

ASSEMBLY, No. 2547

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Assemblywoman GABRIELA M. MOSQUERA

District 4 (Camden and Gloucester)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

Co-Sponsored by:

Assemblywoman Speight

SYNOPSIS

Requires installation of baby-changing stations in certain public restrooms.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/13/2020)

1 AN ACT concerning public restrooms and supplementing Title 26 of
2 the Revised Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. a. As used in this section:

8 “Place of public accommodation” means any of the following,
9 whether publicly or privately owned or operated on a for-profit or
10 nonprofit basis, and which are generally accessible to the public
11 with a maximum occupancy of more than 25 people: a commercial
12 or other office building; an office or building owned, leased, or
13 rented by the State or by a political subdivision of the State;
14 restaurant; public library; museum or art gallery; theater or concert
15 hall; stadium or other facility used for the holding of sporting
16 events; shopping mall or retail store; health care facility licensed
17 pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.); park or
18 playground; or public transportation facility. A “place of public
19 accommodation” shall not include any premises to which a child
20 under three years of age is not permitted or authorized to have
21 access.

22 “Substantial renovation” means a construction or renovation
23 project requiring a building permit and where the value of the
24 renovation to the restroom exceeds \$5,000.

25 b. Any place of public accommodation that maintains public
26 restrooms shall include a counter or table that is designed as a baby
27 diaper-changing station in at least one of its public restrooms for
28 men and for women, respectively, or in a dedicated unisex family
29 restroom. The requirement shall apply only under the following
30 circumstances:

31 (1) When there is construction of a new restroom.

32 (2) When there is substantial renovation of a restroom.

33 c. No later than 60 days after the effective date of P.L. ,
34 c. (C.) (pending before the Legislature as this bill), any place
35 of public accommodation that maintains women's restrooms
36 equipped with a baby diaper-changing station shall maintain an
37 equal number of men's restrooms equipped with a baby diaper-
38 changing station.

39 d. The owner or operator of a place of public accommodation
40 who violates the provisions of this section shall be guilty of a petty
41 disorderly persons offense.

42 e. The Department of Health or the local board of health or the
43 board, body, or officers exercising the functions of the local board
44 of health according to law, upon written complaint or having reason
45 to suspect that a place of public accommodation is or may be in
46 violation of the provisions of this section, shall, by written
47 notification, advise the person having control of the place of public

1 accommodation accordingly and order appropriate action to be
2 taken.

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4 2. The Commissioner of Health, pursuant to the
5 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
6 seq.), shall adopt rules and regulations to effectuate the purposes of
7 this act.

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9 3. This act shall take effect on the first day of the seventh
10 month next following enactment, but the Commissioner of Health
11 may take such anticipatory administrative action in advance thereof
12 as shall be necessary for the implementation of the act.

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STATEMENT

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17 This bill would require baby diaper-changing stations in any
18 newly constructed men's or women's public restroom that is
19 maintained in a place of public accommodation within the State. It
20 would also require any place of public accommodation to install
21 changing stations during renovations to existing restrooms when,
22 when such renovation requires a building permit and the value of
23 the renovation is \$5,000 or more.

24 The bill would further require the owner or operator of a place of
25 public accommodation that maintains one or more women's
26 restrooms with a diaper changing station to maintain an equal
27 number of men's restrooms equipped with a changing station. The
28 bill applies to places of public accommodation with a maximum
29 occupancy level greater than 25 people, but does not include places
30 that deny access to children over three years of age. Failure to
31 comply with the provisions of this bill constitutes a petty disorderly
32 persons offense with a maximum fine of \$500, which is punishable
33 by imprisonment for up to 30 days, a civil penalty of up to \$500, or
34 both.