

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 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 3,000 ~~5,000~~ square
14 feet that contains a restroom open to the public; ~~or~~

15 (4) a restaurant that meets the following criteria:

16 (A) the restaurant has an occupancy of at least 40 ~~60~~
17 persons, as determined by the local fire department, fire
18 protection district, building permitting entity, or
19 building inspector; (B) the restaurant contains a restroom
20 that is open to the public; and (C) the restaurant's
21 entrance is not within 300 feet of a centrally located
22 facility with a baby diaper changing station that is open
23 to the public;

- 1 (5) hotels and lodging facilities;
2 (6) public and private schools and educational
3 institutions;
4 (7) small entertainment venues, including movie
5 theaters and bowling alleys;
6 (8) health care facilities with public restrooms;
7 (9) transit public parks with restroom facilities; or
8 (10) standalone public parks with restroom facilities.

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

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

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

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

24 This requirement is in addition to any accommodations that
25 may be made for individuals in accordance with any local,
26 State, or federal laws regarding access for persons with

1 disabilities and to existing fire, health, and safety codes or
2 standards.

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

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

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

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

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

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

26 (Source: P.A. 101-293, eff. 1-1-20; 101-602, eff. 1-1-20.)