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**SUBSTITUTE HOUSE BILL 2758**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** House Business & Financial Services (originally sponsored by Representatives Doglio, Dolan, Stanford, Stonier, Bergquist, and Reeves)

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

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

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

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

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

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

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

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

(3) For a first violation of this section, the city or county attorney shall issue a warning letter to the owner or operator of the restaurant. An owner or operator of a restaurant that violates this section after receiving a warning letter is guilty of a class 2 civil infraction under chapter 7.80 RCW.

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

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

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

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

(5) This act applies to all new construction and to all renovations when the estimated cost of the renovation is ten thousand dollars or more. Existing restaurants shall comply with the requirements of this act on or before December 31, 2019.

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