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**SUBSTITUTE HOUSE BILL 1223**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** House Consumer Protection & Business (originally sponsored by Representatives Reeves, Doglio, Thai, Hudgins, Shewmake, Stanford, Appleton, Slatter, Frame, and Macri)

READ FIRST TIME 02/08/19.

1 AN ACT Relating to diaper changing stations; adding a new section  
2 to chapter 70.54 RCW; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.54  
5 RCW to read as follows:

6 (1) The definitions in this subsection apply throughout this  
7 section unless the context clearly requires otherwise.

8 (a) "Children's menu" includes a menu or list of food or meals  
9 available that is designed or intended for children.

10 (b) "Diaper changing station" includes a table or other device  
11 suitable for changing the diaper of a child forty pounds or less.

12 (c) "Restaurant" means a facility that prepares and sells food  
13 directly to consumers for immediate consumption.

14 (2) A restaurant, with an occupancy of at least sixty persons,  
15 that offers a children's menu must install and maintain at least one  
16 diaper changing station that is accessible to women and one diaper  
17 changing station that is accessible to men, or one diaper changing  
18 station that is accessible to both men and women.

19 (3) For a first violation of this section, the city or county  
20 attorney shall issue a warning letter to the owner or operator of the  
21 restaurant. An owner or operator of a restaurant that violates this

1 section after receiving a warning letter is guilty of a class 2 civil  
2 infraction under chapter 7.80 RCW.

3 (4) The diaper changing station requirements of this section  
4 shall not apply when:

5 (a) A restaurant does not have a restroom available for public  
6 use;

7 (b) A restaurant with an occupancy of at least sixty people is  
8 located no more than three hundred feet from at least one diaper  
9 changing station that is accessible to women and one diaper changing  
10 station that is accessible to men, or one diaper changing station  
11 that is accessible to both men and women;

12 (c) The existing restroom does not have space necessary to  
13 install a diaper changing station.

14 (5) This act applies to all new construction and to all  
15 renovations when the estimated cost of the renovation to one or more  
16 restrooms is ten thousand dollars or more. Existing restaurants shall  
17 comply with the requirements of this act on or before December 31,  
18 2020.

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