



LEGISLATIVE UPDATE FROM
REP. DENNIS RIDDELL



NC House

District 64 – Alamance County

4/1/2016

*Rm 533, Legislative Office Building
Raleigh, NC 27603-5925*

*919.733.5905
Dennis.Riddell@ncleg.net*

HB 2

Public Facilities Privacy & Security Act

Background

It is really very simple. It is about privacy. It is about common sense. No man should be given any loophole in the law whereby he can enter a ladies restroom or girls locker room, dressing area, or shower facility. No. No sirree. Never. Nope. Nada. Nyet. Nein. Nix. Very simple indeed. Privacy. Common sense.

Had the general assembly not acted prior to today (April 1, 2016) the very ill-advised bathroom ordinance passed by the City of Charlotte on Feb. 22 would go into effect. Every business in the Charlotte area, every private institution, church, school etc. could face a \$500 fine for non-compliance with Charlotte’s insistence that separate male/female “Restrooms, shower rooms, bathhouses, and similar facilities which are in their nature distinctly private” are no longer acceptable. There were no exemptions permitted in this ordinance. You must obey. The decision of which restroom to use would be subjective - based upon your own opinion. How do you determine if someone is in a private place they normally do not belong when it is up to that person alone to determine if they belong there or not? That is not good common sense.

The City of Charlotte was repeatedly warned prior to this illegal action that they were acting beyond their delegated authority but chose to pass this radical ordinance anyway. They were warned that the NCGA would likely act to correct their overreach of power.

Foreground

The North Carolina General Assembly, as authorized by the NC Constitution, called itself into session to deal preemptively with the Charlotte bathroom ordinance. HB 2 Public Facilities Privacy & Security Act, a 5 page bill, was debated in the House, amended, and passed by a vote of 82-26. All republicans present and 11 democrats voted in favor. The bill passed 32-0 in the Senate. The bill accomplished several things on behalf of North Carolina citizens and businesses:

1. It restored common sense privacy rights in restrooms, locker rooms etc. for all the citizens of North Carolina.
2. It clarified the limits of local authority in accordance with Article VII of our NC Constitution to ensure that no matter where you are visiting or working in NC you will be under a similar set of statewide laws and requirements.
3. It restored things to ‘the way they were’ prior to the bathroom ordinance. No men in women’s restrooms or girls locker rooms or changing facilities. Businesses free to determine for themselves what they want to do regarding restroom policy. Privacy. Common sense. It is very simple.

Epilogue

By the way, “the way things were” includes North Carolina creating over 270,000 new jobs, remarkable economic growth, lower tax burden, sensible regulatory reform and NC being in the top tier of states in which to do business. All of that has been accomplished without the Charlotte bathroom ordinance. Privacy. Common Sense. It is very simple.