



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB0457

Introduced 2/19/2021, by Sen. Melinda Bush

SYNOPSIS AS INTRODUCED:

410 ILCS 35/20

from Ch. 111 1/2, par. 3751-20

410 ILCS 35/30 new

Amends the Equitable Restrooms Act. Provides that, notwithstanding any other provision of law, any multiple-occupancy restroom may be identified as an all-gender multiple-occupancy restroom and designated for use by any person of any gender. Requires that an all-gender multiple-occupancy restroom must include specified signage, stall dividers, and partitions for urinals. Provides that any multiple-occupancy restroom may be converted into an all-gender multiple-occupancy restroom. Provides that, if a facility commences construction, or commences alterations exceeding 50% of the facility, and implements an all-gender multiple-occupancy restroom, the all-gender multiple-occupancy restroom must satisfy or include specified requirements. Requires certain newly constructed or previously existing restrooms to be designated as all-gender multiple-occupancy restrooms. Provides that, where a person or entity must meet female-to-male ratio requirements, each individual toilet stall in an all-gender multiple-occupancy restroom may be counted toward the required number of either female or male toilet stalls. Provides that during any inspection of a facility by a health officer, health inspector, or building inspector, the health officer, health inspector, or building inspector may inspect the facility to determine whether it complies with the provisions. Requires the Department of Public Health to adopt rules to implement the provisions. Defines "multiple-occupancy restroom". Makes other changes. Effective immediately.

LRB102 14474 CPF 19826 b

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 20 and by adding Section 30 as follows:

6 (410 ILCS 35/20) (from Ch. 111 1/2, par. 3751-20)

7 Sec. 20. Application. Except for Sections ~~Section~~ 25 and
8 30, this Act applies only to places of public accommodation
9 that commence construction, or that commence alterations
10 exceeding 50% of the entire place of public accommodation,
11 after the effective date of this Act.

12 (Source: P.A. 101-165, eff. 1-1-20.)

13 (410 ILCS 35/30 new)

14 Sec. 30. All-gender multiple-occupancy restrooms.

15 (a) The purpose of this Section is to promote the privacy,
16 safety, and gender inclusivity of all Illinois residents and
17 visitors. This Section shall be liberally construed to carry
18 out this purpose.

19 (b) In this Section, "multiple-occupancy restroom" means a
20 fully-enclosed room designated as serving male or female users
21 and containing more than one toilet stall, at least one sink,
22 and any amount of urinals, including none.

1 (c) Notwithstanding any other provision of law, any
2 multiple-occupancy restroom may be identified as an all-gender
3 multiple-occupancy restroom and designated for use by any
4 person of any gender. An all-gender multiple-occupancy
5 restroom must include the following:

6 (1) Inclusive signage that is prominently displayed at
7 the exterior of the multiple-occupancy restroom for all
8 who are entering the restroom, that does not indicate any
9 specific gender or ability, and that indicates any
10 component that is present in the multiple-occupancy
11 restroom that are required under this subsection or
12 subsection (e).

13 (2) Stall dividers equipped with a sturdy and
14 functioning locking mechanism controlled by the user and a
15 partition privacy cover or strip that ensures that no one
16 is able to see through the space between the stall divider
17 and door.

18 (3) Partitions for each urinal, if a urinal is
19 present.

20 (d) Any multiple-occupancy restroom may be converted into
21 an all-gender multiple-occupancy restroom. If a
22 multiple-occupancy restroom is to be converted into an
23 all-gender multiple-occupancy restroom and a
24 multiple-occupancy restroom serving a different gender is
25 located adjacent or in proximity to the all-gender
26 multiple-occupancy restroom, then both multiple-occupancy

1 restrooms must be converted into all-gender multiple-occupancy
2 restrooms.

3 (e) If a facility commences construction, or commences
4 alterations exceeding 50% of the facility, and implements an
5 all-gender multiple-occupancy restroom, the all-gender
6 multiple-occupancy restroom must, in addition to the
7 requirements of subsection (c):

8 (1) satisfy all accessibility requirements set forth
9 by the federal Americans with Disabilities Act of 1990, as
10 amended;

11 (2) include a small trash receptacle with a cover in
12 each toilet stall;

13 (3) include at least one vending device of
14 menstruation supplies; and

15 (4) include at least one baby diaper changing station.

16 (f) If an all-gender multiple-occupancy restroom is newly
17 constructed, a newly constructed or previously existing
18 restroom located adjacent or in proximity to the newly
19 constructed all-gender multiple-occupancy restroom must also
20 be designated as an all-gender multiple-occupancy restroom.

21 (g) When a person or entity must meet female-to-male ratio
22 requirements, including, but not limited to, the requirements
23 under Section 15, each individual toilet stall in an
24 all-gender multiple-occupancy restroom may be counted toward
25 the required number of either female or male toilet stalls.
26 The management of the location in which the all-gender

1 multiple-occupancy restroom is located may choose whether each
2 toilet stall counts toward the required number of female or
3 male toilet stalls.

4 This subsection shall not be construed to allow any
5 violation of female-to-male ratio requirements set forth by
6 this Act.

7 (h) During any inspection of a facility by a health
8 officer, health inspector, or building inspector, the health
9 officer, health inspector, or building inspector may inspect
10 the facility to determine whether it complies with this
11 Section, if it is required to do so.

12 (i) The Department of Public Health shall adopt rules to
13 implement this Section.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.