

1 AN ACT relating to public school restroom facilities.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 162 IS CREATED TO
4 READ AS FOLLOWS:

5 (1) As used in this section, "single-user toilet facility" means a restroom designed for
6 use by a single occupant that:

7 (a) Has a lock that is controlled by the occupant;

8 (b) Contains one (1) toilet;

9 (c) May contain no more than one (1) urinal; and

10 (d) May contain no more than one (1) sink.

11 (2) Beginning July 1, 2025, the chief state school officer shall not approve plans and
12 specifications as required by KRS 162.060 with a budget of over two million
13 dollars (\$2,000,000) for either a new public school building contemplated by a
14 board of education or for any addition or alteration of old buildings unless the
15 plans and specifications provide single-user toilet facilities available for use by
16 persons of any gender in accordance with Kentucky Board of Education
17 administrative regulations. These plans and specifications shall include at least
18 one (1) single-user toilet facility available for use by persons of any gender. This
19 subsection shall not apply to any plans or specifications submitted prior to July 1,
20 2025.

21 (3) The Kentucky Board of Education shall promulgate administrative regulations in
22 accordance with KRS Chapter 13A regarding the required number of single-user
23 toilet facilities and distribution of those facilities within each public school
24 building. The regulations shall:

25 (a) Be based upon relevant and appropriate factors, including but not limited to
26 student enrollment, employee population, square footage of the building,
27 floor plan of the building, and age of the building;

1 **(b) Include a requirement that the single-user toilet facilities are available for**
2 **use by students, employees, contractors, visitors, and other guests within the**
3 **building; and**

4 **(c) Provide exemptions for toilet facilities designated for large-capacity venues**
5 **that are designed to serve a large volume of people in a short time.**

6 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO
7 READ AS FOLLOWS:

8 **Each school council, or the principal if no school council exists, of a school where**
9 **more than twenty-five percent (25%) of the school's restroom facilities are single-user**
10 **toilet facilities as defined in Section 1 of this Act, shall develop a plan to assist students**
11 **needing additional privacy due to an urgent medical or biological need to access**
12 **restroom facilities that provide additional privacy. The plan may include directing a**
13 **student to a school nurse or a family resource and youth service center to access**
14 **additional privacy and to receive support services to address the biological or medical**
15 **need. The plan may also be incorporated into a student's individualized education**
16 **program required under Pub. L. No. 94-142 or the student's 504 plan required under**
17 **Pub. L. No. 93-112.**