



## **House Bill 752: Idaho's Extreme Anti-Trans Bathroom Ban Explained**

*June 2026*

As of July 1, 2026, HB 752 (2026) makes it a crime for transgender people to enter restrooms and changing rooms aligned with their gender in government-owned buildings and all private businesses open to the public across Idaho, such as gas stations, libraries, hospitals, movie theaters, restaurants, museums, and other businesses. For transgender people, HB 752 criminalizes something most people take for granted — the ability to use restrooms aligned with their gender identity when in public spaces. We are challenging this bill and will provide updates at [acluidaho.org](http://acluidaho.org).

### **What does this law do?**

HB 752 creates criminal penalties for people who use any restroom that is “designated for the opposite biological sex” in government-owned buildings, such as city halls, public schools, DMV offices, and court houses; and in places of public accommodation, including all businesses open to the public, such as grocery stores, malls, gas stations, restaurants, bars, movie theaters, and so on. The law takes effect July 1, 2026, but we have asked a court to stop parts of the law from being enforced.

The law applies to all sex-segregated restrooms, including multi- and single-user restrooms, and to changing rooms, including locker rooms, showers, and other multi-user facilities. HB 752 does not apply to gender-inclusive restrooms, sometimes called “gender neutral” or “unisex” restrooms.

The law creates criminal penalties. A person’s first offense is a misdemeanor and may result in up to a year in county jail, and each additional conviction within five years is a felony and may result in five years in prison. If someone has previously been convicted of a similar law in another state or in another jurisdiction within five years of the offense they’re being charged with, the law permits judges to apply the steeper felony sentencing maximum.

The law contains several exceptions. HB 752’s criminal penalties do not apply to people entering into restrooms for custodial services or maintenance, assisting family members who need assistance using restrooms, providing aid during medical emergencies or natural disasters, or law enforcement or correctional purposes. The law also allows people to use any restroom if they are in “dire need” and the “facility is the only facility reasonably available at the time.” It also allows people to use any single-user restroom if no other restroom is “reasonably available.”

## **What are the practical impacts of HB 752?**

As of July 1, 2026, it will be a crime for transgender people to use restrooms aligned with their gender in nearly all public places. However, it is unclear how law enforcement officers and district attorneys will enforce and prosecute this law, which creates uncertainty for the entire community.

HB 752 includes several key terms that are undefined and vague. Because the law is so vague, law enforcement could enforce the law in arbitrary and discriminatory ways. The law may also embolden bad-faith actors who will use the law as an excuse to threaten, intimidate, harass, and harm transgender people. Business owners may attempt to aid in enforcing HB 752, which could lead to discriminating against people based on appearance.

It is important to consider the uncertainty and increased risk created by the new law. Transgender Idahoans, their families, and loved ones may want to consider detailed safety planning to manage new risks in their everyday lives. This could mean evaluating whether any building they need to enter through the day is covered by the law, and, if so, planning when and where to use the restroom at school or work, when traveling within the state, and during social events. It may also mean identifying inclusive facilities, discussing safety plans and risks with friends and family, having a detailed plan for hostile interactions in restrooms, learning about de-escalation techniques, and planning for increased interaction with law enforcement.

## **What buildings and facilities are impacted by HB 752?**

HB 752 applies to government-owned buildings and places of public accommodation.

Government-owned buildings include places such as:

- public schools and universities
- court buildings
- public hospitals and healthcare facilities
- correctional facilities
- public libraries
- state, county and city parks

Government-owned buildings include buildings owned by the State of Idaho and other governmental entities such as county agencies and departments, municipalities, townships, and more.

Places of public accommodation include businesses that sell goods or services to the public and places for entertainment, recreation, or transportation that are open to the public, including:

- grocery stores
- malls
- gas stations
- restaurants

- bars
- movie theaters

Places that *may* not be affected by HB 752 include private schools, workplaces and offices that do not serve the public, and other private buildings or facilities that are not open to the public. Private buildings and facilities that may not be affected by HB 752 are encouraged to create a welcoming environment for all restroom users and may want to consider hanging inclusive and welcoming restroom signs.

### **What are other potential impacts?**

While there is no evidence that transgender people are a threat to safety or privacy in *any* restroom, research shows that anti-transgender rhetoric and restroom bans put transgender folks' safety and health at risk. Transgender people are already four times more likely than cisgender people to be victims of violent crime. Forcing individuals into restrooms that don't align with their gender creates even more risk: transgender women forced into men's restrooms and transgender men forced into women's restrooms will be outed against their wills and will face extreme risk of physical assault and verbal abuse. This bill severely undermines transgender peoples' basic dignity and privacy.

To be clear, we are *all* less safe because of Idaho's extreme restroom law. Cisgender people who don't conform to gender norms will likely be targeted, and the law may encourage people to take pictures and videos of others in public restrooms, locker rooms, and so on. Rather than protecting safety and privacy, HB 752 and similar laws invite surveilling and policing peoples' physical appearances, and actually increase the likelihood of substantial privacy violations, regardless of gender identity. Anyone who might not perfectly fit into someone's ideal gender presentation can be targeted, harassed, and/or have their privacy invaded.

If you believe your rights have been violated as a transgender, gender non-conforming or cisgender person in Idaho, [please contact the ACLU of Idaho.](#)