

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.