

Concerns about AB 1732 “single-user restrooms”

What do 2 key sentences mean + definition/application problems

(a) All single-user toilet facilities in any business establishment, place of public accommodation, or state or local government agency shall be identified as all-gender toilet facilities, and designated for use by no more than one occupant at a time or for family or assisted use.

This means:

1. All the “men”/“women”/ “boys”/ “girls” signs and symbols currently on single-occupancy restrooms at applicable venues must be removed.
2. “All gender” signs and symbols (could be transgender symbols -- see attachments) must be posted instead.
3. Small businesses 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”).
4. Even home businesses come under the “any business establishment” phrase.
5. “Place of public accommodation” is undefined and could mean private entities of several types. Federal law, under the Americans with Disabilities Act, says the only places of public accommodation are private entities. Under AB 1732, which private entities are included and which are excluded? Small businesses, home businesses, religious businesses, schools, church schools, churches — where in the bill does it say who is included and who is exempt? Besides the lack of definition for “public accommodation,” there is no religious exemption in AB 1732.

(c) For the purposes of this section, “single-user toilet facility” means a toilet facility with no more than one water closet and one urinal with a locking mechanism controlled by the user.

This phrase is poorly drafted and could mean:

1. For businesses that must have restrooms — such as food service or gas stations — under this definition, must they now pay to install men’s urinals in current women’s restrooms? Why or why not, since “single-user toilet facility” is officially defined as “a toilet facility with no more than one water closet and one urinal.”
2. For home businesses, must they now pay to install a men’s urinal in addition to paying for and posting an “all gender” restroom sign? Again, AB 1732 defines “single-user toilet facility” as “a toilet facility with no more than one water closet and one urinal.”

➔ **If AB 1732 becomes law, will the shock factor motivate people to ask “Who did this?”**