



Tara Smith, Director
Department of Enterprise Services
1500 Jefferson Street SE
Olympia, WA 98501

RE: ESSB5092, section 149 (6) – Inclusive bathroom facilities

Dear Director Smith,

The Legislature directed the Department of Enterprise Services to “develop a plan to incorporate into future Washington state building codes options for the design and construction of inclusive bathroom facilities that are consistent with a person's own gender expression or gender identity” in collaboration with the LGBTQ Commission through [ESSB5092](#), section 149(6).

The Washington State LGBTQ Commission met with Mr. Stoyan Bumbalov, Managing Director of the WA State Building Code Council and his staff to review the current guidelines for gender-neutral bathroom facilities as found on the Washington Building Code as found on [Chapter 51-50 WAC](#) to ensure compliance with the Legislature’s directive. After reviewing the language on this document and hearing directly from the Building Code Council regarding gender-neutral bathroom facilities, the Commission finds that the current policies, procedures, and guidelines are in alignment with best practices for LGBTQ-inclusive spaces. The Commission does not have any concerns with the language used in the document, or with the approach to ensure that new, current, and remodeled buildings have gender-inclusive bathroom facilities.

It is the opinion of the Commission that the Building Code Council has fulfilled its duties to consult with us as directed by the Legislature on ESSB5092.

Should there are any questions or concerns regarding this matter, please feel free to reach out at any time.

Respectfully,

A handwritten signature in black ink, appearing to read "J. Manny Santiago". The signature is stylized and written over a horizontal line.

J. Manny Santiago
Executive Director, WA State LGBTQ Commission