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Office

H.B. 183
(1_135_1076-5)
135th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 183's Bill Analysis](#)

Version: In House Higher Education

Primary Sponsors: Reps. Lear and Bird

Local Impact Statement Procedure Required: No

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Highlights

- The bill requires a school to designate, or a higher education institution to designate with clear signage, each multi-occupancy restroom, locker room, changing room, or shower located at its campus for the exclusive use of students of either the male biological sex or the female biological sex. To the extent that a public school or state institution is not already complying with the bill, it may incur costs to update those facilities depending on implementation decisions. The costs may range from replacing signage at each facility to, in some limited cases, renovation or redesign of the facility.

Detailed Analysis

The bill requires schools to designate, and higher education institutions to designate with clear signage, each student restroom, locker room, changing room, or shower room that is accessible by multiple students at the same time for the exclusive use of students of either the male biological sex or the female biological sex. It also prohibits schools and institutions from constructing, establishing, or maintaining a multi-occupancy facility that is designated as nongendered, multigendered, or open to all genders, unless the space is a family facility with no more than one toilet or shower. Additionally, schools are prohibited from permitting a member of the female biological sex and a member of the male biological sex to share overnight accommodations. The bill permits schools to establish and provide accommodations due to special circumstances, including single-occupancy facilities or controlled use of faculty facilities. It also permits institutions to establish and enforce a policy on the use of a multi-occupancy facility, as long as the policy provides an option for alternative accommodations, including, but not limited to, the use of single-occupancy facilities or faculty facilities. Finally, the bill provides exceptions to the prohibitions under the bill for:

- Children under the age of ten who are being assisted by a parent, guardian, or family member, and for the person assisting the child;
- A person with a disability who is being assisted by another person, and for the person assisting the person with a disability;
- A school employee whose job duties require the employee to enter a restroom, locker room, changing room, or shower room that is designated for a biological sex that is different than the employee's biological sex; and
- A person who enters a restroom, locker room, changing room, or shower room that is designated for a biological sex that is different than the person's biological sex because the person reasonably believes the person is responding to a legitimate emergency.

Most public restrooms, locker rooms, changing rooms, and showers in public schools and state institutions are single-sex or single-occupancy. The bill's fiscal effects will most likely depend on how each school or institution implements the bill, including the manner of designating a facility as single-sex and whether it currently has any multi-occupancy facilities that are not single-sex. For example, the Buckeye Association of School Administrators (BASA) was not able to identify costs to public schools as a result of the bill due to a lack of bathrooms that would be impacted. However, the Inter-University Council of Ohio (IUC) and Ohio Association of Community Colleges (OACC) report that some public universities and community colleges, respectively, may respond by updating certain facilities, particularly to change the signs posted outside these facilities, or redesigning them. They estimate that replacing the signs would cost between \$30 and \$100 per sign. Any facility redesign could be more expensive, though the information from OACC and IUC suggest that these circumstances would be rare.

Synopsis of Fiscal Effect Changes

The bill's fiscal effects remain unchanged under the substitute bill (I_135_1076-5).