

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 752

BY WAYS AND MEANS COMMITTEE

AN ACT

1 RELATING TO INDECENCY AND OBSCENITY; AMENDING CHAPTER 41, TITLE 18, IDAHO  
2 CODE, BY THE ADDITION OF A NEW SECTION 18-4117, IDAHO CODE, TO PROHIBIT  
3 A PERSON FROM ENTERING A RESTROOM OR CHANGING ROOM OF THE OPPOSITE SEX,  
4 TO PROVIDE A PENALTY, TO PROVIDE EXCEPTIONS, AND TO DEFINE A TERM; AND  
5 DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.  
6

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Chapter 41, Title 18, Idaho Code, be, and the same is  
9 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
10 ignated as Section 18-4117, Idaho Code, and to read as follows:

11 18-4117. ENTERING A RESTROOM OR CHANGING ROOM OF THE OPPOSITE SEX. (1)  
12 Any person who knowingly and willfully enters a restroom or changing room in  
13 a government-owned building or a place of public accommodation, as defined  
14 in section 67-5902, Idaho Code, that is designated for use by the opposite  
15 biological sex of such person shall be guilty of a misdemeanor and may be im-  
16 prisoned in the county jail for a period not to exceed one (1) year. Any per-  
17 son who pleads guilty to or is found guilty of a violation of this section, a  
18 similar statute in another state, or any similar local ordinance for a second  
19 time within five (5) years of the first conviction, notwithstanding the form  
20 of judgment or withheld judgment, shall be guilty of a felony and may be im-  
21 prisoned in the state prison for a period not to exceed five (5) years.

22 (2) The provisions of subsection (1) of this section shall not apply to  
23 an individual who enters a restroom or changing room designated for the oppo-  
24 site sex in any of the following circumstances:

25 (a) To perform custodial services or maintenance;

26 (b) To render medical assistance;

27 (c) To provide law enforcement assistance or to supervise any arrestee,  
28 detainee, or inmate in a custodial setting;

29 (d) To provide services or render aid during a natural disaster, during  
30 a declared emergency, or when necessary to prevent a serious threat to  
31 good order or safety;

32 (e) To use a single-user facility designated for the opposite sex, if  
33 such single-user facility is the only facility reasonably available at  
34 the time of the person's use of the facility;

35 (f) To use restroom facilities when the person is in dire need of uri-  
36 nating or defecating and such facility is the only facility reasonably  
37 available at the time of the person's use;

38 (g) To use restrooms, changing rooms, and sleeping quarters that have  
39 been temporarily designated for use by people of that person's biologi-  
40 cal sex;

41 (h) To provide coaching or athletic training during athletic events;

- 1 (i) To accompany and render assistance to a person who is in need of as-  
2 sistance when the person rendering assistance is:  
3 (i) A family member or a legal guardian; or  
4 (ii) The designee of the person in need of assistance and the de-  
5 signee is not a member of the designated sex for the single-sex re-  
6 stroom, changing facility, or sleeping quarters; or  
7 (j) To a minor child who is in need of assistance and, for the purpose  
8 of receiving that assistance, is accompanied by a family member, a legal  
9 guardian, or the individual's designee who is a member of the designated  
10 sex for the single-sex restroom or changing facility.  
11 (3) As used in this section, "changing room" means a facility in which  
12 a person may be in a state of undress in the presence of others, including a  
13 locker room, changing room, or shower room.

14 SECTION 2. An emergency existing therefor, which emergency is hereby  
15 declared to exist, this act shall be in full force and effect on and after  
16 July 1, 2026.