

HOUSE BILL NO. 4510

May 04, 2023, Introduced by Reps. Maddock, Carra, DeBoyer, Alexander, Bierlein, Markkanen, Rigas, Paquette, Johnsen, Prestin, Hoadley, Neyer, BeGole, Meerman, St. Germaine, Smit, Fox, Friske, DeSana and Bollin and referred to the Committee on Government Operations.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 1146a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 1146a. (1) Subject to subsection (2), a public school**
2 **shall ensure that every multiple-occupancy restroom or changing**
3 **area designated for pupil use must be used by individuals based**
4 **only on biological sex.**

5 **(2) This section does not apply to an individual entering a**
6 **multiple-occupancy restroom or changing area designated for use by**

1 the opposite biological sex when entering in any of the following
2 circumstances:

3 (a) For custodial purposes.

4 (b) For maintenance or inspection purposes.

5 (c) To render medical assistance.

6 (d) To accompany a pupil needing assistance when the assisting
7 individual is an employee of the public school or the pupil's
8 parent or legal guardian or authorized caregiver.

9 (e) To receive assistance in using the multiple-occupancy
10 restroom or changing area.

11 (f) When the restroom has been temporarily designated for use
12 by that individual's biological sex.

13 (3) As used in this section:

14 (a) "Authorized caregiver" means a caregiver as that term is
15 defined in section 3 of the designated caregiver act, 2016 PA 85,
16 MCL 333.26283.

17 (b) "Biological sex" means the physical condition of being
18 male or female, as stated on an individual's original birth
19 certificate.

20 (c) "Multiple-occupancy restroom or changing area" means an
21 area in a public school building designed or designated to be used
22 by more than 1 pupil at a time, where pupils may be in various
23 stages of undress in the presence of other pupils or individuals.
24 The term may include, but is not limited to, a school restroom,
25 locker room, changing room, or shower room.