

AN ACT concerning health.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Equitable Restrooms Act is amended by changing Section 18 as follows:

(410 ILCS 35/18)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 18. Baby changing stations.

(a) As used in this Section:

"Public building" means:

(1) a place of public accommodation, as that term is defined in Section 10;

(2) a State building open to the public;

(3) a retail store of more than 5,000 square feet that contains a restroom open to the public; or

(4) a restaurant that meets the following criteria: (A) the restaurant has an occupancy of at least 60 persons, as determined by the local fire department, fire protection district, building permitting entity, or building inspector ~~State Fire Marshal~~; (B) the restaurant contains a restroom that is open to the public; and (C) the restaurant's entrance is not within 300 feet of a centrally

located facility with a baby diaper changing station that is open to the public.

"Restaurant" means a business having sales of ready-to-eat food for immediate consumption comprising at least 51% of the total sales, excluding the sale of liquor.

(b) Every public building with restrooms open and accessible to the public shall have:

(1) at least one safe, sanitary, convenient, and publicly accessible baby diaper changing station that is accessible to women entering a restroom provided for use by women and at least one safe, sanitary, convenient, and publicly accessible baby diaper changing station that is accessible to men entering a restroom provided for use by men; or

(2) at least one safe, sanitary, convenient, and publicly accessible baby diaper changing station that is accessible to both men and women.

This requirement is in addition to any accommodations that may be made for individuals in accordance with any local, State, or federal laws regarding access for persons with disabilities and to existing fire, health, and safety codes or standards.

(c) Subsection (b) does not apply to the following:

(1) An industrial building, nightclub, or bar that does not permit anyone who is under 18 years of age to enter the premises.

(2) A restroom located in a health facility, if the restroom is intended for the use of one patient or resident at a time.

(3) A renovation, if a local building permitting entity or building inspector determines that the installation of a baby diaper changing station is not feasible or would result in a failure to comply with applicable building standards governing the right of access for persons with disabilities. The permitting entity or building inspector may grant an exemption from the requirements of this subsection under those circumstances.

(d) A public restroom that is open and accessible to the public and includes a baby diaper changing station shall include signage at or near the entrance to the baby changing station indicating the location of the baby diaper changing station.

(e) This Section shall not be enforceable by a private right of action.

(Source: P.A. 101-293, eff. 1-1-20.)

Section 99. Effective date. This Act takes effect January 1, 2020.