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, Albornoz, 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
Underlining
Added to existing law by original bill.

[Single boldface brackets]
Double underlining
Added by amendment.

[[Double boldface brackets]]

* * *

Heading or defined term.

Added to existing law by original bill.

Deleted from existing law or the bill by amendment.

Existing law unaffected by bill.

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

1		Sec. 1. <u>Section 27-10 is amended and</u> Section 27-11B is added as					
2	follo	ws:					
3	27-10. Scop	e.					
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	<u>(a)</u>	<u>Definitions.</u>					
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	<u>(b)</u>	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.					

28	<u>(c)</u>	Enforcement and Penalties.		
29		<u>(1)</u>	<u>Who</u>	may enforce. The following have the authority to enforce this
30			Secti	on:
31			<u>(A)</u>	The Department of Permitting Services;
32			<u>(B)</u>	The Department of Health and Human Services; and
33			<u>(C)</u>	any other agency designated by the Chief Administrative
34				Officer.
35		<u>(2)</u>	A pe	erson authorized to enforce this Section must not issue a
36			<u>citati</u>	on unless the violation still exists 30 days after an initial
37			notic	e of violation.
38		<u>(3)</u>	A vio	olation of this Section is a Class A violation.

Approved:

La Cler	7/28/2022
Gabriel Albornoz, President, County Council	Date
Approved:	
Marc ERI	8/8/2022
Marc Elrich, County Executive	Date
This is a correct copy of Council action.	
Judy Rups	8/8/2022
Judy Rupp, Clerk of the Council	Date