

# AB 1732 could backfire on “access”

Supporters of AB 1732 claim it will increase access to restrooms. But what if AB 1732 actually decreases the number of public restrooms in California?

## Current law requires 2 restrooms for many businesses:

- **Restaurants, public and private school cafeterias, etc.:** California Health and Safety Code, Section 114276 requires that “a food facility with more than 20,000 square feet of floor space shall provide at least one separate toilet facility for men and one separate toilet facility for women.”
- **Gas stations:** Business and Professions Code, Section 13651 mandates urban and suburban service stations to “include separate facilities for men and women.”
- **Government:** Health and Safety Code, Section 118500 says public agencies must provide restrooms “for each sex.”
- **Construction sites:** Cal/OSHA Title 8 regulations (Subchapter 4. Construction Safety Orders, Article 3, Section 1526) reads “A minimum of one separate toilet facility shall be provided for each 20 employees or fraction thereof of each sex.”

## AB 1732 expands the restroom mandate to “any business establishment” and requires “all gender” restrooms -- never 2 restrooms. Thus, restrooms could go from 2 to 1 or 0:

Because of the way the bill is written, small businesses -- especially businesses that start up or move -- that wish to save time and money can go from having two restrooms (one for men and one for women) to only one restroom (“all gender”).

In order to save time and money, these small businesses could offer the minimum number of restrooms (no longer separate toilet facilities for men and women, but one “all gender” restroom) in order to save costs on installation, repair, supplies, cleaning, water, electricity, and inspection. For this bill is silent on whether “two restrooms” must be provided.

And for businesses where public restrooms are not a state mandate, providing two “all gender” restrooms would be a cost decision and as well as a decision about the transgender controversy. They may even choose not to offer public restrooms and post a sign saying so.

**A real concern is AB 1732 could decrease restroom access for all.**