

Office of the County Auditor
Auditor's Analysis

Council Bill No. 20-2021

Introduced: March 1, 2021

Auditor: Michelle R. Harrod

Fiscal Impact:

The fiscal impact of this legislation cannot be determined as revenue and expense are dependent upon the number of citations issued for noncompliance of the proposed changes for gender-inclusive restrooms.

Potential revenue would be from failure to correct a violation of this proposed legislation and would carry a Class C civil fine of \$100 to \$250. An establishment in violation of this proposed legislation must be given a written warning and 30 days to correct the violation prior to issuance of a citation. Each day a violation continues would be considered a separate offense.

The Director of the Department of Inspections, Licensing and Permits indicated that the department expects to utilize existing resources and does not anticipate an increase in operating costs. However, costs may be incurred from inspection and enforcement of this legislation if the expected volume of citations increases.

Purpose:

The purpose of this proposed legislation is to allow restroom use by individuals of any gender and require "gender-inclusive" signage on a public single-user restroom in any commercial or industrial establishment or place of public accommodation. These requirements would be effective as of December 31, 2023.

The legislation does not apply to:

- Private restrooms in a residence, hospital, or establishment that provides lodging;
- Restrooms that are only accessible from a private room or office; or
- Restrooms in County-owned or occupied buildings, provided the County establishes a policy that meets the requirements of the proposed legislation by December 31, 2023.

Other Comments:

None.