

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 adding
5 Section 18 as follows:

6 (410 ILCS 35/18 new)

7 Sec. 18. Baby changing stations.

8 (a) As used in this Section:

9 "Public building" means:

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

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

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

15 (4) a restaurant that meets the following criteria: (A)
16 the restaurant has an occupancy of at least 60 persons, as
17 determined by the State Fire Marshal; (B) the restaurant
18 contains a restroom that is open to the public; and (C) the
19 restaurant's entrance is not within 300 feet of a centrally
20 located facility with a baby diaper changing station that
21 is open to the public.

22 "Restaurant" means a business having sales of ready-to-eat
23 food for immediate consumption comprising at least 51% of the

1 total sales, excluding the sale of liquor.

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

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

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

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

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

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

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

26 (3) A renovation, if a local building permitting entity

1 or building inspector determines that the installation of a
2 baby diaper changing station is not feasible or would
3 result in a failure to comply with applicable building
4 standards governing the right of access for persons with
5 disabilities. The permitting entity or building inspector
6 may grant an exemption from the requirements of this
7 subsection under those circumstances.

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

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