



2026 South Dakota Legislature

House Bill 1161

HOUSE STATE AFFAIRS ENGROSSED

Introduced by: **Representative Kull**

1 **An Act to amend provisions related to changing rooms, sleeping quarters, and**
 2 **restrooms.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That § 20-13-59 be AMENDED:**

5 **20-13-59.** Except as otherwise provided in this section and §§ 13-32-22 and 13-
 6 32-23, the state or a political subdivision of this state must designate, as being for the
 7 exclusive use of females or males, any multi-occupancy changing room, restroom, or
 8 sleeping quarters in:

9 (1) A building or facility owned by the state or by a political subdivision of this state;

10 or

11 (2) A space leased to or occupied by the state or by a political subdivision of this state.

12 This section does not apply to any room used exclusively by firefighters or law
 13 enforcement personnel acting in an official capacity.

14 **Section 2. That § 20-13-61 be AMENDED:**

15 **20-13-61.** The prohibitions set forth in § 20-13-60 do not apply to:

16 (1) An individual who accompanies a child under the age of ten, if the individual is the
 17 child's parent or lawful chaperone;

18 (2) An individual who accompanies another individual requiring assistance because of
 19 age or a disability;

20 (3) A law enforcement officer, fire official, firefighter, or other ~~state or county~~
 21 employee of the state or a political subdivision who is acting in an official capacity;

22 (4) An individual providing emergency medical assistance;

23 (5) An individual providing custodial, maintenance, or inspection services, provided the
 24 changing room or restroom is unoccupied; or

25 (6) An individual providing services or rendering aid:

- 1 (a) During a natural disaster or declared emergency; or
- 2 (b) When necessary to maintain order and safety.