

By: Senator(s) England

To: Corrections

SENATE BILL NO. 2594

1 AN ACT TO DEFINE CERTAIN TERMS RELATING TO THE SAFETY AND  
 2 PRIVACY OF FEMALES IN CORRECTIONAL FACILITIES; TO PROVIDE THAT  
 3 EVERY RESTROOM AND CHANGING ROOM WITHIN A CORRECTIONAL FACILITY  
 4 THAT IS FOR USE BY INCARCERATED INDIVIDUALS SHALL BE DESIGNATED  
 5 FOR USE BY MEMBERS OF ONE SEX; TO PROHIBIT ANY INCARCERATED  
 6 INDIVIDUAL FROM ENTERING A RESTROOM OR CHANGING ROOM THAT IS  
 7 DESIGNATED FOR ONE SEX UNLESS HE OR SHE IS A MEMBER OF THAT SEX;  
 8 TO PROVIDE THAT EVERY RESTROOM, CHANGING ROOM AND SLEEPING QUARTER  
 9 WITHIN A CORRECTIONAL FACILITY THAT IS DESIGNATED FOR THE USE OF  
 10 INCARCERATED ADULTS THAT IS ACCESSIBLE BY MULTIPLE INDIVIDUALS AT  
 11 THE SAME TIME SHALL BE DESIGNATED FOR USE ONLY BY MEMBERS OF ONE  
 12 SEX; AND FOR RELATED PURPOSES.

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

14 **SECTION 1. Definitions.** For purposes of this act, the  
 15 following terms shall have the meanings ascribed herein:

16 (a) "Changing room" means a room or area in which a  
 17 person may be in a state of undress in the presence of others,  
 18 including a locker room or shower room.

19 (b) "Correctional facility" means a correctional  
 20 facility operated, regulated or authorized by the Mississippi  
 21 Department of Corrections to house state inmates.

22 (c) "Female" means an individual who has, had, will  
 23 have through the course of normal development, or would have had,



24 but for a developmental anomaly, genetic anomaly, disease, or  
25 injury, the reproductive system that at some point produces ova.

26 (d) "Male" means an individual who has, had, will have  
27 through the course of normal development, or would have had, but  
28 for a developmental anomaly, genetic anomaly, disease, or injury,  
29 the reproductive system that at some point produces sperm.

30 (e) "Restroom" means a room that includes one or more  
31 toilets or urinals.

32 (f) "Sex" means a person's biological sex, either male  
33 or female, as observed or clinically verified at birth.

34 (g) "Sleeping quarters" means a room with more than one  
35 bed and in which more than one individual is housed for sleeping.

36 **SECTION 2. Safety and privacy in correctional facilities.**

37 (1) Every restroom and changing room within a correctional  
38 facility that is designated for the use of incarcerated  
39 individuals and that is accessible by multiple individuals at the  
40 same time shall be designated for use only by members of one sex.

41 (2) A restroom or changing room within a correctional  
42 facility that is designated for one sex shall be used only by  
43 members of that sex, and no incarcerated individual shall enter a  
44 restroom or changing room that is designated for one sex unless he  
45 or she is a member of that sex and the correctional facility shall  
46 ensure that all restrooms and changing rooms provide its users  
47 with privacy from members of the opposite sex.



48 (3) Each sleeping quarter within a correctional facility  
49 that is designated for the use of incarcerated individuals and  
50 that is accessible by multiple individuals at the same time shall  
51 be designated for use only by members of one sex.

52 (4) A sleeping quarter within a correctional facility that  
53 is designated for one sex shall be used only by members of that  
54 sex and no incarcerated individual shall be housed in a sleeping  
55 quarter that is designated for one sex unless he or she is a  
56 member of that sex.

57 (5) This section shall not apply to an incarcerated  
58 individual who enters a restroom, changing room, or sleeping  
59 quarter designated for the opposite sex when entering for the  
60 following purposes:

61 (a) For custodial or maintenance purposes;

62 (b) To render medical assistance;

63 (c) During a natural disaster, emergency, or when  
64 necessary to prevent a serious threat to good order or safety; or

65 (d) On a temporary basis (which shall not include  
66 overnight housing) at the direction of the correctional facility.

67 **SECTION 3.** If any subsection or portion of this act is  
68 declared invalid, that declaration shall not affect the validity  
69 of the remaining portions.

70 **SECTION 4.** This act shall take effect and be in force from  
71 and after July 1, 2024.

