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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 426

01/17/2023 Authored by Quam
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to education; providing for student physical privacy; proposing coding
1.3 for new law in Minnesota Statutes, chapter 121A.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. 121A.35] STUDENT PHYSICAL PRIVACY.

1.6 Subdivision 1. Purpose. The purpose of this section is to protect and provide for the
1.7 privacy and safety of all students enrolled in public schools and to maintain order and dignity
1.8 in restrooms, locker rooms, changing rooms, showers, and other facilities where students
1.9 may be in various states of undress in the presence of other students.

1.10 Subd. 2. Definitions. (a) For the purposes of this section, the following terms have the
1.11 meanings given.

1.12 (b) "Sex" means the physical condition of being male or female, as determined by a
1.13 person's chromosomes and identified by a person's anatomy.

1.14 (c) "Public school" means a public school under section 120A.05, subdivisions 9, 11,
1.15 13, and 17, and a charter school under chapter 124E.

1.16 Subd. 3. Student physical privacy protection. (a) A public school student restroom,
1.17 locker room, changing room, or shower accessible by multiple students at the same time
1.18 shall be designated for the exclusive use by students based on their sex.

1.19 (b) A public school student restroom, locker room, changing room, or shower that is
1.20 designated for the exclusive use of one sex shall be used only by members of that sex.

2.1 (c) In any other public school facility or setting where a student may be in a state of
2.2 undress in the presence of other students, school personnel shall provide separate, private,
2.3 and safe areas designated for use by students based on their sex.

2.4 (d) Nothing in this section shall prohibit public schools from providing accommodation
2.5 such as single-occupancy facilities or controlled use of faculty facilities upon a student
2.6 request due to special circumstances. Under no circumstances may a public school student
2.7 restroom, locker room, changing room, shower, or other facility designated for exclusive
2.8 use based on sex be used by a person of another sex.