

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 857

STATE OF NEW JERSEY

DATED: DECEMBER 13, 2021

The Assembly Appropriations Committee reports favorably Assembly Bill No. 857.

This bill would require baby diaper changing stations in any newly constructed men or women's public restroom maintained on any publicly-accessible floor of a group A or M occupancy within the State. It would also require any group A or M occupancy to install changing stations during renovations to existing restrooms, costing \$5,000 or more. The bill would further require the owner or operator of a group A or M occupancy to post signage to direct visitors to baby diaper changing station-equipped restrooms, when newly-constructed or renovated.

Additionally, the bill would require public buildings, that contain group A or M occupancies, to install baby diaper changing tables in each accessible floor of each group A or M occupancy on or before the first day of the 37th month following enactment. If, however, the public building is a K-12 school, the bill would only require one changing table accessible to men and women per campus within the 37-month deadline. A county, municipality, or board of education would be permitted to apply to the Department of Community Affairs for a reimbursement of the expense of installation. The bill appropriates \$500,000 from the general fund to address this expense. Failure to comply with the provisions of this bill would result in liability for a penalty of not more than \$500 for each violation.

Under the bill, “group A or M occupancy” means an Assembly Group A occupancy or a Mercantile Group M occupancy, as defined in chapter 3 of the 2015 New Jersey International Building Code. More specifically, the terms encompass the following:

(1) assembly group A occupancies, subject to applicable spatial and occupant limits, including but not limited to theaters, banquet halls and restaurants, amusement arcades, art galleries, bowling allies, community halls, courtrooms, dance halls, libraries, places of religious worship, waiting areas in transportation terminals, bleachers and grandstands, and arenas and stadiums; and

(2) a mercantile group M occupancy, including but not limited to a department store, drug store, market, motor-fuel dispensing facility, retail or wholesale store, or sales room.

Under the bill, casinos, nightclubs, taverns and bars are excluded from the “group A or M occupancy” definition, because small children are rarely present at those types of establishments.

This bill will ensure that parents of small children have greater access to changing tables in public restrooms. As the typical structure of families within this State evolves, men are becoming more involved in the care of young children. According to a recent government study, about 90 percent of fathers who live with their children report that they bathe, diaper, or dress their children everyday or several days a week. The study further noted that fathers are more involved in their children's lives than in previous generations. No current State law requires group A or M occupancies to equip public restrooms with changing stations, and the ones that do so voluntarily tend to only offer the accommodation in women's restrooms. This bill will correct that imbalance and provide greater access to changing stations for both men and women.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

FISCAL IMPACT:

The Office of Legislative Services determines that this bill would result in an increase in State expenditures of up to \$500,000, appropriated from the General Fund to the Department of Community Affairs, in the first year after the bill's effective date, and an additional indeterminate increase in expenditures in the three years after the bill's effective date. These expenditure increases are associated with: 1) reimbursements to local governments for the costs of installing baby diaper changing stations in required areas; and 2) installing changing stations in required State-operated public buildings.

The State may also see an indeterminate increase in revenues due to penalty payments by those in violations of the bill's provisions.