



**State of Arkansas
Department of Finance and Administration
Fiscal Impact Statement**

Bill: SB486

As Engrossed: 3/31/2025

Bill Subtitle: CONCERNING SAFETY AND PRIVACY IN CERTAIN ENTITIES; AND CONCERNING THE DESIGNATION OF MULTI-OCCUPANCY RESTROOMS, CHANGING ROOMS, AND SLEEPING QUARTERS IN CERTAIN ENTITIES BASED ON AN INDIVIDUAL'S SEX.

Sponsors:

Sen. B. Johnson and Rep. Bentley

Basic Change:

SB486 (engrossed 3/31/2025) provides safety and privacy for an individual using or occupying a multi-occupancy restroom, changing room, or sleeping quarters. An entity covered under the bill include domestic violence shelters, certain correctional and juvenile detention facilities, and public buildings owned by the State of Arkansas and its political subdivisions. The bill would require a covered entity to take reasonable steps to provide an individual with privacy in a designated multi-occupancy restroom, changing room, and sleeping quarter and to prevent its use by a member of the opposite sex.

The prohibition does not apply in circumstances where a person of the opposite sex enters a restroom, changing room, or sleeping quarter designated for the opposite sex to:

- Perform custodial services or maintenance;
- Render medical assistance;
- Perform duties arising under the course and scope of employment as a law enforcement officer, employee, or contractor;
- Seek protection in a designated shelter area during a threat of an emergency or a natural disaster; or
- Provide aid during a threat of a natural disaster or a serious threat to good order or safety.

A person in a restroom or changing room designated for use by his or her sex who encounters a person of the opposite sex has a private cause of action for damages and declaratory and injunctive relief. The Arkansas State Claims Commission has jurisdiction over claims which may be barred due to the doctrine of sovereign immunity.

Fiscal Impact:

The bill has no impact on the collection of State General Revenue or Special Revenue.

The bill does not obligate the expenditure of any state funds. All state covered entities have discretion as to the means of implementing the bill through the operational control of existing facilities. The bill does not require the construction or modification of any state facilities. Potential claims before the state claims commission are considered to be too speculative for determining a fiscal impact, as agencies are presumed to act in accordance with the law and awards are subject to review and subsequent appropriation by the General Assembly. Accordingly, the bill has no budgetary impact on state agencies.



**State of Arkansas
Department of Finance and Administration
Fiscal Impact Statement**

Bill: SB486

As Engrossed: 3/31/2025

Bill Subtitle: CONCERNING SAFETY AND PRIVACY IN CERTAIN ENTITIES; AND CONCERNING THE DESIGNATION OF MULTI-OCCUPANCY RESTROOMS, CHANGING ROOMS, AND SLEEPING QUARTERS IN CERTAIN ENTITIES BASED ON AN INDIVIDUAL'S SEX.

Taxpayer Impact:

An individual using or occupying a multi-occupancy restroom, changing room, or sleeping quarter within a domestic violence shelter, certain correctional or juvenile detention facility, or a public building owned by the State of Arkansas or its political subdivisions will be provided with safety and privacy by prohibiting members of the opposite sex from also using or occupying the restroom, changing room, or sleeping quarters.

Resources Required:

None.

Time Required:

Adequate time is provided for implementation.

Procedural Changes:

None.

Other Comments:

None.

Legal Analysis:

None.