

SB84 - Bathroom Bill Testimony.pdf

Uploaded by: Abigail Snyder

Position: FAV

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WRITTEN TESTIMONY

**Senate Bill 84 – Places of Public Accommodation and Public Buildings -
 Gender-Inclusive Signage**

Judicial Proceedings Committee - January 31, 2023

SUPPORT

Background: SB84 would require that all signage for single-occupancy restrooms in places of public accommodation use gender inclusive symbols that do not use pictorial representations and contain only descriptive language, such as “restroom” or “bathroom.”

Written Comments: Single occupancy restrooms are helpful and convenient for those with special needs; elders who need assistance; or individuals who simply might otherwise have to wait in line because bathrooms are gendered.

SB84 would not require restrooms to be altered in any way, but rather simply lays out how signage must look so that everyone can feel comfortable when using a single-occupancy restroom.

The Baltimore Jewish Council represents The Associated Jewish Community Federation of Baltimore and all its agencies, including Jewish Community Services (JCS), Comprehensive Housing Assistance Inc. (CHAI), and CHANA. Each of these organizations provide services to Maryland’s rapidly growing aging populations. Likely one of the places a caregiver is needed most, these individuals can often feel excluded when accompanying those who they are assisting to a restroom. As we witness the aging demographic grow, it is imperative that we enact policies that support *all* Marylanders.

Five states have already taken the step to make single-occupancy bathrooms more inclusive, as well as Baltimore City, Howard, and Montgomery Counties in Maryland. **With this in mind, the Baltimore Jewish Council urges a favorable report of SB84.**

The Baltimore Jewish Council, a coalition of central Maryland Jewish organizations and congregations, advocates at all levels of government, on a variety of social welfare, economic and religious concerns, to protect and promote the interests of The Associated Jewish Community Federation of Baltimore, its agencies, and the Greater Baltimore Jewish community.

SB84_Richardson_FAV (1).pdf

Uploaded by: Allan Richardson

Position: FAV

SB 84 Testimony – Open to All Act
January 31, 2023
Senate Judicial Proceedings Committee

Good afternoon Chair Smith, Vice Chair Waldstreicher, and members of the Committee.

My name is Allan Richardson and I am here today in support of SB 84, The Open to All Act. I was fortunate to testify before this Committee last year and am honored to be back before you.

I have resided in Maryland for over 70 years, and during that time my wife, Sally, and I greatly enjoyed going out to dinner and attending both folk and classical music performances in venues throughout Maryland. Unfortunately, in recent years Sally battled both dementia and severe loss of mobility. In spite of this she continued to find great comfort in these outings. They gave us the chance to retain an important part of our former life. But there were problems.

At first, it was difficult for Sally, who had become easily confused, to manage trips into the ladies room alone. I became uncomfortable allowing her to enter restrooms by herself because she would forget where she was. Then later, when she became wheelchair bound, she was completely unable to manage without assistance. Although there were sometimes restrooms accessible to those with disabilities, she could not use these alone. Often I had to decide whether to bring Sally into the men's restroom or to hire our daytime female caretaker for the evening to assist her. This added a layer of stress (and expense) to our evening that my wife and I did not need.

These are not easy things to discuss. But The Open to All Act would alleviate many of these problems by providing free access to all for single use bathrooms. That would help us to manage by ourselves many of the problems we experienced. We all want to be out enjoying events in Maryland and it goes without saying that none of us want to worry about how to access a restroom, regardless of our sex or state of disability.

In conclusion, I thank you for taking the time to consider this bill and ask for a favorable report.

SB 84_Dan Simons_fav.pdf

Uploaded by: Dan Simons

Position: FAV

Dan Simons

**Co-Owner, Founding Farmers, Farmers & Distillers, Farmers Fishers Bakers,
Founding Spirits, Founding Farmers Co. Catering & Events
Founder, Our Last Straw**

My name is Dan Simons; I'm a co-owner of seven restaurants, a distillery, and a catering company. One of my restaurants, called Founding Farmers, is located in Montgomery County, Maryland. My other restaurants are in DC, Virginia, and Pennsylvania.

Thank you for the opportunity to provide written testimony to Senate Bill 84 ([SB0084](#)). I am grateful to Senator Cheryl Kagan for filing this important civil rights bill. I am writing to offer my support to this bill.

I am a businessperson and a restaurateur. I have more than 30 years of experience in the restaurant industry, and I have been an owner for the past 17 years. While I understand the impact unnecessary regulations can have on a business, I also believe we as business owners, and a society, can do a much better job providing adequate, safe, and fair accommodations for every guest and client that walks through our doors. It is also baseless to oppose all regulations – I can give testimony as a business owner that there are plenty of regulations that are ineffective and burdensome, and plenty that are sensible. Any regulation should be judged on the merits of its intent and the outcomes it creates.

In our restaurants, we have worked to ensure that every human is welcome to use whatever bathroom they identify with. We have signage on our restaurant doors that says: "Women: In Mind, Body, or Spirit" and "Men: In Mind, Body, or Spirit." Our bathrooms have multiple stalls in them. We also have a one stall bathroom at our Founding Farmers DC location with a sign that says "All of Us." We have received only positive feedback over the years... in person, in writing, and often over social media channels. In the case of this proposed legislation, Senator Kagan is suggesting that single bathrooms – like airplane bathrooms – should be able to accommodate EVERYONE, regardless of how they identify. This is a no-brainer. This is the simplest of simple first steps. There is no logical reason to say this kind of accessibility would cause harm or have any downside. I see only upside with being more open, and more inviting – I know a little something about how hospitality, kindness, and understanding are the currency. So whether you want to prioritize the heart or the dollars, this bill is easy to support.

As business owners, we can do better to help foster a more tolerant and hospitable world.
We have to do better.

Thank you for allowing me to comment on this bill.

POG Final Testimony - SB 84.pdf

Uploaded by: Devin Wylie

Position: FAV

People on the Go of Maryland



SB 84

A BILL ENTITLED

Places of Public Accommodation and Public Buildings - Gender-Inclusive
Signage

Position: Support

January 31, 2023

Sponsored by Senator Kagan

Assigned to: Judicial Proceedings and Education, Energy, and the Environment

Written by Mat Rice

Executive Director - People On the Go of Maryland

Requiring that single-occupancy public restrooms be marked with gender-inclusive signage that does not indicate a specific gender, contains certain descriptive language, and contains a picture or icon that does not indicate a specific gender in certain places of public accommodation and certain public buildings; providing that a county is responsible for enforcing the signage requirement in places of public accommodation; and authorizing a county to set certain fines for second and subsequent violations after a certain period of time.

Honorable Chairperson and members of the committee:

People on the Go of Maryland, Maryland's statewide self-advocacy organization ran for and by those with intellectual and/or developmental disabilities submits this written testimony in support of Senate Bill 84. People on the Go supports the legislative intent of this Bill because many of our members are people who require supports for personal care and using the restroom. Many people with disabilities have support staff who are of the opposite gender this legislation would allow them to provide this needed assistance without reprisal, or legal consequences. We see this as promoting equality for individuals with disabilities because being able to use the restroom in a public space allows for community access, it prevents the need for an individual to have to go home, or to a more restrictive setting. This ultimately allows for people with disabilities to pursue employment, social activities and so much more. Simply put it is the right thing to do. Thank you for your time and attention to this matter and we encourage a favorable report. Should you have any questions please contact Mat Rice.

Thank you,

Mat Rice, Executive Director

M: 410-925-5706

E: mat@pogmd.org

SB84-Zakreski-fav.pdf

Uploaded by: Ed Zakreski

Position: FAV



**TESTIMONY OF ED ZAKRESKI, MANAGING DIRECTOR
IN SUPPORT OF SB 84/HB 40 "OPEN TO ALL ACT"**

In 2019, Round House reopened our renovated theatre. When we designed the signage for the renovation, we made the values-based decision to label our single-occupancy restroom as a Family Restroom, with a further explanation that our restrooms are available to everyone, regardless of their gender expression or identity.

Since that time, we have had multiple patrons express their gratitude for this signage and availability and have not had a single complaint.

Just about every business covered by this bill is in a business dependent on customers. That means that our revenues – our success – is dependent on creating an environment that is welcoming, safe, and accepting for our patrons. The more people we make happy, the better it is for our bottom line.

And there are so many people who hesitate when facing gendered signage on single stall restrooms: parents with young children, people who identify as trans or non-binary, caregivers of a different gender than the person they're caring for. This is about the easiest, least expensive action that can be taken to provide a more welcoming environment to a large number of people. It's not just the right thing to do ethically, it's simply good business. All for the cost of a couple signs.

Moreover, as the proud father of a transgender son – whose statement is included below – I can personally attest to the anxiety, and sometimes fear, that many trans people encounter when forced to use gendered restrooms. There are websites to help trans people navigate their personal safety when travelling to different states and identifying business that are safe locations. Passing this bill will provide much reassurance to a community that faces significant discrimination and marginalization.

I strongly encourage you to vote in support of the Open To All Act.

Statement from my son, Cameron Zakreski:

"Since coming out as trans in 2019, the first time I have truly felt safe walking into a men's room without the protection of my father or brother was when I saw a sign which actively welcomed me to use the correct bathroom for me. Because not only did I know I was allowed in that restroom, but everyone else had also seen the sign saying I was allowed in this bathroom. There's a sense of security that comes with being reassured that you'll be safe and protected if anything happens. I still avoid public restrooms when possible, but in venues where there's a sign welcoming trans individuals to please use the bathroom they want, that fear of public restrooms goes away because I know that someone there has my back if something happens. That's why inclusive signage is important. I shouldn't have to fear using the restroom and neither should anyone else."

SB84_GenderInclusiveBathroom_KennedyKrieger_Suppor

Uploaded by: Emily Arneson

Position: FAV



DATE: January 31, 2023 **COMMITTEE:** Senate Judicial Proceedings
BILL NO: Senate Bill 84
BILL TITLE: Places of Public Accommodation and Public Buildings - Gender-Inclusive Signage
POSITION: Support

Kennedy Krieger Institute supports Senate Bill 84 - Places of Public Accommodation and Public Buildings - Gender-Inclusive Signage

Bill Summary:

Senate Bill 84 requires single-occupancy public restrooms be marked with gender-inclusive signage that does not indicate a specific gender.

Background:

Kennedy Krieger Institute provides specialized services to patients and students nationally and internationally. Kennedy Krieger Institute is dedicated to improving the lives of children and young adults with developmental, behavioral, cognitive and physical challenges. Kennedy Krieger's services include inpatient, outpatient, school-based and community-based programs.

The Maryland Center for Developmental Disabilities (MCDD) at Kennedy Krieger Institute is proud to be Maryland's University Center for Excellence in Developmental Disabilities Education, Research, and Service (UCEDD) and a member of the national Association of University Centers on Disabilities (AUCD).

MCDD links the community to vital services, research and information to improve the lives of people with disabilities. Our mission is to provide leadership that advances the inclusion of people with intellectual, developmental and other disabilities through preservice preparation and training; research and evaluation; community service and technical assistance; and information dissemination.

Rationale:

Approximately 20% of the US population is living with a disability. As a provider for individuals with disabilities, Kennedy Krieger feels strongly that all people deserve privacy and safety when using a public restroom. Gender inclusive bathrooms in public spaces are important for the patients, students, and families whom we serve at Kennedy Krieger Institute.

A single-occupancy public restroom is defined as fully enclosed, containing only one toilet, and may be locked by the user. Often, the user of the public restroom is an individual, child or adult, with one or more disabilities who requires caregiver(s), and/or Direct Support Professionals (DSP) to assist them with their toileting needs. Single occupancy bathrooms assure privacy by being able to lock the restroom door. In many instances, the caregiver or DSP is not the same gender as the person whom they are serving.

Additionally, gender-inclusive signage will create both a pictorial representation and descriptive language (such as "restroom", "bathroom", or "toilet"), which will be helpful to many individuals with disabilities.

Kennedy Krieger Institute requests a favorable report on Senate Bill 84.

SB0084 Annapolis Pride Testimony.pdf

Uploaded by: Jaden Farris

Position: FAV



CELEBRATE. ENGAGE. UNITE.

January 31, 2023

Testimony in Support of SB0048 Places of Public Accommodation and Public Buildings – Gender-Inclusive Signage

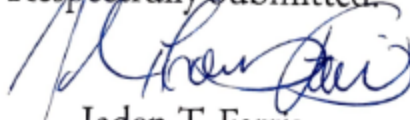
The Board of Directors of Annapolis Pride enthusiastically supports HB 0040, which updates the law to require places of public accommodations and state government buildings that have single occupancy public restrooms to be marked with gender-inclusive signage.

All people deserve the right to access public restrooms without fear of discrimination or harassment. The gender-inclusive signage will make it easier for all individuals, regardless of gender identity, to access the restroom.

California, Vermont and Illinois, along with cities like Washington, D.C., Baltimore City, Philadelphia, Austin and New York City, have passed laws that require gender-neutral single occupancy restrooms be more inclusive and we believe Maryland should pass this legislation as well.

For these reasons, we respectfully request a favorable report on Senate Bill 0048

Respectfully Submitted:



Jaden T. Farris
Board Member
Annapolis Pride

SB84_Solomon_FAV draft.pdf

Uploaded by: Jared Solomon

Position: FAV



JARED SOLOMON
Legislative District 18
Montgomery County

Appropriations Committee

Subcommittees

Capital Budget

Vice Chair, Education
and Economic Development

House Chair
Joint Audit and Evaluation
Committee

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

SB 84 Testimony – Open to All Act
January 31st, 2023
Senate Judiciary Proceedings Committee

Good afternoon Chair Smith, Vice Chair Waldstreicher, 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, New York, Rhode Island, 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.

SB 84 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 would ask for a favorable report on SB 84.

HPP Testimony Gender-Inclusive Signage- FAVORABLE

Uploaded by: Jessica Emerson

Position: FAV

Testimony of the Human Trafficking Prevention Project

BILL NO: Senate Bill 84
TITLE: Places of Public Accommodation and Public Buildings – Gender-Inclusive Signage
COMMITTEE: Judicial Proceedings
HEARING DATE: January 31, 2023
POSITION: **FAVORABLE**

Senate Bill 84 would require single-occupancy restrooms across the state to be designated with gender-neutral signage. The Human Trafficking Prevention Project at the University of Baltimore School of Law supports this bill because it will benefit nonbinary, transgender, and gender-nonconforming Marylanders, for whom using the restroom can be a particularly stressful experience. This small change will greatly reduce the stigma these individuals face, which, in turn, reduces their risk of being trafficked.

Efforts at raising public awareness about the crime of human trafficking commonly ignores the impact that gender identity and gender presentation has on a person's vulnerability to trafficking. The reality is that nonbinary, transgender, and gender non-conforming persons are disproportionately vulnerable to being trafficked because of the discrimination and isolation that they so often face, which commonly translates into the hallmarks of heightened trafficking risk including sexual assault, financial instability, homelessness, and drug addiction. One of the most common forms of discrimination that nonbinary, transgender, and gender non-conforming people face is that which comes with being forced to use a restroom that carrying a gender marker that does not match the person's lived gender experience, or, alternatively, attempting to use one that does.

Many nonbinary, transgender, and gender-nonconforming people have limited access to bathrooms because of the harassment, violence, and threat of arrest they face in both men's and women's bathrooms. Experiences like these typically drive affected individuals further into isolation, which is why so many nonbinary, transgender, and gender non-conforming people exist on the margins of society where they face a far greater risk of exploitation. The availability of gender-neutral single-stall bathrooms ought to be commonplace here in Maryland, because being able to use the bathroom without the threat of violence or harassment is a human right, not a privilege.

Since 2019, Baltimore City has had a similar ordinance, which has required single-occupancy restrooms to be labeled with gender neutral signage. After more than three years of implementation, there have been no unforeseen consequences, no rush of frivolous lawsuits against places of public accommodation, and no wave of sex-related crimes. This has also been the case in the multiple other jurisdictions that have implemented similar laws, including the District of Columbia, New York City, or Philadelphia, all of which have been in place since 2016. Indeed, DC's Municipal Rule 4-802 has been in place since 2006, without issue.

In recent years, Maryland has begun to show its support for *preventing* human trafficking by addressing the societal challenges that make Marylanders more vulnerable to being trafficked. SB 84 would further this goal by reducing the stigma that nonbinary, transgender, and gender non-conforming persons face every time they have to use a public restroom, which would, in turn, affirm the humanity of these individuals, making them less vulnerable to the harms that so commonly precede a trafficking experience. Additionally, in a time of unprecedented and unsubstantiated attacks on the rights of transgender people, it is crucial that Maryland stand up and say conclusively that hate has no place in our state. For these reasons, the Human Trafficking Prevention Project supports Senate Bill 84, and respectfully urges a favorable report.

MGA23_PFLAG Written Testimony_SB84_Inclusive Restr

Uploaded by: Mark Eckstein

Position: FAV



January 31, 2023

Dear Chair Smith, Vice-chair Waldstreicher, and Members of the Judicial Proceedings Committee:

We are writing in **SUPPORT** of [SB0084](#) - *Inclusive Public Restrooms*.

This bill would require that single-occupancy public restrooms be marked with inclusive signage, which would help to provide a safe and accessible public restroom experience throughout Maryland. We believe in creating welcoming and affirming spaces for everyone, including in public accommodations for transgender and gender-expansive individuals.

Sex-segregated bathrooms can be dangerous places for people who identify outside of traditional gender roles — including those who do not even identify as LGBTQ+. According to a study done by the *National Center for Transgender Equality*, more than [60% of transgender individuals avoid the use of public restrooms](#) out of fear of harassment and ridicule. Something so simple as using a public restroom can be the source of immense anxiety and fear for an already vulnerable and marginalized community.

SB0084, which *only* deals with *single-occupancy* restrooms, not only benefits transgender/ gender-expansive people, but also single-parents, young children, families, elderly, and those with disabilities. Occupying public spaces is something which most of us take for granted; using public restrooms comfortably and safely is something *all* Marylanders deserve.

We urge a **Favorable Report for SB0084**.

Thank-you,

David Fishback / Mark Eckstein

David Fishback (he/him) / Mark Eckstein (he/him)
Advocacy Co-Chairs, Maryland

www.pflagdc.org

Keeping Families Together!

SB84_GenderInclusiveBathroom_KennedyKrieger_Suppor

Uploaded by: Maureen van Stone

Position: FAV



DATE: January 31, 2023 **COMMITTEE:** Senate Judicial Proceedings
BILL NO: Senate Bill 84
BILL TITLE: Places of Public Accommodation and Public Buildings - Gender-Inclusive Signage
POSITION: Support

Kennedy Krieger Institute supports Senate Bill 84 - Places of Public Accommodation and Public Buildings - Gender-Inclusive Signage

Bill Summary:

Senate Bill 84 requires single-occupancy public restrooms be marked with gender-inclusive signage that does not indicate a specific gender.

Background:

Kennedy Krieger Institute provides specialized services to patients and students nationally and internationally. Kennedy Krieger Institute is dedicated to improving the lives of children and young adults with developmental, behavioral, cognitive and physical challenges. Kennedy Krieger's services include inpatient, outpatient, school-based and community-based programs.

The Maryland Center for Developmental Disabilities (MCDD) at Kennedy Krieger Institute is proud to be Maryland's University Center for Excellence in Developmental Disabilities Education, Research, and Service (UCEDD) and a member of the national Association of University Centers on Disabilities (AUCD).

MCDD links the community to vital services, research and information to improve the lives of people with disabilities. Our mission is to provide leadership that advances the inclusion of people with intellectual, developmental and other disabilities through preservice preparation and training; research and evaluation; community service and technical assistance; and information dissemination.

Rationale:

Approximately 20% of the US population is living with a disability. As a provider for individuals with disabilities, Kennedy Krieger feels strongly that all people deserve privacy and safety when using a public restroom. Gender inclusive bathrooms in public spaces are important for the patients, students, and families whom we serve at Kennedy Krieger Institute.

A single-occupancy public restroom is defined as fully enclosed, containing only one toilet, and may be locked by the user. Often, the user of the public restroom is an individual, child or adult, with one or more disabilities who requires caregiver(s), and/or Direct Support Professionals (DSP) to assist them with their toileting needs. Single occupancy bathrooms assure privacy by being able to lock the restroom door. In many instances, the caregiver or DSP is not the same gender as the person whom they are serving.

Additionally, gender-inclusive signage will create both a pictorial representation and descriptive language (such as "restroom", "bathroom", or "toilet"), which will be helpful to many individuals with disabilities.

Kennedy Krieger Institute requests a favorable report on Senate Bill 84.

2023 PPM SB 84 Senate Side FAV.pdf

Uploaded by: Michael Paddy

Position: FAV

Planned Parenthood of Maryland

Committee: Senate Judicial Proceedings Committee

Bill Number: SB 84 - Places of Public Accommodation and Public Buildings - Gender-Inclusive Signage

Hearing Date: January 31, 2023

Position: Support

Planned Parenthood of Maryland (PPM) supports *Senate Bill 84 – Places of Public Accommodation and Public Buildings - Gender-Inclusive Signage*. This bill requires that single-occupancy public restrooms be marked with gender-inclusive signage that does not indicate a specific gender.

Restrooms that are accessible to all provide a welcoming space for everyone, including nursing mothers, individuals with disabilities, and parents of young children. They also protect gender neutral and transgender citizens from harassment. Non-gendered restrooms already exist in many places, and are required in Baltimore City, Washington, DC, New York City, and Philadelphia, among others. While there is no federal law on the issue, the Occupational Safety and Health Administration (OSHA) recommends that all single-occupancy units be designated gender-neutral and multiple-occupant facilities become gender-neutral restrooms with lockable single occupant stalls.¹ Complying with the bill is easy and offers a practical way to make all feel welcome and safe.

We urge a favorable vote. If we can provide any further information, please contact Robyn Elliott at relliott@policypartners.net or (443) 926-3443.

¹ <https://www.osha.gov/sites/default/files/publications/OSHA3795.pdf>

SB 84 - WLCMD - FAV.pdf

Uploaded by: Michelle Siri

Position: FAV

BILL NO.: Senate Bill 84
TITLE: Places of Public Accommodation and Public Buildings - Gender-Inclusive Signage
COMMITTEE: Judicial Proceedings
DATE: January 31, 2023
POSITION: **SUPPORT**

Senate Bill 84 would require any single-occupancy bathroom in a place of public accommodation or in a public building, to be marked with gender-inclusive signage, rather than an indication that the restroom may only be used by a specific gender.

Restrooms that are accessible to all provide a welcoming space for everyone, including nursing mothers, individuals with disabilities, and parents of young children. They also protect gender neutral and transgender citizens from harassment. Non-gendered restrooms already exist in many places, and are required in Baltimore City, Washington, DC, and Philadelphia, among others. Complying with the bill is easy and offers a practical way to make all feel welcome and safe.

While this action may seem small and inconsequential, this bill will build a more inclusive and affirming community for everyone, and in particular transgender and non-binary Marylanders. As such, the Women's Law Center of Maryland urges a favorable report on SB 84.

The Women's Law Center of Maryland is a private, non-profit, legal services organization that serves as a leading voice for justice and fairness for women. It advocates for the rights of women through legal assistance to individuals and strategic initiatives to achieve systemic change, working to ensure physical safety, economic security, and bodily autonomy for women in Maryland.

SB0084_FAV_City of Rockville_Places Pub. Accomodat

Uploaded by: Pam Kasemeyer

Position: FAV



Testimony of the Rockville Mayor and Council SB 84 – Places of Public Accommodation and Public Buildings – Gender-Inclusive Signage Support

The Mayor and Council of Rockville are thankful to Chairman Feldman, Vice Chair Senator Kagan, Chair Smith, Vice Chair Waldstreicher, members of the Senate Education, Energy, and the Environment Committee, and members of the Senate Judicial Proceedings Committee for the opportunity to share the City's comments on SB 84. We are thankful to Senator Kagan for sponsoring this important legislation.

The Mayor and Council strongly support SB 84 and its goal to make the use of single-occupancy public restrooms in public buildings and places of public accommodation more inclusive by requiring gender-neutral signage. **The City of Rockville has a long history of converting single-use bathrooms to be all gender.** The legislation also aligns with the Mayor and Council's vision to provide a welcoming and socially-equitable community for all. SB 84 would also benefit residents by facilitating access for parents and family members caring for a child that is a different gender.

Rockville's support and advocacy for its tapestry of race, religion, creed, ethnicity, physical and mental abilities, sexual orientation, and culture will always be a central pillar of the City's commitment to its community. Rockville is respectful to different cultures and beliefs, and is a city committed to creating a welcoming community for all backgrounds. Since the summer of 2020, the City has embarked on a journey to become a more equitable community, including the establishment in FY22 of a Justice, Diversity, Equity, and Inclusion (JEDI) team to implement the Mayor and Council priorities.

On June 27, 2022, the Mayor and Council adopted a Resolution, which proclaimed that the City staff responsible for the design, construction, renovation, and maintenance of City-owned facilities, will make every effort to incorporate gender-neutral restrooms whenever constructing or renovating public restrooms in a City-owned facility. Several Rockville facilities already have single-occupancy gender-neutral bathrooms and signage, including City Hall, Lincoln Park Community Center, Rockville Swim and Fitness Center, and the F. Scott Fitzgerald Theatre. **The City of Rockville is also working to make the City's bathrooms baby-friendly, by installing diaper changing stations.**

We are very pleased to endorse State legislation, such as SB 84, that aligns with Rockville's priorities in support of inclusion and access for all. The City urges the Senate Education, Energy, and the Environment Committee as well as the Senate Judicial Proceedings Committee to provide SB 84 with a favorable report.

SB84_DD Coalition_Support.pdf

Uploaded by: Rachel London

Position: FAV



MARYLAND DEVELOPMENTAL DISABILITIES COALITION

Dedicated to the rights and quality of life for people with developmental disabilities in Maryland



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7000 Tudsbury Road
Windsor Mill, MD
21244

Senate Judicial Proceedings Committee

January 31, 2023

Senate Bill 84: Places of Public Accommodation and Public Buildings - Gender-Inclusive Signage

Position: Support

The Maryland Developmental Disabilities Coalition (DD Coalition) is comprised of five statewide organizations that are committed to improving the opportunities and outcomes for Marylanders with intellectual and developmental disabilities (IDD). As such, the DD Coalition supports SB 84.

People with disabilities require a variety of support needs, including for personal care. It is not unusual for a person with a disability to be supported by someone of a different gender—whether a family member or a direct support professional—and this can create a barrier to access when only gender-specific bathrooms are available. Gender-neutral bathrooms remove this arbitrary barrier to everyday comfort for people with disabilities.

We appreciate the sponsor's inclusion of language requiring both text and symbol on any sign. This enables all members of the public to quickly identify the location of an appropriate bathroom facility.

This legislation moves our State one step closer towards full equity for all Marylanders.

Contact:

Rachel London, Executive Director, Maryland Developmental Disabilities Council:
rlondon@md-council.org

SB 0084 AIAMD Ltr of Support.pdf

Uploaded by: Sandi Worthman

Position: FAV

The Honorable William C. Smith, Jr.
Chair of the Judicial Proceedings Committee
2 East
Miller Senate Office Building
Annapolis, Maryland 21401

Re: Letter of Support for SB 0056
Courts – Prohibited Indemnity and Defense Liability Agreements

Dear Chairman Smith and members of the Judicial Proceedings Committee:

On behalf of AIA Maryland and the nearly 2,000 Architects we represent, we as an organization support the universal respect for human dignity and the unbiased treatment of all persons. We support SB 0084 and believe that the labeling of public restrooms with gender-inclusive signing simply reflects what is currently required by the 2021 International Plumbing code.

The International Code Council updates building codes every three years and the International Plumbing Code (IPC) is one component of the building codes. We believe the relevant section related to this bill is:

Section 403.1.2 Single-user toilet facility

The 2018 IPC states ... “shall be identified for use by either sex”

The 2021 IPC states ... “Shall be identified as being available for use by all persons regardless of their sex”

While we cannot speak to the enforcement of this requirement, we believe the language of SB 0084 to be consistent with the current building codes and consistent with the universal respect all persons deserve.

AIA Maryland cares deeply about the quality of Maryland’s built environment and we encourage steps to maintain the quality of health, safety and welfare of our residents, visitors and buildings throughout the state. We therefore respectfully ask that this committee support this bill to make fair and respectful access to bathroom facilities for all persons.

Sincerely,



Laurence A. Frank, AIA
Director, Past President, AIA Maryland

Gender-Neutral Bathroom Testimony.pdf

Uploaded by: Sen. Cheryl Kagan

Position: FAV



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Places of Public Accommodation and Public Buildings – Gender–Neutral Bathrooms
Senate Judicial Proceedings Committee
Tuesday, January 31, 2023 | 1:00 PM

We all use public, single-occupancy bathrooms on a regular basis-- in planes, hospitals, restaurants, and more. Making these restrooms gender-specific restricts access and can create discomfort.

Women face longer wait times for bathrooms than men ([an average of 6+ minutes](#)), who are delayed by approximately just 11 seconds. Labeling restrooms with signage for **any gender** can cut wait times for women to [less than 1.5 minutes](#).

Trans- and non-binary people can be at risk when using gender-specific facilities. In a national survey, [60% of transgender people](#) avoid public restrooms due to apprehension about being confronted. This is a real fear-- [12% have been verbally harassed; 9% were denied access; 1% were physically attacked; and 1% were sexually assaulted](#).

Gender-Neutral bathrooms are family-friendly, enabling parents to assist their children. They are also more accessible and comfortable for people with disabilities.

SB84 simply requires a gender-neutral sign, which can be [purchased](#) for less than \$20.

The penalty is modest for non-compliance:

- The first offense is a warning;
- After 30 days, if the facility still does not comply, a \$100 fine may be assessed; and
- If another 30 days passes without this change, the organization can be fined \$250 for the third and subsequent violation.

[SB84](#) requires a simple, inexpensive fix to make **ALL** feel welcome!

I urge a favorable report on SB84.

testimony before senate.pdf

Uploaded by: Vincent Culotta

Position: FAV

Distinguished Senators

Members of the Senate. My name is Vince Culotta, managing partner of Cured / 18th & 21st, a restaurant in Columbia, Maryland's Merriweather district. I have been a restaurant operator for two decades, and fortunate enough to own my own business for nearly five years.

During my time in the hospitality industry, one steadfast fact has emerged: businesses that are welcoming to their guests and customers, often, are 80% of the way to success. We work very hard to be welcoming, in fact, one of our core values is that "we treat everyone like family." This is not simply lip service at my company, as I spend nearly two hours during orientation chatting with all new employees about the "why" behind our business.

When we were opening our restaurant nearly five years ago one item that came up was what type of bathrooms we were going to have for our guests. We could have opted for a more traditional set up with one large room for women, a second one for men, and a third as a family restroom. Due to space constraints, we opted for what I now believe is the best solution for everyone: single occupancy restrooms that are devoid of gender specificity. While I realize this option is not for everyone, I honestly believe that if we want to be as welcoming as we can, a solution like this is one of the simplest choices out there.

Single occupancy, gender neutral restrooms not only eliminate confusion for our guests, they help minimize waits during times of high usage, and they foster an environment where everyone feels welcome. We have also seen great support from our elderly and disabled guests for our single occupancy restrooms as well as parents and caregivers of different gendered children.

The response by our community has been overwhelmingly positive. During our almost five years of operation, I have had numerous individuals laud our choice of single occupancy restrooms, while not one person has expressed a negative opinion. I, for one, am delighted that we can offer something so simple that helps everyone feel welcome in our place of business.

I know that the committee is concerned for any undue stress this may cause for a business. For business that currently employ single occupancy restrooms, with the exception of replacing a few signs, I can think of no undue burden this would place on anyone. I hope the committee will strongly consider moving this bill back to the House floor for a vote.

Thank you for your time.

Vince Culotta
Managing Partner Cured / 18th & 21st

SB 84_ Zeke Cohen_FAV.pdf

Uploaded by: Zeke Cohen

Position: FAV



Zeke Cohen
Councilmember

Chair of the Baltimore City Trauma Informed Task Force
First District

513 City Hall • Baltimore, MD 21202 • 410-396-4821 •
ZEKE.COHEN@BALTIMORECITY.GOV

January 30, 2023

Will Smith
Miller Senate Office Building, 2E
11 Bladen Street
Annapolis, Maryland 21401

Dear Chair Smith & Members of the Judicial Proceedings Committee,

My name is Zeke Cohen, proud sponsor of Baltimore City Bill 19-0385, which requires single-user restrooms in our city to be gender inclusive. Our office fully supports SB84 “Gender Neutral Bathrooms” bill, requiring gender neutral signage for single-occupancy, public restrooms throughout the state of Maryland.

Senator Kagan’s bill centers inclusivity and aims to ensure access to public accommodation for all residents, which should be a top priority of the State of Maryland. The passing of this bill should normalize access to publicly-accessible, single-occupancy restroom across the state of Maryland—regardless of gender identity.

Indeed, since Baltimore City passed Bill 19-0385 in July 2019, there has been a smooth transition to implementation. The overwhelming number of businesses and residents have welcomed the inclusive move, without significant concern or pushback.

Bills like SB84 make restrooms available to communities as a whole. Gender-inclusive, single occupancy restrooms benefit many people, including women (who often face long waits at the restroom), nursing mothers, parents with children of a different gender, and people who depend on caretakers or assistants.

Discrimination on the basis of gender identity has been illegal in Maryland since 2014. The Fairness of All Marylanders Act (FAMA) prohibits gender-based discrimination in public accommodations. While FAMA includes single-occupancy restrooms, that legislation did not require changes to restroom signage. Senator Kagan’s bill will bring single-occupancy restroom signage in line with anti-discrimination measures that are already in place in the State.

For these reasons, I respectfully request the support of Senate Bill 84.

Olooney-ExcessiveRestrooms-230128.pdf

Uploaded by: Brian O'Looney

Position: FWA



January 28, 2023

PRINCIPALS

John Francis Torti, FAIA, FCNU
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The Honorable William C. Smith
The Honorable Brian Feldman
Senate Judicial Proceedings Comm
Senate Education, Environment,
and Energy Committee
2nd Floor, Senate Office Building

The Honorable Joseline A Peña-Melnyk
The Honorable CT Wilson
Health & Government Operations/
Economic Matters Committee
House Office Building

Re: Favorable with Amendments - 2023 HB0040//SB0084 - Places of Public Accommodation and Public Buildings - Gender-Inclusive Signage

Dear Chairman Smith and Members of the Judicial Proceedings Committee, Chairman Feldman and the Members of the Education, Environment and Energy Committee, Chairman Peña-Melnyk and the Health and Government Operations Committee, and Chairman Wilson and the Economic Matters Committee.

I am in support of the equity goals of HB40/SB84 and, want to propose an amendment to help the bill more easily comply with current building/plumbing codes.

My concern is that local code officials may begin to interpret a 'requirement' for additional restroom facilities because the fixture counts required in the adopted 2018 International Plumbing Code would no longer be met as fixtures are switched from gender-defined to gender neutral facilities. The state adopted model building codes [IBC, IPC, etc.] have very specific requirements for a minimum number of gender-defined and separated 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. This would override specific provisions of the adopted International Plumbing Code, namely gender based fixture counts in "403.1 Minimum Number of Fixtures", and specific requirements in section "403.2 Separate Facilities" for separate facilities.

Conceptual Amendment to HB40//SB84 - 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 Plumbing Code. No code

Architects of a better world.

TortiGallas.com

or other public official shall require additional gendered/gender-inclusive 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 Plumbing Code, as determined by the needs of the building owner.

The language within the current adopted building codes is unfortunately vague and unclear regarding the assignment of gender-neutral restrooms, necessitating the request for this amendment. You may find that you further need to override the requirements for Separate Facilities under section 403.2 of the International Plumbing Code, in order to not require additional facilities to meet required Plumbing Code minimums. Again, I am in support of the intent behind this bill, and with the amendment above, or something similar, 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) or myself (information below) with any questions.

Sincerely,



Brian O'Looney, AIA, LEED AP BD+C
Principal
Torti Gallas and Partners
Home Address: 325 Tschiffely Square Road
Gaithersburg, MD 20878

Enclosure: Section 403 Minimum Plumbing Facilities, Adopted 2018 International Plumbing Code

SB84.MCCR Position Gender Inclusive Signage Testim

Uploaded by: Gerald Ford

Position: FWA

State of Maryland Commission on Civil Rights

Respect...Integrity...Effective Communication

“Our vision is to have a State that is free from any trace of unlawful discrimination.”



Officers

Alvin O. Gillard, Executive Director
Cleveland L. Horton II, Deputy Director
Martine Chery, Assistant Director
Glendora C. Hughes, General Counsel
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Magdalena S. Navarro, MSc
Jeff Rosen
Gina McKnight-Smith, PharmD, MBA
Isabella Firth Shycoff

January 31, 2023

Senate Bill 0084 - Places of Public Accommodation and Public Buildings – Gender-Inclusive Signage Support with Amendment

Dear Chairpersons Smith, Vice Chair Waldsteicher and Members of the Senate Judicial Proceedings Committee:

The Maryland Commission on Civil Rights (“MCCR”; “The Commission”) is the State agency responsible for the enforcement of laws prohibiting discrimination in employment, housing, public accommodations, health services and state contracts based upon race, color, religion, sex, age, national origin, marital status, familial status, sexual orientation, gender identity, genetic information, and physical and mental disability.

Senate Bill 84 requires that single-occupancy bathrooms have signage posted that does not use pictorial representation, and only uses descriptive language, such as the words “restroom” or “bathroom”. Counties and municipalities are charged with enforcing the bill’s provisions for places of public accommodation within their respective jurisdictions, and the bill authorizes the counties and municipalities to set and collect fines (with caps) to cover the costs associated with enforcing this bill.

While the Maryland Commission on Civil Rights is supportive of initiatives to enhance inclusivity across the State, MCCR is again concerned about the bill’s mandate on counties and municipalities being placed in Title 20 of the State Government Article (“SGA Title 20”). Currently, MCCR has sole authority to enforce the State’s anti-discrimination laws enshrined in SGA Title 20. There exists no qualifier within SGA Title 20 granting units of local government the authority to enforce any provision of SGA Title 20. By inserting a provision to be enforced by local governments within SGA Title 20, MCCR is concerned that the provision may be overlooked by those entities charged with enforcement.

Therefore, MCCR respectfully suggests that this bill’s provisions stated at page 4, lines 29-30; page 5, lines 1-30 and page 6, lines 1-10 would be better placed in the **Local Government Article**.

This would ensure that the bill's provisions are clearly accessible to counties and municipalities in a section of the Maryland Code that is reserved for mandates placed on their respective units of government.

For these reasons, the Maryland Commission on Civil Rights supports a favorable vote of SB 84 with amendments. Thank you for your time and consideration of the information contained in this letter. The Maryland Commission on Civil Rights looks forward to the continued opportunity to work with you to improve and promote civil rights in Maryland.

SB0084_UNFAVORABLE_JESSICA_HELMS.pdf

Uploaded by: Jessica Helms

Position: UNF

SB0084 – UNFAVORABLE

I oppose this bill. Any time I have had to take my daughter into the single stall restrooms designated for men because the women's was out of order, it has been filthy from urine on the seat and the floor. We've also had the misfortune of finding condom wrappers and used condoms. All of these things were reported to staff who dealt with the issues, but these are not major issues we've found with the single stall restrooms designated for ladies. Yes, we have at times found them untidy but never in complete and utter filth. We've also found this to be true or shared facilities at gas stations and the like. Let women have their own space please.

Thank you,

Jessica Helms

Capitol Heights, MD 20743

SB84 _ MDOD_ LOI .pdf

Uploaded by: Elizabeth Hall

Position: INFO



DATE: February 1, 2023

BILL: Senate Bill 84: Places of Public Accommodation and Public Buildings - Gender-Inclusive Signage

COMMITTEE: Senate Judicial Proceedings Committee

POSITION: Letter of Information

Dear Chair Smith,

The Maryland Department of Disabilities (MDOD) respectfully submits this letter of information for Senate Bill 84: Places of Public Accommodation and Public Buildings - Gender-Inclusive Signage) on behalf of people with disabilities.

Under Senate Bill 84, a single-occupancy public restroom in a place of public accommodation is required to be marked with gender-inclusive signage. This bill would allow people with disabilities the ability to access restrooms based on proximity, not gender. In addition, it would alleviate any confusion when a person with disabilities requires assistance in the bathroom and the person assisting them is of a different gender.

If you have any questions please contact Elizabeth Hall, Director of Interagency Affairs, (410)767-3652, elizabeth.hall2@maryland.gov.

Sincerely,

A handwritten signature in black ink that reads "Carol A. Beatty".

Carol A. Beatty, Secretary

SB 84_RestaurantAssoc_Thompson_INFO.pdf

Uploaded by: Melvin Thompson

Position: INFO



Senate Bill 84

**Places of Public Accommodation and Public Buildings –
Gender-Inclusive Signage**

January 31, 2023

Position: INFO

Mr. Chairman and Members of the Judicial Proceedings Committee:

The *Restaurant Association of Maryland* has worked with the sponsors of this legislation to address our concerns. As a result, this legislation includes a warning for a first violation, allows at least 30 days for compliance between an initial violation warning and the second violation fine, clarifies allowable signage, and includes grandfathering language for signage in use before October 1, 2023.

For these reasons, we have no opposition to this legislation and sincerely appreciate that the sponsors worked with us to address our concerns.

Sincerely,

A handwritten signature in black ink that reads "Melvin R. Thompson". The signature is fluid and includes a long horizontal flourish extending to the right.

Melvin R. Thompson
Senior Vice President
Government Affairs and Public Policy