



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 6607, **Version:** 1

Subject:

Approval of BCC-62 - Restrooms and Changing Facilities in County Buildings, to comply with section 553.865, Florida Statutes.

Fiscal Impact:

No fiscal impact is expected.

Dept/Office:

Facilities/Human Resources

Requested Action:

Approve a new Brevard County policy, BCC-62 - Restrooms and Changing Facilities in County Buildings.

Summary Explanation and Background:

The proposed BCC-62 was developed through a collaborative effort by the County Attorney's Office and Human Resources. CS/HB 1521 (Safety in Private Spaces Act) was passed by the Florida Legislature, approved by the Governor on May 17, 2023, and subsequently was enacted in section 553.865, Florida Statutes.

BCC-62 is intended to address the requirements under section 553.865, Florida Statutes regarding restrooms and changing facilities in County buildings. The language in the proposed policy implements and closely tracks the statute, which primarily affects County buildings as follows:

1. A member of the public who willfully enters a restroom or changing facility designated for the opposite sex at a County building and refuses to depart when asked to do so commits the offense of trespass; and
2. A County employee who willfully enters a restroom or changing facility designated for the opposite sex at a County building and refuses to depart when asked to do so by another employee may be subject to discipline pursuant to the Merit System Policies, up to and including termination.

The statute provides certain exceptions, which are incorporated in the policy. As proposed, BCC-62 is consistent with the County's Merit System Policies and Procedures on employee discipline that are based on the underlying philosophy of fairness and due process for all employees, as well as the County's collective bargaining agreements.

Clerk to the Board Instructions:

Please forward signed original to the County Manager's Office.