HOUSE BILL No. 1456

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-31.5-2; IC 35-43-2.5.

Synopsis: Use of public restrooms. Makes it a Class B misdemeanor if: (1) a male knowingly or intentionally enters a restroom that is designated to be used only by females; or (2) a female knowingly or intentionally enters a restroom that is designated to be used only by males. Provides for certain defenses.

Effective: July 1, 2021.

Borders

January 14, 2021, read first time and referred to Committee on Courts and Criminal Code.

Introduced

First Regular Session of the 122nd General Assembly (2021)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1456

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 35-31.5-2-130.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 130.4. "Female", for purposes of IC 35-43-2.5, has the meaning set forth in IC 35-43-2.5-1.**

SECTION 2. IC 35-31.5-2-191.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 191.5. "Male", for purposes of IC 35-43-2.5, has the meaning set forth in IC 35-43-2.5-2.**

SECTION 3. IC 35-43-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

Chapter 2.5. Single Sex Public Restroom Trespass

Sec. 1. As used in this chapter, "female" means an individual who:

(1) was born female at birth; or

(2) has at least one (1) X chromosome and no Y chromosome.

Sec. 2. As used in this chapter, "male" means an individual who:

(1) was born male at birth; or

(2) has at least one (1) X chromosome and at least one (1) Y chromosome.

Sec. 3. A:

(1) male who knowingly or intentionally enters a restroom that is designated to be used only by females; or

(2) female who knowingly or intentionally enters a restroom that is designated to be used only by males;

commits restroom trespass, a Class B misdemeanor.

Sec. 4. (a) It is a defense to a prosecution under this chapter if a person enters a restroom designated only for the opposite gender:

(1) for custodial purposes; or

(2) to render assistance.

(b) It is a defense to a prosecution under this chapter if a person who is less than twelve (12) years of age accompanies the person's:

(1) parent;

(2) guardian;

(3) custodian;

(4) teacher; or

(5) babysitter;

into a restroom designated for the gender of the person listed in subdivisions (1) through (5).