
Local Government Committee

HB 1562

Brief Description: Increasing the availability of baby diaper changing stations.

Sponsors: Representatives Hunt, Griffey, Parshley, Duerr, Berry, Davis, Callan, Leavitt, Ramel, Bernbaum, Zahn, Ormsby, Scott, Doglio, Hill and Fosse.

Brief Summary of Bill

- Requires a baby diaper changing station in both a restroom accessible to women and a restroom accessible to men, or in a gender-neutral restroom, in each newly constructed public building in which a public restroom is required and in any existing public building when a permit is issued for the renovation of a public restroom in the building with an estimated cost of \$10,000 or more, with certain exceptions.
- Provides that a first violation of the diaper changing station requirement is subject to a warning, with any subsequent violation classified as a class 2 civil infraction.

Hearing Date: 2/4/25

Staff: Kellen Wright (786-7134).

Background:

Public Toilet Facility Requirements.

The State Building Code Council is the state agency responsible for the adoption of the State Building Code (Code). The Code specifies, among other things, the minimum plumbing facilities required in a building. In general, the Code requires that, for structures and spaces intended for public use, the public must be provided with public toilet facilities. The number and

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types of facilities depend on the use and size of the structure. Retail stores, for example, must generally have one water closet per 500 occupants, and one lavatory per 750 occupants. The facilities required may sometimes be broken down into those required for men and those required for women. A theater, for example, must have one water closet for men per 125 occupants, one water closet for women per 65 occupants, and one lavatory for men and one for women per 200 occupants.

With exceptions for certain smaller locations, such as mercantile occupancies with a maximum occupant load of 100 or fewer people, separate facilities are required for men and women, unless the facilities are designed for use by both men and women.

In 2016 the Bathrooms Accessible in Every Situation (or BABIES) Act was signed into federal law. This act requires, with limited exceptions, that at least one restroom on each floor in all publicly accessible federal buildings has a baby changing table. Restrooms that do not have a changing table must have clear and conspicuous signage indicating where a restroom with a baby changing table can be located on the same floor.

Building Permits.

Building permits are generally required when alterations are made to an existing building or when a new building is constructed. The fees for a building permit are often based on the value of the project for which the permit is being sought.

Civil Infractions.

District and municipal courts have jurisdictions over civil infractions, or local governments can design their own system for dealing with infractions. The penalty for an infraction depends on the class of the infraction. In general, a class 1 civil infraction is subject to a \$250 fine, a class 2 infraction to a \$125 fine, a class 3 infraction to a \$50 fine, and a class 4 infraction to a \$25 fine.

The Americans with Disabilities Act.

The Americans with Disabilities Act prohibits discrimination against people with disabilities, and requires that public accommodations have certain accessibility features.

Summary of Bill:

A public building is any building required to have a public restroom by the Code or local government regulations.

A newly constructed public building in which a public restroom is required must provide a baby diaper changing station. So, too, must an existing public building in which a public restroom is required when a permit is issued for the renovation of a public restroom within the building with an estimated cost of \$10,000 or more. The changing stations must be provided in at least one restroom that is accessible to women and one restroom that is accessible to men, or in one

gender-neutral restroom. Any restroom that does not contain a changing station must have clear and conspicuous signage indicating where a restroom with a changing station can be located.

The required baby diaper changing station must be a table or device that is in compliance with Code requirements and is suitable for changing the diaper of a child under 50 pounds.

The baby diaper changing station requirements do not apply to industrial buildings, commercial buildings that do not admit people under 18 years of age, or to restrooms in health care facilities, if the restroom is intended only for the use of one patient at a time and is not for public use. An existing public building is also exempt from the requirement if the local government issuing the permit, or a building inspector, determine that the installation of a baby diaper changing station in the building is not feasible, or if it would cause the restroom to become out of compliance with building standards for access for persons with disabilities.

A city or county attorney must issue a warning for the first violation of the requirement to have a baby diaper changing station. Second and subsequent violations are class 2 civil infractions.

Appropriation: None.

Fiscal Note: Requested on January 23, 2025.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.