



February 14, 2022

The Honorable Will Smith

The Honorable Shane A. Pendergrass  
The Honorable CT Wilson  
Health & Government Operations/  
Economic Matters Committee  
House Office Building

Senate Judicial Proceedings Comm.  
2<sup>nd</sup> Floor, Senate Office Building

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**Re: Favorable with Amendments - HB572//SB486 - Places of Public Accommodation and Public Buildings - Gender-Inclusive Signage**

Dear Chairman Smith and Members of the Judicial Proceedings Committee, Chairman Pendergrass and the Health and Government Operations Committee, and Chairman Wilson and the Economic Matters Committee

I am in support of the equity goals of HB572 / SB486 and, want to propose an amendment to help the bill more easily comply with current building codes.

My concern is that local code officials may begin to interpret a 'requirement' for additional restroom facilities because the fixture counts would no longer be met as fixtures are switched from gender-defined to gender neutral facilities. The state adopted model building codes [IBC, etc.] have very specific requirements for a minimum number of gender-defined facilities, and if facilities are no longer specifically designated, some code officials may interpret a need for more facilities to meet the minimum requirements. Essentially, for the purpose of building codes, it would be helpful to all building owners if gender inclusive restrooms can count for the minimum counts of either/both genders, to avoid triggering a perceived requirement for additional unnecessary restroom facilities.

***Conceptual Amendment to HB572//SB 486 - Places of Public Accommodation and Public Buildings - Gender-Inclusive Signage:***

"The facilities within single-occupancy public restrooms, while being marked with gender-inclusive signage, can be counted by the building owner toward the Minimum Number of Required Plumbing Fixtures for either the male or female genders, as required under the adopted International Building Code. No code or other public official shall require additional gendered restroom facilities to be built, to meet Minimum Fixture Calculations or for any other reason, due to the redesignation of facilities; further all new or existing restroom fixtures and facilities marked with gender-inclusive signage shall be allowed to be allocated toward the Minimum Number of Required Plumbing Fixtures for either the male or female genders under the adopted International Building Code, as determined by the needs of the building owner."

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The language within the building codes is unfortunately vague and unclear regarding the assignment of gender-neutral restrooms, necessitating the request for this amendment. Again, I am in support of the intent behind this bill, and with the amendment above, would strongly support its passage in Maryland. However, in its current form it could be detrimental to all commercial and civic building owners, increasing the risk for the imposition of unnecessary costs to all non-residential construction.

I would be happy to answer any questions, or please feel free to contact Sushant Sidh ([Sushant.sidh@capitol-strategies.com](mailto:Sushant.sidh@capitol-strategies.com)) or myself (information below) with any questions.

Sincerely,



Brian O'Looney, AIA, LEED AP BD+C  
Principal