

AN ACT concerning health.

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

Section 5. The Equitable Restrooms Act is amended by changing Section 20 and by adding Section 30 as follows:

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

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

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

(410 ILCS 35/30 new)

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

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

(b) In this Section, "multiple-occupancy restroom" means a room or suite of rooms, intended for simultaneous use by 2 or more occupants, containing at least one sink and at least 2 toilets.

(c) 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. An all-gender multiple-occupancy restroom must include the following:

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

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

An all-gender multiple-occupancy restroom shall not contain urinals.

(d) Any multiple-occupancy restroom may be converted into an all-gender multiple-occupancy restroom. If a multiple-occupancy restroom is to be converted into an all-gender multiple-occupancy restroom and a multiple-occupancy restroom serving a different gender is located adjacent or in proximity to the all-gender multiple-occupancy restroom, then both multiple-occupancy restrooms must be converted into all-gender multiple-occupancy

restrooms.

(e) If a facility converts any multiple-occupancy restroom into an all-gender multiple-occupancy restroom or 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, in addition to the requirements of subsection (c):

(1) satisfy all accessibility requirements set forth by the federal Americans with Disabilities Act of 1990, as amended, and the Illinois Accessibility Code (71 Ill. Adm. Code 400);

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

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

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

(f) If an all-gender multiple-occupancy restroom is newly constructed, any newly constructed multiple-occupancy restroom located adjacent or in proximity to the newly constructed all-gender multiple-occupancy restroom must also be designated as an all-gender multiple-occupancy restroom.

(g) When plumbing fixtures in a facility are otherwise required to meet female-to-male ratio requirements, including, but not limited to, the requirements under Section 15 or the minimum fixture requirements adopted under the Illinois Plumbing License Law, each individual fixture in an all-gender

multiple-occupancy restroom may be counted toward the required number of either female or male fixtures until the minimum requirement is met. If a fixture is counted toward the minimum required fixtures for females, that same fixture shall not also be counted toward the minimum required fixtures for males. If a fixture is counted toward the minimum required fixtures for males, that same fixture shall not also be counted toward the minimum required fixtures for females.

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

(h) 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 this Section, if it is required to do so.

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

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