

16103706D

HOUSE BILL NO. 663

Offered January 13, 2016

Prefiled January 11, 2016

A *BILL to amend the Code of Virginia by adding sections numbered 2.2-1147.3 and 22.1-79.7, relating to use of restroom facilities; penalty.*

Patrons—Cole (By Request) and Freitas

Referred to Committee on General Laws**Be it enacted by the General Assembly of Virginia:**

1. That the Code of Virginia is amended by adding sections numbered 2.2-1147.3 and 22.1-79.7 as follows:

§ 2.2-1147.3. Use of restroom facilities in public buildings; penalty.

A. For the purposes of this section, "anatomical sex" means the physical condition of being male or female, which is determined by a person's anatomy.

B. The Director of the Department shall develop and implement policies that require every restroom designated for public use in any public building on property that is owned, leased, or controlled by the Commonwealth as defined in § 2.2-1147 and that is designated for use by a specific gender to solely be used by individuals whose anatomical sex matches such gender designation.

C. Any person who willfully and knowingly violates this section shall be liable for a civil penalty not to exceed \$50. Civil penalties assessed under this section shall be paid into the Literary Fund. Any law-enforcement officer may issue a summons regarding a violation of this section.

§ 22.1-79.7. Use of restroom facilities; anatomical sex; penalty.

A. For purposes of this section, "anatomical sex" means the physical condition of being male or female, which is determined by a person's anatomy.

B. Local school boards shall develop and implement policies that require every school restroom, locker room, or shower room that is designated for use by a specific gender to solely be used by individuals whose anatomical sex matches such gender designation. Such policies may also provide that a student may, upon request, be granted access, to the extent reasonable, to a single stall restroom or shower, a unisex bathroom, or controlled individual use of a restroom, locker room, or shower.

C. Any student who willfully and knowingly violates this section shall be liable for a civil penalty not to exceed \$50. Civil penalties assessed under this section shall be paid into the Literary Fund. Any law-enforcement officer may issue a summons regarding a violation of this section.

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