

1 AN ACT concerning public health, which may be referred to  
2 as Ally's Law.

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

5 Section 1. Short title. This Act may be cited as the  
6 Restroom Access Act.

7 Section 5. Definitions. In this Act:

8 "Customer" means an individual who is lawfully on the  
9 premises of a retail establishment.

10 "Eligible medical condition" means Crohn's disease,  
11 ulcerative colitis, any other inflammatory bowel disease,  
12 irritable bowel syndrome, or any other medical condition that  
13 requires immediate access to a toilet facility.

14 "Retail establishment" means a place of business open to  
15 the general public for the sale of goods or services. "Retail  
16 establishment" does not include a filling station or service  
17 station, with a structure of 800 square feet or less, that has  
18 an employee toilet facility located within that structure.

19 Section 10. Retail establishment; customer access to  
20 restroom facilities. A retail establishment that has a toilet  
21 facility for its employees shall allow a customer to use that  
22 facility during normal business hours if the toilet facility is  
23 reasonably safe and all of the following conditions are met:

24 (1) The customer requesting the use of the employee  
25 toilet facility suffers from an eligible medical condition  
26 or utilizes an ostomy device.

27 (2) Three or more employees of the retail establishment  
28 are working at the time the customer requests use of the  
29 employee toilet facility.

30 (3) The retail establishment does not normally make a  
31 restroom available to the public.

1           (4) The employee toilet facility is not located in an  
2           area where providing access would create an obvious health  
3           or safety risk to the customer or an obvious security risk  
4           to the retail establishment.

5           (5) A public restroom is not immediately accessible to  
6           the customer.

7           Section 15. Liability.

8           (a) A retail establishment or an employee of a retail  
9           establishment is not civilly liable for any act or omission in  
10          allowing a customer that has an eligible medical condition to  
11          use an employee toilet facility that is not a public restroom  
12          if the act or omission meets all of the following:

13                 (1) It is not willful or grossly negligent.

14                 (2) It occurs in an area of the retail establishment  
15                 that is not accessible to the public.

16                 (3) It results in an injury to or death of the customer  
17                 or any individual other than an employee accompanying the  
18                 customer.

19           (b) A retail establishment is not required to make any  
20           physical changes to an employee toilet facility under this Act.

21          Section 20. Violation. A retail establishment or an  
22          employee of a retail establishment that violates Section 10 is  
23          guilty of a petty offense. The penalty is a fine of not more  
24          than \$100.

25          Section 99. Effective date. This Act takes effect upon  
26          becoming law.