



Written by [Raven Clabough](#) on March 30, 2017

North Carolina Repeals Transgender Bathroom Bill

Lawmakers in North Carolina have repealed House Bill 2, the controversial bathroom bill that mandates individuals use the restroom in government buildings that corresponds to their biological sex, sending the bill to Democratic Gov. Roy Cooper to be signed into law. Though the repeal bill has the support of Gov. Cooper, who has been an outspoken opponent of the transgender bathroom bill, it has failed to garner the support of pro-LGBT groups and conservatives.



HB2 was passed in March 2016 in response to a Charlotte City Council ordinance that allowed transgender people to use a bathroom based on the gender with which they identify. The bill revoked that measure and prevented the introduction of new LGBT ordinances in the state. An executive order signed by Republican Governor Pat McCrory limited the law's reach to specific restroom and locker facilities in government buildings and in schools, but allowed private businesses to continue to set their own rules for bathrooms and locker rooms.

Despite the bill's limited focus, it provoked significant backlash from major companies such as Deutsche Bank and PayPal Holdings. Deutsche Bank indicated it would stop its plans to expand in the state, and PayPal officials declared it would forego plans to open a new facility in Charlotte as a result of the law.

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Other major companies such as Apple, Google, and American Airlines have spoken out against the law, and the National Basketball Association's 2017 All-Star Game was moved out of North Carolina over the transgender bathroom law. The N.C.A.A. also announced it would not allow North Carolina to host championship sporting events through 2022 if the measure remained. And performers Bruce Springsteen, Demi Lovato, and Nick Jonas, as well as bands such as Pearl Jam and Boston, cancelled concerts in the state.

Previous efforts to repeal the bill failed as Democrats and Republicans could not reach a compromise. A one-day special legislative session was called in December to repeal the law after Charlotte repealed its ordinance that prompted the need for HB2. However, that repeal effort failed after Democrats refused to approve a provision that would have banned cities from passing particular pro-LGBT ordinances during what Republicans deemed should be a "cooling-off" period.

Senate President Pro Tem Phil Berger explained that the intention behind the provision was to avoid another ordinance that would "just put us right back where we've been for the last nine months."

But the Democrats refused to pass the repeal bill because of the moratorium and blamed the Republicans for the repeal fail.

However, the standoff between Republican lawmakers and Democratic Gov. Roy Cooper came to an end on Wednesday after the two sides agreed on the replacement measure.

Fox News reports that the compromise measure repeals HB2 and leaves public multi-stall bathroom



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policies to state legislators. It also prevents local governments from passing non-discrimination ordinances until December 2020. According to House Speaker Tim Moore and Senate leader Phil Berger, the moratorium is intended to allow federal litigation over transgender issues to reach a resolution.

On Thursday morning, the Senate passed the repeal bill, 32 to 16, sending it to the House, which passed it by a vote of 70 to 48 later that afternoon.

The *New York Times* reports that lawmakers in North Carolina felt “tremendous pressure” to repeal the HB2 after University of North Carolina men’s basketball team reached the N.C.A.A. tournament’s Final Four, as North Carolina is a “basketball-obsessed state.” The N.C.A.A. had reportedly set a Thursday deadline for the state to repeal the bill if North Carolina wanted to host any championships through 2022, according to local news outlet WRAL.

Greater Raleigh Sports Alliance Executive Director Scott Dupree said in a statement, “The NCAA has already delayed the bid review process once and has waited as long as it possibly can, and now it must finalize all championship site selections through spring of 2022.”

The measure has received public criticism from various groups on both sides of the issue.

Pro-LGBT groups wanted a clean repeal of the law. Human Rights Campaign tweeted that the replacement measure is “a bad deal that does not actually #RepealHB2,” but instead “doubles-down on discrimination.”

The group has said it will hold the lawmakers behind the repeal bill accountable in the same way it did with those who supported HB2.

“At its core, it’s a statewide prohibition on equality,” Human Rights Campaign President Chad Griffin told reporters on Wednesday. “Just like we did with ... McCrory, we will hold all elected officials accountable — Democrats and Republicans — who target our community by advancing this statewide ban on nondiscrimination protections.”

And social conservatives spoke out against the repeal measure, saying HB2 is necessary to prevent male sexual predators from entering female restrooms.

“No NCAA basketball game, corporation or entertainment concert is worth even one little girl being harmed or frightened in a bathroom,” Tami Fitzgerald, executive director of the NC Values Coalition, asserted. “She should not lose her privacy and dignity to a boy in a locker room.”

Republican Representative Bert Jones said it is not discriminatory to believe that God “created us male and female.”

But Gov. Cooper argues that though the measure it not “perfect,” it “begins to repair our reputation.”

Former Gov. McCrory has tweeted his support for the compromise, stating it “still respects privacy” and allows the Supreme Court to find a resolution to the issue.

McCrory believes that the law is the reason he lost the election to Democratic Governor Roy Cooper, placing the blame on the liberal media and its misrepresentation of the law.

“I have come to the conclusion that there is a great deal of misinformation, misinterpretation, confusion, a lot of passion and frankly, selective outrage and hypocrisy, especially against the great state of North Carolina,” McCrory said in a statement.



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The backlash in North Carolina over HB2 did not deter other states such as Texas and Virginia from considering similar measures, though those efforts have been unsuccessful thus far. In Kentucky, Democratic Representative Rick Nelson is leading the effort to pass a measure similar to HB2.



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