

1 AN ACT concerning health.

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

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

6 (410 ILCS 35/18)

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

9 Sec. 18. Baby changing stations.

10 (a) As used in this Section:

11 "Public building" means:

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

14 (2) a State building open to the public;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 Section 99. Effective date. This Act takes effect January
21 1, 2020.