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**HOUSE BILL NO. 781**

Offered January 13, 2016

Prefiled January 12, 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, "biological sex" means the physical condition of being male or female, which is determined by a person's birth certificate and is identified at birth by a person's anatomy or by a birth certificate amended in accordance with subsection E of § 32.1-269.*

B. *The Director of the Department shall develop and implement policies that require every restroom that is 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 to be designated for and only used by individuals based on their biological sex.*

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; biological sex; penalty.**

A. *For purposes of this section, "biological sex" means the physical condition of being male or female, which is determined by a person's birth certificate and is identified at birth by a person's anatomy or by a person's birth certificate amended in accordance with subsection E of § 32.1-269.*

B. *Local school boards shall develop and implement policies that require every school restroom, locker room, or shower room that is designated for student use and accessible by multiple students at the same time to be designated for and only used by students based on their biological sex.*

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.*

INTRODUCED

HB781