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## FISCAL IMPACT REPORT

SPONSOR Rubio ORIGINAL DATE 1/30/2019  
LAST UPDATED 3/12/19 HB 388/aHF1#1  
SHORT TITLE Gender-Free Restrooms SB \_\_\_\_\_  
ANALYST Rabin

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	No Fiscal Impact					

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

New Mexico Attorney General (NMAG)

### SUMMARY

#### Synopsis of HF1#1 Amendment

The House Floor Amendment #1 to House Bill 388 clarifies that the provisions of the bill apply to existing and newly constructed restrooms, but do not require the construction of any new restrooms.

#### Synopsis of Original Bill

House Bill 388 requires that a single-user toilet facility in a public accommodation (which includes any establishment that provides or offers its services, facilities, or goods to the public) be made available to any person regardless of gender identity or sex, be designated for use by not more than one occupant at a time or for family or assisted use, and be identified with gender-neutral signage.

### FISCAL IMPLICATIONS

This bill has no major fiscal implications for the state. While some state facilities may need to adjust signage on single-user restrooms in response to this bill, these costs are minimal and should be covered by existing operating budgets. This bill does not mandate the addition of new restrooms or renovations to existing bathrooms apart from signage.

This bill has a delayed effective date of July 1, 2019.

**ADMINISTRATIVE IMPLICATIONS**

NMAG notes that the United States Department of Labor’s Occupational Safety and Health Administration has listed gender-nonspecific single-occupancy restrooms as a best practice in the workplace.

ER/sb/gb/al