

SENATOR JUDY WARNICK

13TH LEGISLATIVE DISTRICT - WASHINGTON STATE

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Warnick bill addresses privacy concerns tied to controversial new state rule

OLYMPIA... [Sen. Judy Warnick](#), R-Moses Lake, has introduced legislation to address growing privacy concerns stemming from a new state rule that loosens access to gender-specific facilities at public and private organizations.

The rule change, quietly adopted by the state Human Rights Commission on Dec. 26, permits persons to use locker rooms, restrooms and similar accommodations according to their gender identity. Warnick's bill, [Senate Bill 6548](#), carefully considers challenges faced by transgender individuals while balancing the real privacy and safety concerns regarding use of gender-specific facilities.

"We need to be sure that we are addressing everyone's concerns," Warnick said. "Looking at how this rule was adopted, it is apparent that the commission didn't seem to consider the effects it would have. By its own admission the agency did not post the rule to its website for public comment and failed to follow other processes for adopting rules. The process clearly broke down."

Warnick's legislation would maintain protections for transgender people but specifically address the rule adopted by the commission.

"This bill is a common-sense approach to a complicated subject," Warnick said. "We want to be sure that no one is being prevented from using facilities, but we need to be aware of the shortsighted effects of the rule that was adopted. This issue is indicative of a larger problem with the administrative rule making process that makes policies with the force of law with no input from the public."

Critics of proposed legislative fixes to the executive-agency rule have dismissed safety and privacy concerns raised by parents and legislators. However, recent news regarding similar policies elsewhere has lent credence to finding a balance. For instance, the [University of Toronto recently jettisoned a similar](#) transgender-bathroom policy after two incidents where male students were filming women in shower stalls.

“My bill simply states that people must use the gender segregated facilities according to their biological gender,” Warnick explained. “That doesn’t prohibit the use of gender-neutral facilities or extend to transgender people who are post-operative. The new rule just doesn’t makes sense when an 8-year-old girl must shower next to a grown man because he identifies otherwise.”

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