

111TH CONGRESS  
2D SESSION

# H. R. 4534

To amend title 40, United States Code, to require that restrooms in public buildings be equipped with baby changing facilities.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 2010

Mr. KILDEE (for himself, Ms. WASSERMAN SCHULTZ, Mr. GRIJALVA, Mr. LEWIS of Georgia, Mr. HINCHEY, Ms. LEE of California, Mrs. DAVIS of California, Mr. CLEAVER, Ms. DELAURO, Mr. PETERS, Mr. HOLT, Mrs. MILLER of Michigan, Mrs. MALONEY, Mr. CONYERS, Ms. LINDA T. SÁNCHEZ of California, Ms. HERSETH SANDLIN, Mrs. CAPPS, Ms. SCHAKOWSKY, and Mr. RANGEL) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend title 40, United States Code, to require that restrooms in public buildings be equipped with baby changing facilities.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. BABY CHANGING FACILITIES IN RESTROOMS IN**  
4 **PUBLIC BUILDINGS.**

5 (a) IN GENERAL.—Chapter 33 of title 40, United  
6 States Code, is amended—

1           (1) by redesignating sections 3314, 3315, and  
2           3316 as sections 3315, 3316, and 3317, respectively;  
3           and

4           (2) by inserting after section 3313 the following  
5           new section:

6   **“§ 3314. Baby changing facilities in restrooms**

7           “(a) ADDITIONAL REQUIREMENT FOR THE CON-  
8           STRUCTION, ALTERATION, AND ACQUISITION OF PUBLIC  
9           BUILDINGS.—Except as provided in subsection (b) and  
10          subject to any reasonable accommodations that may be  
11          made for individuals in accordance with the Americans  
12          with Disabilities Act (42 U.S.C. 12101 et seq.), a rest-  
13          room in a public building shall be a family restroom or  
14          shall otherwise be equipped with baby changing facilities  
15          that the Administrator determines are physically safe,  
16          sanitary, and appropriate.

17          “(b) EXCEPTIONS.—The requirement under sub-  
18          section (a) shall not apply to—

19                 “(1) a restroom in a public building that is not  
20                 available for public use; or

21                 “(2) a restroom in a public building that con-  
22                 tains clear and conspicuous signage indicating where  
23                 a family restroom is located within the same section  
24                 or corridor of such public building.

25          “(c) DEFINITIONS.—In this section:

1           “(1) The term ‘baby changing facility’ means a  
2 table or other device suitable for changing the diaper  
3 of a child age 3 or under.

4           “(2) The term ‘family restroom’ means a rest-  
5 room that has been specifically equipped to accom-  
6 modate use by men and women for the purpose of  
7 changing of the diaper of a child and aiding a child  
8 in the restroom.”.

9           (b) CLERICAL AMENDMENT.—The analysis for such  
10 chapter is amended by striking the items relating to sec-  
11 tions 3314, 3315, and 3316 and inserting the following:

“3314. Baby changing facilities in restrooms.

“3315. Delegation.

“3316. Report to Congress.

“3317. Certain authority not affected.”.

12           (c) APPLICABILITY.—The requirement under sub-  
13 section (a) shall apply—

14           (1) in the case of a public building constructed,  
15 altered, or acquired by the Administrator of General  
16 Services on or after the date that is one year after  
17 the date of the enactment of this section, beginning  
18 on that date; and

19           (2) in the case of a public building not de-  
20 scribed in paragraph (1), beginning on the date that  
21 is 2 years after the date of the enactment of this  
22 section.

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