

Chattanooga Times Free Press, TN, USA

Tennessee Rep. Gerald McCormick drops controversial school 'bathroom bill'

January 18th, 2018 by Andy Sher

NASHVILLE — State Rep. Gerald McCormick said Thursday he is withdrawing his controversial school "bathroom bill" after assurances from Tennessee Attorney General Herbert Slatery that he already can and will step in with legal aid to smaller systems facing lawsuits over LGBT access policies.

"I've been informed by the Attorney General's office that they already have the authority to help defend a local school system if they get involved in something they can't handle with whatever legal assets they have," the Chattanooga Republican said.

He added: "With that in mind, I think the bill is unnecessary as written now and I won't be carrying it. My part of the concern has pretty much evaporated."

McCormick's introduction of the bill on the use of school restrooms, locker rooms and similar facilities reignited a furor that began in Tennessee and a number of other states in mid-2016.

Advocates for lesbian, gay, bisexual and transgender people as well as Democrats condemned McCormick's legislation.

Related Article

[Group vows 'massive resistance' to retooled McCormick transgender bathroom bill](#)

The 2016 controversy erupted when top Obama administration officials issued guidance saying the federal law known as Title IX protected rights of transgender students to use restrooms and locker rooms matching their gender identities.

Socially conservative Tennessee Republican lawmakers unsuccessfully sought to follow North Carolina's lead that same year and enact a controversial law that effectively banned legal protections for LGBT persons. It would have required people use school and college restrooms corresponding to the sex listed on their birth certificates.

The 2016 bill, which McCormick did not sponsor, never passed in Tennessee. McCormick's bill this session did not go anywhere near as far as the 2016 bill, containing just the requirement the state provide legal defense or funding to school districts and officials facing legal action over policies "designed to protect the privacy of students from exposure to others of the opposite biological sex."

It addressed restrooms, locker rooms or other facilities "where students may be in various states of undress."

On Wednesday, McCormick took the bill off notice, saying he intended to make some language changes, then reintroduce it.

"We got another one [bill] coming in behind it which should be a little clearer," he told the Times Free Press. "Plus, I wanted to give the Democrats time to introduce their own legislation since they're so opposed to this and in favor of men being in little girls' bathrooms."

He said the planned revised bill's wording was a "little bit better" and "just giving the locals common sense discretion to take care of this problem on their own without lawyers from New York or California coming in and telling some little rural county what to do in their bathrooms."

Earlier Thursday, House Speaker Beth Harwell, R-Nashville, told reporters she and Chattanooga Republican were meeting later about the issue.

"Certainly I understand the public's strong feeling on the issue, but I think we are in the correct place right now and our attorney general has already assured my office and the General Assembly should any of our local districts be sued on this issue he would defend them," Harwell said.

Asked if she would urge McCormick to drop the legislation, Harwell said, "We'll have a discussion."

McCormick has said the original legislation was brought to him by David Fowler, a former Republican senator from Signal Mountain now head of the Family Action Council of Tennessee, which advocates on socially conservative issues.

<http://www.timesfreepress.com/news/breakingnews/story/2018/jan/18/mccormick-drops-controversial-bathroom-bill/461578/>