

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 606

BY STATE AFFAIRS 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. Any person
16 who pleads guilty to or is found guilty of a violation of this section, a sim-
17 ilar statute in another state, or any similar local ordinance for a second
18 time within five (5) years of the first conviction, notwithstanding the form
19 of judgment or withheld judgment, shall be guilty of a felony and may be im-
20 prisoned in the state prison for a period not to exceed five (5) years.

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

24 (a) To perform custodial services or maintenance;

25 (b) To render medical assistance;

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

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

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

34 (f) To use restrooms, changing rooms, and sleeping quarters that have
35 been temporarily designated for use by people of that person's biologi-
36 cal sex;

37 (g) To provide coaching or athletic training during athletic events; or

38 (h) To accompany and render assistance to a person who is in need of as-
39 sistance when the person rendering assistance is:

40 (i) A family member or a legal guardian; or

1 (ii) The designee of the person in need of assistance and the de-
2 signee is not a member of the designated sex for the single-sex re-
3 stroom, changing facility, or sleeping quarters.

4 (3) As used in this section, "changing room" means a facility in which
5 a person may be in a state of undress in the presence of others, including a
6 locker room, changing room, or shower room.

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