

JAN 21 2022

A BILL FOR AN ACT

RELATING TO GENDER EQUITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 489, Hawaii Revised Statutes, is
2 amended by adding a section to part I to be appropriately
3 designated and to read as follows:

4 "§489- Equal speed of access to toilets. (a) Any pair
5 of separate-gender public restrooms or separate-gender toilet
6 facilities of any public amusement facility constructed,
7 renovated, retrofitted, or installed after January 1, 2023,
8 shall have:

9 (1) Two exclusively female-use toilets for each
10 exclusively male-use toilet; and

11 (2) Two exclusively female-use toilets for each
12 exclusively male-use urinal;

13 provided that this section shall not apply to any restroom,
14 groups of toilets, or portable toilet facilities intended to be
15 used by more than one gender.

16 (b) For purposes of this section:



1 "Public amusement facility" means any zoo, theater,
2 convention center, lecture hall, concert hall, sports arena,
3 stadium, state park, county park, amusement or theme park,
4 fairground, or carnival.

5 "Renovated" means any structural remodeling, improvement,
6 or alteration of an existing restroom involving fifty per cent
7 or more of the square footage of the restroom. "Renovated"
8 shall not include:

9 (1) Reroofing;

10 (2) Cosmetic remodeling, including painting or the
11 installation of wall covering, of paneling, of floor
12 covering or of suspended ceilings; or

13 (3) Alteration to an electrical or mechanical system.

14 "Retrofitted" means any project that:

15 (1) Includes the modification or replacement of any
16 existing toilet, faucet, sink, urinal, or light with
17 technology that was not readily or economically
18 available at the time of installation of the existing
19 toilet, faucet, sink, urinal, or light; and

20 (2) Has a total cost in excess of \$ _____.



1 "Separate-gender toilet facilities" includes groups of
2 portable toilets and other temporary toilet facilities intended
3 to be used by a single gender and installed for an event and
4 intended to be removed after the event."

5 SECTION 2. Section 107-27, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§107-27 Design of state buildings.** (a) No later than
8 one year after the adoption of codes or standards pursuant to
9 section 107-24(c), the design of all state building construction
10 shall be in compliance with the Hawaii state building codes,
11 except state building construction shall be allowed to be
12 exempted from:

13 (1) County codes that have not adopted the Hawaii state
14 building codes;

15 (2) Any county code amendments that are inconsistent with
16 the minimum performance objectives of the Hawaii state
17 building codes or the objectives enumerated in this
18 part; or

19 (3) Any county code amendments that are contrary to code
20 amendments adopted by another county.



1 (b) Exemptions shall include county ordinances allowing
2 the exercise of indigenous Hawaiian architecture adopted in
3 accordance with section 46-1.55.

4 (c) The State shall consider hurricane resistant criteria
5 when designing and constructing new public schools for the
6 capability of providing shelter refuge.

7 (d) State building construction that is constructed or
8 substantially modified after January 1, 2023, shall include the
9 installation of a gender-neutral bathroom with at least three
10 stalls; provided that the state building construction is not
11 more than five thousand square feet in floor area."

12 SECTION 3. This Act does not affect rights and duties that
13 matured, penalties that were incurred, and proceedings that were
14 begun before its effective date.

15 SECTION 4. New statutory material is underscored.

16 SECTION 5. This Act shall take effect upon its approval.

17

INTRODUCED BY: 



S.B. NO. 2223

Report Title:

Gender Equity; Public Restrooms

Description:

Requires that restrooms and toilet facilities of public amusement facilities constructed, renovated, retrofitted, or installed after 1/1/2023 have two female-use toilets for each male-use toilet or urinal. Requires certain state building construction that is constructed or substantially modified after 1/1/2023 to provide for the installation of a gender-neutral bathroom with at least three stalls.

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