

114TH CONGRESS
2D SESSION

H. R. 5147

AN ACT

To amend title 40, United States Code, to require restrooms in public buildings to 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Bathrooms Accessible
3 in Every Situation Act” or “BABIES Act”.

4 **SEC. 2. BABY CHANGING FACILITIES IN RESTROOMS IN**
5 **PUBLIC BUILDINGS.**

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

8 (1) by redesignating sections 3314, 3315, and
9 3316 as sections 3315, 3316, and 3317, respectively;
10 and

11 (2) by inserting after section 3313 the following
12 new section:

13 **“§ 3314. Baby changing facilities in restrooms**

14 “(a) ADDITIONAL REQUIREMENT FOR THE CON-
15 STRUCTION, ALTERATION, AND ACQUISITION OF PUBLIC
16 BUILDINGS.—Except as provided in subsection (b) and
17 subject to any reasonable accommodations that may be
18 made for individuals in accordance with the Americans
19 with Disabilities Act (42 U.S.C. 12101 et seq.) restrooms
20 in a public building shall be equipped with baby changing
21 facilities that the Administrator determines are physically
22 safe, sanitary, and appropriate.

23 “(b) EXCEPTIONS.—The requirement under sub-
24 section (a) shall not apply—

25 “(1) to a restroom in a public building that is
26 not available or accessible for public use;

1 “(2) to a restroom in a public building that
 2 contains clear and conspicuous signage indicating
 3 where a restroom with a baby changing table is lo-
 4 cated on the same floor of such public building;

5 “(3) if new construction would be required to
 6 install a baby changing facility in the public building
 7 and the cost of such construction is unfeasible; or

8 “(4) to a building not subject to an alteration
 9 as set forth in section 3307.

10 “(c) DEFINITIONS.—In this section:

11 “(1) BABY CHANGING FACILITY.—The term
 12 ‘baby changing facility’ means a table or other de-
 13 vice suitable for changing the diaper of a child age
 14 3 or under.

15 “(2) PUBIC BUILDING.—The term ‘public build-
 16 ing’ means a public building as defined in section
 17 3301 and controlled by the Public Building Service
 18 of the General Services Administration.”.

19 (b) CLERICAL AMENDMENT.—The analysis for such
 20 chapter is amended by striking the items relating to sec-
 21 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.”.

22 (c) APPLICABILITY.—The requirement under section
 23 3314(a) of title 40, United States Code, shall apply in the

1 case of a public building constructed, altered, or acquired
2 by the Administrator of General Services on or after the
3 date that is 1 year after the date of the enactment of this
4 Act, beginning on that date.

Passed the House of Representatives September 21,
2016.

Attest:

Clerk.

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