

On page 3, line 3, of the Senate State Affairs Engrossed bill, after "unoccupied." delete "Section 4. That a NEW SECTION be added to chapter 13-32:"

On page 3, line 4, of the Senate State Affairs Engrossed bill, after "13-32:" delete "Any multi-occupancy changing room or restroom that is located in a public school and normally reserved for use by employees of the district is governed by the provisions of sections 6 to 9, inclusive, of this Act."

On page 4, after line 3, of the Senate State Affairs Engrossed bill, insert: "

**Section 5. That a NEW SECTION be added to chapter 13-32:**

In any lawsuit or complaint filed against a school district, an employee of a school district, the board of a school district, or a member of the board as a result of a school district prohibiting unauthorized access to certain multi-occupancy rooms in accordance with sections 1 to 4, inclusive, of this Act, the attorney general shall provide legal representation to the district, employee, board, or member of the board.

In addition to the expenses of representation, the state shall assume financial responsibility for any other related expense incurred by the district, employee, board, or member of the board, including any award for monetary damages, attorney's fees, or costs for which the district, employee, board, or member of the board would be otherwise responsible."

On page 4, line 4, of the Senate State Affairs Engrossed bill, after "district." delete "Section 6. That a NEW SECTION be added to chapter 20-13:"

On page 4, line 5, of the Senate State Affairs Engrossed bill, after "20-13:" delete "Terms used in sections 6 to 9, inclusive, of this Act mean:"

On page 4, line 6, of the Senate State Affairs Engrossed bill, after "mean:" delete "(1) "Changing room," a room or area in which an individual may be in a state of undress in the presence of others, including a multi-occupancy locker room or shower room;

(2) "Female," an individual who naturally has, had, will have, or would have had, but for a congenital anomaly or intentional or unintentional disruption, the reproductive system that produces, transports, and utilizes eggs for fertilization;

(3) "Male," an individual who naturally has, had, will have, or would have had, but for a congenital anomaly or intentional or unintentional disruption, the reproductive system that produces, transports, and utilizes sperm for fertilization;

(4) "Restroom," a room that includes at least one toilet or urinal;

(5) "Sleeping quarters," a room that contains a bed and in which more than one individual is housed overnight;

(6) "Sex," an individual's biological sex, either male or female; and

(7) "Unisex or family room," a changing room or restroom that:

(a) Is intended for use by a single occupant, a single occupant and the occupant's caregiver, or members of the same family;

(b) Is enclosed by means of floor-to-ceiling walls; and

(c) Is accessible by means of a full door, with a secure lock that prevents entry by another individual while the room is in use."

On page 4, line 25, of the Senate State Affairs Engrossed bill, after "use." delete "Section 7. That a NEW SECTION be added to chapter 20-13:"

On page 4, line 26, of the Senate State Affairs Engrossed bill, after "20-13:" delete "Except as otherwise provided in sections 2 and 3 of this Act, any multi-occupancy changing room, restroom, or sleeping quarters in a building or facility owned or leased by the state or by a political subdivision of this state must be designated for the exclusive use of females or males."

On page 4, line 30, of the Senate State Affairs Engrossed bill, after "males." delete "Section 8. That a NEW SECTION be added to chapter 20-13:"

On page 5, line 1, of the Senate State Affairs Engrossed bill, after "20-13:" delete "Except as otherwise provided in section 9 of this Act, a male may not enter a changing room or restroom designated exclusively for females.

Except as otherwise provided in section 9 of this Act, a female may not enter a changing room or restroom designated exclusively for males.

The state or a political subdivision shall take reasonable steps to provide an individual with privacy from a member of the opposite sex, in restrooms, changing rooms, and sleeping quarters in any building or facility owned or operated by the state or the political subdivision.

An individual who encounters a member of the opposite sex in a restroom or changing room while making use of a restroom or changing room designated for use by the individual's sex, has a private cause of action for declaratory and injunctive relief against the state or political subdivision that:"  
On page 5, line 13, of the Senate State Affairs Engrossed bill, after "that:" delete "(1) Provided the member of the opposite sex permission to use the restroom or changing room of the individual's sex; or

(2) Failed to take reasonable steps to prohibit the member of the opposite sex from using the restroom or changing room of the individual's sex.

An individual who is assigned by the state or a political subdivision to share sleeping quarters with an individual of the opposite sex has a private cause of action for declaratory and injunctive relief against the state or political subdivision.

Any civil action brought pursuant to this section must be initiated within two years of the violation. An individual who is aggrieved under this section and prevails in court may recover reasonable attorney fees and costs from the state or offending political subdivision."

On page 5, line 24, of the Senate State Affairs Engrossed bill, after "subdivision." delete "Section 9. That a NEW SECTION be added to chapter 20-13:"

On page 5, line 25, of the Senate State Affairs Engrossed bill, after "20-13:" delete "The prohibitions set forth in section 8 of this Act do not apply to:"

On page 5, line 26, of the Senate State Affairs Engrossed bill, after "to:" delete "(1) An individual who accompanies a child under the age of ten, if the individual is the child's parent or lawful chaperone; (2) An individual who accompanies another individual requiring assistance because of age or a disability;

(3) A law enforcement officer or fire official acting in an official capacity;

(4) An individual providing emergency medical assistance; or

(5) An individual providing custodial, maintenance, or inspection services, provided the changing room or restroom is unoccupied."