

2021 -- H 5741

LC002028

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO HEALTH AND SAFETY - STATE BUILDING CODE

Introduced By: Representatives Edwards, Kislak, Caldwell, Casimiro, Felix, Henries, Kazarian, Handy, Baginski, and Tobon

Date Introduced: February 24, 2021

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 23-27.3 of the General Laws entitled "State Building Code" is hereby
2 amended by adding thereto the following section:

3 **23-27.3-702. Gender inclusive restroom act.**

4 (a) Notwithstanding any other provision of the general or public laws to the contrary, any
5 single-user toilet facility in a public building or place of public accommodation that exists or is
6 constructed on or after January 1, 2023, shall be made available for use by persons of any gender,
7 and designated for use by not more than one occupant at a time or for family or assisted use. A
8 single-user toilet facility may be identified by a sign; provided, that the sign marks the facility as a
9 restroom and does not indicate one specific gender.

10 (b) All new construction of state and municipal buildings opened to the public commenced
11 after July 1, 2021, and all renovations and replacements of a value in excess of fifty percent (50%)
12 of existing public state and municipal buildings open to the public commenced after January 1,
13 2022, shall provide for a single-user toilet facility available for use by persons of any gender.

14 (c) A municipality may apply to the local building official for a waiver of this provision in
15 the case of unreasonable hardship.

16 (d) During any inspection of a public building or a place of public accommodation by an
17 inspector, building official, or other local official responsible for code enforcement, the inspector
18 or official may inspect for compliance with this section.

19 (e) The building codes standard committee shall adopt and promulgate all rules and

1 [regulations required to carry out the purpose of this section.](#)

2 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HEALTH AND SAFETY - STATE BUILDING CODE

1 This act would amend the state building code to require that any single-user toilet facility
2 in a public building or place of public accommodation be available for use by persons of any gender
3 on January 1, 2022. This act would also require that all new construction of state and municipal
4 buildings opened to the public after July 1, 2021, and all new renovations and replacements of
5 existing public state and municipal building of a value in excess of fifty percent (50%) commenced
6 after January 1, 2022, would provide for a single-user toilet facility for use by persons of any
7 gender.

8 This act would take effect upon passage.

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