



# SCHOOL & COLLEGE LEGAL SERVICES OF CALIFORNIA

*A Joint Powers Authority  
serving school and  
college districts  
throughout the state.*

## LEGAL UPDATE

5350 Skylane Boulevard  
Santa Rosa, CA 95403

October 26, 2016

Tel: (707) 524-2690  
Fax: (707) 578-0517  
santarosa@sclscal.org  
www.sclscal.org

**To: Superintendents, Member School Districts (K-12)**

**From: Carl D. Corbin, General Counsel** *CDC*

**Subject: All Single-User Toilet Facilities Must be Identified as “All-Gender”  
(Unisex) as of March 1, 2017  
Memo No. 38-2016**

*General Counsel*  
Carl D. Corbin

*Attorneys*  
Monica D. Batanero  
Nancy L. Klein  
Damara L. Moore  
Jennifer E. Nix  
Steven P. Reiner  
Mia N. Robertshaw  
Loren W. Soukup  
Patrick C. Wilson  
Frank Zotter, Jr.

*Of Counsel*  
Robert J. Henry  
Margaret M. Merchat  
Virginia A. Riegel

---

On September 29, 2016, the Governor signed Assembly Bill (“AB”) 1732, which added Health and Safety Code section 118600 and becomes operative on March 1, 2017.

This new law provides:

All single-user toilet facilities in any business establishment, place of public accommodation, or state or local government agency shall be identified as all-gender toilet facilities by signage that complies with Title 24 of the California Code of Regulations, and designated for use by no more than one occupant at a time or for family or assisted use.<sup>1</sup>

We advise our clients to identify all single-user toilet facilities and ensure the appropriate signage is in place on or before March 1, 2017.

For your convenience, please see attached a copy of AB 1732.

Please contact our office with questions regarding this Legal Update or any other legal matter.

*The information in this Legal Update is provided as a summary of law and is not intended as legal advice. Application of the law may vary depending on the particular facts and circumstances at issue. We, therefore, recommend that you consult legal counsel to advise you on how the law applies to your specific situation.*

© 2016 School and College Legal Services of California

*All rights reserved. However, SCLS grants permission to any current SCLS client to use, reproduce, and distribute this Legal Update in its entirety for the client’s own non-commercial purposes.*

---

<sup>1</sup> A “single-user toilet facility” is defined as a toilet facility with no more than one water closet and one urinal with a locking mechanism controlled by the user.

## Assembly Bill No. 1732

### CHAPTER 818

An act to add Article 5 (commencing with Section 118600) to Chapter 2 of Part 15 of Division 104 of the Health and Safety Code, relating to restrooms.

[Approved by Governor September 29, 2016. Filed with  
Secretary of State September 29, 2016.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 1732, Ting. Single-user restrooms.

Existing law requires a public agency, as defined, that serves the public or is open to the public and maintains toilet facilities to make those facilities available to the public free of charge. Existing law requires publicly and privately owned facilities where the public congregates, as defined, to maintain a sufficient number of temporary or permanent toilet facilities to meet the needs of the public at peak hours. Existing law also requires each business establishment to provide, within reasonable access, a sufficient number of toilet facilities for the use of the employees.

This bill would, commencing March 1, 2017, require all single-user toilet facilities in any business establishment, place of public accommodation, or government agency to be identified as all-gender toilet facilities, as specified. The bill would authorize inspectors, building officials, or other local officials responsible for code enforcement to inspect for compliance with these provisions during any inspection.

*The people of the State of California do enact as follows:*

SECTION 1. Article 5 (commencing with Section 118600) is added to Chapter 2 of Part 15 of Division 104 of the Health and Safety Code, to read:

#### Article 5. Single-User Restrooms

118600. (a) All single-user toilet facilities in any business establishment, place of public accommodation, or state or local government agency shall be identified as all-gender toilet facilities by signage that complies with Title 24 of the California Code of Regulations, and designated for use by no more than one occupant at a time or for family or assisted use.

(b) During any inspection of a business or a place of public accommodation by an inspector, building official, or other local official responsible for code enforcement, the inspector or official may inspect for compliance with this section.

(c) For the purposes of this section, “single-user toilet facility” means a toilet facility with no more than one water closet and one urinal with a locking mechanism controlled by the user.

(d) This section shall become operative on March 1, 2017.