

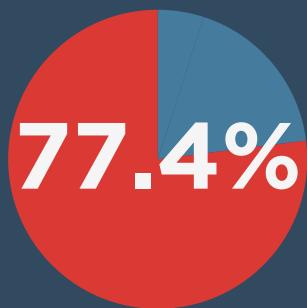
PROTECTING PRIVACY AND SAFETY IN PUBLIC BUILDINGS ACT

Ensures the privacy, safety, and dignity of all people in public restrooms, changing rooms, and locker rooms across Idaho

QUICK FACTS:

- Acknowledges that people deserve privacy and safety in vulnerable places like public restrooms and locker rooms
- Clarifies that the existing duty of public accommodations to maintain safe premises for their customers extends to providing privacy and safety in restrooms and changing facilities
- Requires separate restrooms and changing facilities on the basis of biological sex in all government buildings
- Guarantees privacy and safety in places like state camp-ground shower facilities, city swimming pool locker rooms, and highway rest area bathrooms
- Builds on previous policy victories that secured protections for women using bathrooms and changing facilities in public schools, colleges, correctional facilities, and domestic violence shelters

In many Idaho communities, state law and local policies allow **biological men** to use female restrooms and locker rooms—**threatening the privacy, safety, and dignity** of the girls and women who use those facilities



of likely Idaho voters believe state law should require separate restrooms and changing areas in public buildings

Among those expressing opinions

458 likely Idaho voters / Margin of error +/- 4.58% / Conducted Nov. 20-26 and Nov. 30-Dec. 2, 2025



PROTECTING PRIVACY AND SAFETY IN PUBLIC BUILDINGS – FAQS

1. HOW DOES OUR LEGISLATION PROTECT WOMEN IN GOVERNMENT BUILDINGS?

Our legislation protects the privacy and safety of women by requiring every government building in the state to separate their bathrooms, locker rooms, changing facilities, and public showers on the basis of biological sex.

2. HOW DOES OUR LEGISLATION PROTECT WOMEN IN PUBLIC ACCOMMODATIONS?

Under premises liability doctrine, public accommodations are already required to take reasonable steps to protect the safety and privacy of their customers. Our legislation extends this common law duty by requiring public accommodations to take reasonable steps to protect the privacy and safety of their customers in restrooms, locker rooms, and showers.

3. WHAT IS A “PUBLIC BUILDING”?

Under our legislation, the phrase “public building” encompasses all government buildings and places of public accommodation:

- The requirements for government buildings would apply to state office buildings, city pools, municipal airports, highway rest areas, fire and police stations, public libraries, and state and municipal tourist attractions and recreational facilities.
- The requirements for places of public accommodation would apply to businesses and other entities that are open to the general public—including most restaurants, shops, retailers, theaters, privately-owned tourist attractions, salons, and gyms.

4. DOESN’T THIS TARGET THOSE WHO STRUGGLE WITH GENDER DYSPHORIA?

No. Our legislation does not single out or marginalize any particular group. By requiring every person to use the bathroom consistent with their biological sex, our legislation treats similarly situated people equally.

That said, our legislation would allow government entities to provide reasonable accommodations for any person (including a person that is struggling with gender dysphoria) who is unwilling or unable to use the facilities designated for the person’s biological sex.

Notably, our legislation is drafted in such a way to allow local government entities and places of public accommodation to make the best decisions for their communities and customers.

5. WILL THIS CREATE MORE RED TAPE AND REGULATION FOR PRIVATE BUSINESSES IN IDAHO?

No. Our legislation does not interfere with the ability of private businesses to operate as they see fit. Business owners recognize that by engaging in business, they are accepting certain responsibilities. One such duty is their responsibility to ensure that patrons and guests do not suffer harm as a result of the business owner’s negligence.

Under premises liability doctrine, business owners who fail to shovel their sidewalks when it snows can be held liable for negligence if someone slips and falls. The same is true for hazardous conditions caused by wet floors or unmaintained walking paths.

Our legislation applies the same reasoning to private spaces like bathrooms, shower facilities, and locker rooms. If a private business offers bathrooms to the public, then the business has the responsibility to take reasonable steps to protect the safety and privacy of their customers and guests in those restrooms.

6. HASN’T IDAHO ALREADY TAKEN CARE OF THE BATHROOM ISSUE?

Over the past few years, Idaho has enacted significant privacy and safety protections for women and girls in the settings of schools, college campuses, correctional facilities, and domestic violence shelters. However, these protections do not extend to thousands of other government buildings and the countless places of public accommodation throughout the state.

Our legislation extends these essential safety and privacy protections to all remaining public restrooms and changing facilities that are frequently used by the women and girls of Idaho.

7. CAN A CHILD STILL ACCOMPANY HIS OR HER PARENT INTO A BATHROOM?

Yes. Our legislation exempts persons “in need of assistance,” allowing children or people with disabilities to accompany their parents or caregivers into facilities designated for the biological sex of the parent or the caregiver.

Our legislation also provides for other commonsense, real-world exemptions (such as when the restroom or changing facility is being cleaned, when there is a need to shelter from a natural disaster, when someone needs medical assistance, or when one set of restrooms is out-of-order).