

Are you a trans person who wants to use the bathroom in Utah  
According to HB 257 as signed by Gov. Spencer Cox

Yes

Is the facility owned or controlled by the state of Utah or a local subdivision?  
local subdivisions include cities, counties, schools and universities

No

Yes

Is the private entity your employer?

No

Yes

The private entity is free to set whatever bathroom policy they would like.

Your employer may put in place whatever bathroom policy they see fit. If you are prohibited from using the bathroom aligned with your gender identity, "reasonable accommodations" must be provided.  
(Per the "Utah Compromise" of 2015)

Most Commonly, However

Most Commonly, or if there's no set policy

Yes and I'm an Employee

Is the bathroom exclusively accessible to employees?

No

Are you a K-12 Student at school?

Yes

Are you okay with having your parents informed if you request accommodations?

No

The bill requires student accommodations to be crafted in coordination with your parent or legal guardian. If you inform a faculty member of your request they are likely to contact your parents about it

Yes

Have you amended your birth certificate **and** had a qualifying primary sexual characteristic surgical procedure  
as defined by Utah Code 58-67-102

No

Would a reasonable person expect your entry into the changing room to cause alarm to, on or in the presence of another individual?

??????

Yes

The ambiguity is the point. The language here comes from indecent exposure / lewdness statutes. The Author's opinion is that simply being in a changing room while trans is not sufficient to fulfill this language, but prosecutors may interpret it differently.

You are prohibited from using a bathroom aligned with your gender identity under the circumstances described. However, the facility must provide you with a unisex bathroom or alternative "reasonable accommodation"

# A Trans Person's Guide to Using the Restroom (Under Utah's Transphobic 'Bathroom Bill')

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*The author is not a lawyer | This is not Legal Advice*

Is the bathroom attached to a changing room or locker room?  
(Starting with Sub 2, **trespassing penalties only apply to changing rooms**)

No

Yes, and I just want to use the toilet

Yes and I'd like to use the gang shower

HB 273 modifies the definition of Lewdness to include any display of "genitalia [or nipples] that [do] not correspond with the sex designation of the changing room," unless you are in a single-user space partitioned by a stall or curtain. There is enough ambiguity in the definitions here that the author would recommend avoiding the display of genitals or (for trans men) chests even if you have had top / bottom surgery

You are free to use whatever bathroom you feel comfortable in! However, you can be subject to harsher penalties for Loitering, Lewdness, or Voyeurism if you are alleged to do those things while using a gendered bathroom not aligned with your sex assigned at birth

If I use the bathroom aligned with my gender identity, the outcome will be...

- Legal to Use Bathroom of Choice
- Unknown / Ambiguous
- Possible criminal / school disciplinary repercussions
- Possible employment repercussions
- Possible ejection from Venue