITED CONDUCT.—

58 (a) Single-sex public facilities designated for females  
 59 shall be restricted to females.

60 (b) Single-sex public facilities designated for males  
 61 shall be restricted to males.

62 (c) A person who knowingly and willfully enters a single-  
 63 sex public facility designated for or restricted to persons of  
 64 the other sex commits a misdemeanor of the second degree,  
 65 punishable as provided in s. 775.082 or s. 775.083.

66 (3) PRIVATE CAUSE OF ACTION.—

67 (a) A person who knowingly and willfully enters a single-  
 68 sex public facility designated for the other sex is liable in a  
 69 civil action to any person who is lawfully using the same  
 70 single-sex public facility at the time of the unlawful entry for  
 71 the damages caused by the unlawful entry, together with  
 72 reasonable attorney fees and costs.

73 (b) An owner of public accommodations, a school, or a  
 74 place of employment who maintains single-sex public facilities  
 75 and knowingly advertises, promotes, or encourages use of those  
 76 facilities in violation of subsection (2), or fails to take  
 77 reasonable remedial measures after learning of such use, is  
 78 liable in a civil action to any person who is lawfully using

79 those facilities at the time of the unlawful entry for the  
 80 damages caused by the unlawful entry, together with reasonable  
 81 attorney fees and costs.

82 (4) EXEMPTIONS.—This section does not apply to:

83 (a) Gender-neutral public facilities or public facilities  
 84 that are conspicuously designated for unisex use or family use.

85 (b) Public facilities that are designated to be used by  
 86 only one person at a time.

87 (c) A person of one sex who uses a single-sex facility  
 88 designated for the opposite sex, if such single-sex facility is  
 89 the only facility, single-sex, gender neutral, or otherwise,  
 90 reasonably available at the time of the person's use of the  
 91 facility.

92 (d) A family member or legal guardian of a person who  
 93 reasonably needs assistance in using a single-sex facility, or  
 94 someone designated by a family member or legal guardian of the  
 95 person, if the family member or legal guardian or his or her  
 96 designee enters a single-sex public facility that is designated  
 97 for the sex of the person in need of assistance in order to  
 98 assist the person in need of assistance.

99 (e) A person who needs assistance in using a single-sex  
 100 facility when the person in need of assistance enters a single-  
 101 sex facility that is designated for the opposite sex, if the  
 102 person in need of assistance enters a single-sex facility with a  
 103 family member or legal guardian or his or her designee who is  
 104 the designated sex of the single-sex facility in order to assist

105 the person in need of assistance.

106 (f) A person who enters an unoccupied single-sex facility  
107 that is designated for the opposite sex and either locks the  
108 door or while another person waits outside the entrance to the  
109 facility notifying others that a person of the opposite sex is  
110 using the facility.

111 (g) A person employed to clean or maintain a single-sex  
112 facility.

113 (5) RELATION TO OTHER LAWS.—

114 (a) This section does not require any place of public  
115 accommodation, school, or place of employment to construct or  
116 maintain single-sex public facilities or to modify existing  
117 public facilities.

118 (b) Restricting access to single-sex public facilities in  
119 the manner required by subsection (2) is not unlawful  
120 discrimination under s. 760.08.

121 (6) PREEMPTION.—This section preempts any law, regulation,  
122 policy, or decree enacted or adopted by any city, county,  
123 municipality, or other political subdivision within the state  
124 that purports to permit or require owners of public  
125 accommodations, schools, or places of employment to permit use  
126 of single-sex public facilities by persons whose sex is  
127 different from the sex for which such facilities are designated.

128 Section 3. This act shall take effect July 1, 2015.



Monday, March 09, 2015

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**Session Live** ▶ The House will reconvene on March 10, 2015 at 03:00 PM or at the call of the Speaker.

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## CS/HB 583 - Single-Sex Public Facilities

**General Bill** by Civil Justice Subcommittee and Artiles (CO-SPONSORS) Campbell; Hill; Moraitis; Stone

**Single-Sex Public Facilities:** Provides purpose & legislative findings; requires that use of single-sex public facilities be restricted to persons of sex for which facility is designated; prohibits knowingly & willfully entering single-sex public facility designated for or restricted to persons of other sex; provides criminal penalties; provides private cause of action against violators; provides exemptions; provides applicability with respect to other laws; provides for preemption.

**Effective Date:** July 1, 2015

**Last Event:** CS Filed on Friday, March 06, 2015 11:43 AM

### Referred Committees and Committee Actions

#### House Referrals

- [Civil Justice Subcommittee](#)  
On agenda for: 03/04/15 12:30 PM      [Notice](#)  
Favorable With Committee Substitute (*final action*)      [See Votes](#)
- [Government Operations Subcommittee](#)
- [Judiciary Committee](#)

### Related Bills

Bill #	Subject	Relationship
<a href="#">SB 1464</a>	Public Facilities	Compare

### Bill Text

[Committee Substitute 1](#)

[Original Filed Version](#)

D 546189 , Artiles (CJS)      Date Filed: 03/02/15, Line#: 0      House(c): Adopted as Amended 03/04/2015 07:13 PM

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Chamber	Committee
House	<a href="#">Civil Justice Subcommittee 3/6/2015 11:05:50 AM</a>
House	<a href="#">Civil Justice Subcommittee 3/2/2015 5:31:49 PM</a>

### Vote History

(no votes recorded)

## Bill History

Event	Time	Member	Committee
CS Filed	Friday, March 06, 2015 11:43 AM		
Laid on Table under Rule 7.19(a)	Friday, March 06, 2015 11:43 AM		
Reported out of Civil Justice Subcommittee	Friday, March 06, 2015 11:08 AM		<a href="#">Civil Justice Subcommittee</a>
Favorable with CS by Civil Justice Subcommittee	Wednesday, March 04, 2015 7:13 PM		<a href="#">Civil Justice Subcommittee</a>
1st Reading	Tuesday, March 03, 2015 10:37 PM		
Added to Civil Justice Subcommittee agenda	Monday, March 02, 2015 4:21 PM		<a href="#">Civil Justice Subcommittee</a>
Now in Civil Justice Subcommittee	Wednesday, February 11, 2015 11:27 AM		<a href="#">Civil Justice Subcommittee</a>
Referred to Judiciary Committee	Wednesday, February 11, 2015 11:27 AM		<a href="#">Judiciary Committee</a>
Referred to Government Operations Subcommittee	Wednesday, February 11, 2015 11:27 AM		<a href="#">Government Operations Subcommittee</a>
Referred to Civil Justice Subcommittee	Wednesday, February 11, 2015 11:27 AM		<a href="#">Civil Justice Subcommittee</a>
Filed	Wednesday, February 04, 2015 8:40 AM	<a href="#">Articles</a>	

## Statutes Referenced by this Bill

[760.55](#)[^ back to top](#)

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