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Appropriations Committee

Subcommittees

Capital Budget

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House Chair
Joint Audit and Evaluation
Committee

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

HB 40 Testimony – Open to All Act
February 8th, 2023
House Economic Matters Committee

Good afternoon Chair Wilson, Vice Chair Crosby, Esteemed Colleagues. Thank you for the opportunity to present today on my legislation – the Open to All Act.

A single occupancy bathroom is one that is fully enclosed, contains only one toilet, and has a door that locks. We’ve likely all used one - whether it’s on an airplane, in our committee rooms, or in our own homes. Many single occupancy bathrooms are already unisex or gender neutral.

All people deserve privacy and peace of mind when using a public bathroom. Gender neutral bathrooms provide a safe and welcoming space for all individuals in our community including those with disabilities and caregivers, nursing mothers, seniors, and parents of young children. Individual bathrooms that are open to all allow caregivers easy access to those they support, including senior citizens and individuals with disabilities, protect all of our community members from harassment, and allow parents the freedom to nurse and care for the bathroom needs of their small children.

Genders-specific bathrooms create unnecessary challenges:

- Senior citizens, Alzheimer patients and the disabled often have personal attendants of a different gender and need bathrooms that are accessible and accommodating.
- Many child care programs take field trips to enhance the educational experience of their young learners. Bathroom usage is difficult as most programs have mixed-gender groups of children, but nearly all providers are female. Young boys are reluctant and apprehensive about using the “Women’s Room” but to ensure proper supervision are forced to do so.
- Fathers should not have to change diapers on the floor and most likely would not be comfortable using a restroom labeled as “women.”
- Parents and guardians with children of a different gender often encounter scrutiny when accessing gender-specific restrooms.

In Maryland, communities across the state have already adopted this change. Salisbury and Howard County – where the council voted unanimously in favor – recently passed laws that remove gender identification signs from single-occupancy bathrooms. In 2019, Baltimore City became the first jurisdiction in the state to require this change.

California, Illinois, Nevada, New Jersey, and Vermont, along with cities like Washington, D.C., Philadelphia, Austin, New York, Portland, and Seattle, have all passed laws requiring single occupancy restrooms to be open to all – regardless of gender.

Additionally, the International Plumbing Code added a requirement for gender-neutral signage on all single-occupancy restrooms to be “identified for use by either sex” back in 2018.

HB 40 would require all public single-occupancy restrooms to have signs that don’t reference gender at all. The signs would simply have the word restroom or bathroom and a picture of a toilet. New signs are available for purchase online for as little as \$15.

As you can see from the testimony submitted and the witnesses with us today, this bill is supported by businesses, the disability community, and the senior community across Maryland. Since 2020, we’ve worked closely with the Maryland Retailers Association as well as the Restaurant Association of Maryland to ensure this legislation was satisfactory. Neither organization has any opposition to the bill.

With this simple change, we can make our community open to all Maryland. I ask for a favorable report on HB 40.