

By: Representative Newman

To: Universities and
Colleges

HOUSE BILL NO. 1521

1 AN ACT TO BE ENTITLED THE "SAFE DORMITORIES ACT"; TO CLARIFY
 2 THE DEFINITIONS OF THE GENDER-RELATED TERMS FOR PURPOSES OF THIS
 3 ACT; TO REQUIRE PUBLIC STATE INSTITUTIONS OF HIGHER LEARNING OR
 4 COMMUNITY OR JUNIOR COLLEGES THAT MAINTAINS MULTIPLE-OCCUPANCY
 5 DORMITORY ROOMS TO PROVIDE STUDENT RESIDENTS WITH THE OPTION TO BE
 6 HOUSED ONLY IN A DORMITORY ROOM WITH ROOMMATES OF THE SAME SEX; TO
 7 PROVIDE THAT PERSONS MAY NOT ENTER A DORMITORY ROOM DESIGNATED
 8 EXCLUSIVELY FOR USE BY PERSONS OF THE OPPOSITE SEX; TO PROVIDE
 9 EXCEPTIONS TO THE RESTRICTED PRESENCE OF A PERSON IN THE DORMITORY
 10 ROOM DESIGNATED EXCLUSIVELY FOR USE BY PERSONS OF THE OPPOSITE
 11 SEX; TO REQUIRE PUBLIC STATE INSTITUTIONS OF HIGHER LEARNING OR
 12 COMMUNITY OR JUNIOR COLLEGES TO ESTABLISH REGULATIONS AND
 13 DISCIPLINARY PROCEDURES FOR ANY PERSON WHO WILLFULLY TRESPASSES IN
 14 DORMITORY ROOMS; TO AUTHORIZE PRIVATE ENFORCEMENT AND ATTORNEY
 15 GENERAL ENFORCEMENT AGAINST PERSONS WHO TRESPASS UPON THE PREMISES
 16 OF A DORMITORY OF AN INDIVIDUAL OF THE OPPOSITE SEX AND REFUSES TO
 17 LEAVE THE PREMISES UPON BEING ASKED TO DO SO BY AN AUTHORITY
 18 FIGURE; AND FOR RELATED PURPOSES.

19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

20 **SECTION 1.** This act shall be known and may be cited as the
 21 "Safe Dormitories Act."

22 **SECTION 2.** (1) The Legislature finds that females and males
 23 should be provided areas, including dormitories, for their
 24 exclusive use, respective to their sex, in order to maintain
 25 public safety, decency, decorum, and privacy.



26 (2) For purposes of this act, the following terms shall have
27 the meanings ascribed herein unless context clearly indicates
28 otherwise:

29 (a) "Boy" is defined as a minor human male.

30 (b) "Dormitory room" means a separate room or rooms,
31 located within a residence hall or sorority or fraternity house on
32 the campus of a state institution of higher learning or community
33 college or any other property of such institution or college, to
34 be used as living quarters for an individual student and his or
35 her roommates, but excludes halls, lobbies and other common areas
36 of the residence hall.

37 (c) "Father" is defined as a male parent.

38 (d) "Female" means an individual who has, had, will
39 have through the course of normal development, or would have had
40 (but for a developmental anomaly, genetic anomaly, disease, or
41 injury) the reproductive system that at some point produces ova.

42 (e) "Girl" is defined as a minor human female.

43 (f) "Male" means an individual who has, had, will have
44 through the course of normal development, or would have had (but
45 for a developmental anomaly, genetic anomaly, disease, or injury)
46 the reproductive system that at some point produces sperm.

47 (g) "Man" is defined as an adult human male.

48 (h) "Mother" is defined as a female parent.

49 (i) "Public building" means any building, facility or
50 space owned, leased or controlled by, or leased to, the state,



51 counties, municipalities, institutions of higher learning,
52 community colleges or any political subdivision.

53 (j) "Sex," when used to classify a natural person,
54 means the biological indication of male and female at birth,
55 without regard to an individual's "gender identity" or any other
56 terms intended to convey a person's psychological, chosen, or
57 subjective experience or sense of self.

58 (k) "Woman" is defined as an adult human female.

59 **SECTION 3.** (1) Any public state institution of higher
60 learning or community or junior college that maintains
61 multiple-occupancy dormitory rooms shall, subject to its other
62 ordinary terms and conditions of dormitory occupancy, provide
63 student residents the option to be housed only in a dormitory room
64 with roommates of the same sex.

65 (2) Except as provided in Section (4), a person may not
66 enter a dormitory room designated exclusively for use by persons
67 of the opposite sex.

68 **SECTION 4.** The requirements of Sections 3, 5, 6 and 7 of this
69 act do not apply to any person entering a dormitory room for the
70 following purposes:

71 (a) To accompany a person of the opposite sex for the
72 purpose of assisting or chaperoning a child under the age of
73 twelve (12), a vulnerable person as defined in Section 43-47-5, or
74 a person with a disability as defined in Section 43-6-203(b);



75 (b) For law enforcement or governmental regulatory
76 purposes;

77 (c) For the purpose of rendering emergency medical
78 assistance or to intervene in any other emergency situation where
79 the health or safety of another person is at risk;

80 (d) For custodial, maintenance or inspection purposes,
81 provided that the dormitory room is not in use;

82 (e) If the appropriate designated dormitory room is out
83 of order or under repair and contains no person of the opposite
84 sex;

85 (f) If the dormitory room has been temporarily
86 designated for use by a person of the sex opposite from the sex
87 for which its use is ordinarily designated, but only for the
88 duration of such designation; and

89 (g) If the person entering the dormitory room is an
90 employee, contractor or agent of the owner or other person or
91 entity in control of the public building, announces his or her
92 intention to enter, and allows a reasonable time for persons of
93 the opposite sex to protect their privacy before entering.

94 **SECTION 5.** (1) The appropriate administrative governing
95 authority for each public state institution of higher learning or
96 community or junior college having public buildings designated as
97 dormitories under its ownership, control or lease shall, within
98 ninety (90) days of the effective date of this act, establish
99 regulations and disciplinary procedures for any person who



100 willfully enters, for a purpose other than those listed in Section
101 4, a dormitory room designated for the opposite sex on the
102 premises of a state institution of higher learning of community
103 college and refuses to depart when asked to do so by any employee
104 or contractor of the owner, lessee or lessor of the public
105 building designated as a dormitory.

106 (2) A person who willfully enters, for a purpose other than
107 those listed in Section 4 of this act, a dormitory room designated
108 for the opposite sex on the premises of a state institution of
109 higher learning or community or junior college and refuses to
110 depart when asked to do so by an employee or contractor of the
111 owner, lessee or lessor of the public building designated as a
112 dormitory commits the offense of trespass as prescribed in Section
113 97-17-97.

114 (3) On July 1, 2025, and annually thereafter, the appropriate
115 administrative governing authority for each public state
116 institution of higher learning or community or junior college
117 having public buildings designated as dormitories under its
118 ownership, control or lease shall provide a report and
119 documentation to the Speaker of the Mississippi House of
120 Representatives, the Lieutenant Governor, and the Governor,
121 regarding compliance with this act.

122 **SECTION 6.** (1) A person may assert a violation of this act
123 as a claim or defense in a judicial or administrative proceeding
124 and obtain compensatory damages, punitive damages, injunctive



125 relief, declaratory relief or any other appropriate relief. The
126 claim may be brought against any the applicable governmental
127 entity for each public building under its ownership, control or
128 lease which caused or contributed to a violation of this act.

129 (2) A person under eighteen (18) years of age may bring an
130 action throughout their years of minority through a parent, legal
131 guardian or next of kin, and may bring an action in their own name
132 upon reaching the age of majority.

133 (3) Notwithstanding any other provision of law, an action
134 under this act may be commenced, and relief may be granted, in a
135 judicial proceeding without regard to whether the person
136 commencing the action has sought or exhausted available
137 administrative remedies.

138 (4) In any action or proceeding to enforce a provision of
139 this act, a prevailing party who establishes a violation of this
140 act shall recover reasonable attorney's fees.

141 **SECTION 7.** (1) The Attorney General shall bring an action to
142 enforce compliance with this act.

143 (2) This act does not deny, impair or otherwise affect any
144 right or authority of the Attorney General, the State of
145 Mississippi, or any agency, officer or employee of the state,
146 acting under any law other than this act, to institute or
147 intervene in any proceeding.

148 **SECTION 8.** Any provision of this act held to be invalid or
149 unenforceable by its terms, or as applied to any person or



150 circumstance, shall be construed so as to give it the maximum
151 effect permitted by law, unless such holding shall be one of utter
152 invalidity or unenforceability, in which event such provision
153 shall be deemed severable and shall not affect the remainder
154 hereof or the application of such provision to other persons not
155 similarly situated or to other, dissimilar circumstances.

156 **SECTION 9.** This act shall take effect and be in force from
157 and after its passage.

