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# OHIO LEGISLATIVE SERVICE COMMISSION

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and Drafting

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Office

H.B. 183  
135<sup>th</sup> General Assembly

## Bill Analysis

**Version:** As Introduced

**Primary Sponsors:** Reps. Lear and Bird

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### SUMMARY

- Requires public and chartered nonpublic schools, educational service centers (ESCs), and institutions of higher education to designate specified facilities for the exclusive use of students of either the male biological sex or the female biological sex.
- Prohibits public and chartered nonpublic schools and ESCs from permitting members of the female biological sex to share overnight accommodations with members of the male biological sex.

### DETAILED ANALYSIS

#### Single-sex facilities and accommodations

The bill requires school districts, community schools, STEM schools, chartered nonpublic schools, educational service centers (ESCs) and institutions of higher education to designate certain facilities for single-sex use.<sup>1</sup>

Specifically, each student restroom, locker room, changing room, or shower room that is accessible by multiple students at the same time must be designated for the exclusive use of students of either the male biological sex or the female biological sex.<sup>2</sup> Additionally, districts, schools, and ESCs are prohibited from permitting members of the female biological sex to share overnight accommodations with members of the male biological sex and vice versa.<sup>3</sup>

<sup>1</sup> R.C. 3319.90 and 3345.90; conforming in R.C. 3314.03 and 3326.11.

<sup>2</sup> R.C. 3319.90(B)(1) and 3345.90(B)(1).

<sup>3</sup> R.C. 3319.90(C).

Under the bill, “biological sex” is “the condition of being either female or male.” It states that the sex listed on a person’s official birth record may be relied upon if the record was issued at or near the time of the person’s birth.<sup>4</sup>

The bill’s prohibitions do not prevent a district, school, ESC, or institution from establishing policies to provide accommodations upon student request due to special circumstances. Accommodations may include permitting students to use single-occupancy facilities or controlled use of faculty facilities.<sup>5</sup>

Finally, the bill states that its prohibitions do not apply to either:

- A child under the age of ten who is being assisted by a parent, guardian, or family member; or
- A person providing assistance to a person with a disability.<sup>6</sup>

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## HISTORY

Action	Date
Introduced	05-23-23

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<sup>4</sup> R.C. 3319.90(A)(1) and 3345.90(A)(1).

<sup>5</sup> R.C. 3319.90(D) and 3345.90(C)

<sup>6</sup> R.C. 3319.90(E) and 3345.90(D)