

Bill No. 4-22
Concerning: Human Rights and Civil
Liberties – Public Accommodations –
Gender Inclusive Restrooms
Revised: 07/21/2022 Draft No. 5
Introduced: February 15, 2022
Enacted: July 26, 2022
Executive: August 8, 2022
Effective: November 7, 2022
Sunset Date: None
Ch. 24, Laws of Mont. Co. 2022

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Katz; Co-Lead-Sponsor Council Vice-President Glass
Co-Sponsors: Councilmembers Jawando, Friedson, Alborno, Navarro, Hucker, Riemer, and Rice

AN ACT to:

- (1) require gender-inclusive restrooms in certain places of public accommodation and County-owned buildings; and
- (2) generally amend the law regarding discrimination in public accommodations.

By amending

Montgomery County Code
Chapter 27, Human Rights and Civil Liberties
Section 27-10

By adding

Montgomery County Code
Chapter 27, Human Rights and Civil Liberties
Section 27-11B

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Section 27-10 is amended and Section 27-11B is added as**
 2 **follows:**

3 **27-10. Scope.**

4 * * *

5 (c) Except as provided in Section 27-11B, [[This]] this division does not
 6 apply to accommodations that are distinctly private or personal.

7 **27-11B. Gender-Inclusive Single-User Restrooms.**

8 (a) Definitions.

9 In this Section, the following terms have the meanings indicated:

10 Gender-inclusive signage means a sign or display identifying a restroom
 11 that does not indicate a specific gender or contains descriptive language,
 12 such as “restroom”, “bathroom”, or “toilet”, or a [[symbol]] picture or
 13 icon indicating the restroom’s availability for use by any individual
 14 regardless of gender or gender identity. A gender-inclusive signage may
 15 include a picture or icon of a toilet.

16 Place of public accommodation has the meaning stated in Section 27-10.

17 Public single-user restroom means a single-occupancy restroom for
 18 public use with at least one [[water closet]] toilet and an entry door that
 19 can be locked from the inside by the occupant. A public single-user
 20 restroom does not include a private restroom in a residence, hospital, inn,
 21 hotel, motel, or restrooms that are only accessible from a private room or
 22 office.

23 (b) Gender-inclusive public single-user restroom = required. A public
 24 single-user restroom, existing or newly built, in a place of public
 25 accommodation or County-owned building, must be:

26 (1) made available for use by individuals of any gender; and

27 (2) identified with gender-inclusive signage.

(c) Enforcement and Penalties.

(1) Who may enforce. The following have the authority to enforce this Section:

(A) The Department of Permitting Services;

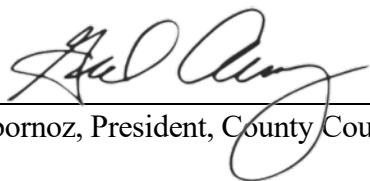
(B) The Department of Health and Human Services; and

(C) any other agency designated by the Chief Administrative Officer.

(2) A person authorized to enforce this Section must not issue a citation unless the violation still exists 30 days after an initial notice of violation.

(3) A violation of this Section is a Class A violation.

Approved:



7/28/2022

Gabriel Albornoz, President, County Council

Date

Approved:



8/8/2022

Marc Elrich, County Executive

Date

This is a correct copy of Council action.



8/8/2022

Judy Rupp, Clerk of the Council

Date