

114TH CONGRESS
2D SESSION

H. R. 5147

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 2016

Mr. CICILLINE (for himself, Ms. BROWN of Florida, Mr. CÁRDENAS, Ms. DeLAURO, Mr. FARR, Mr. HASTINGS, Mr. HONDA, Mr. KILMER, Ms. JACKSON LEE, Ms. LEE, Mr. TED LIEU of California, Mrs. CAROLYN B. MALONEY of New York, Mr. McDERMOTT, Ms. MENG, Mrs. NAPOLITANO, Ms. NORTON, Mr. POLIS, and Mr. RYAN of Ohio) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 40, United States Code, to require that male and female 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. SHORT TITLE.**

4 This Act may be cited as the “Bathrooms Accessible
5 in Every Situation (BABIES) Act.”

1 **SEC. 2. BABY CHANGING FACILITIES IN MALE AND FEMALE**
2 **RESTROOMS IN PUBLIC BUILDINGS.**

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

5 (1) by redesignating sections 3314, 3315, and
6 3316 as sections 3315, 3316, and 3317, respectively;
7 and

8 (2) by inserting after section 3313 the following
9 new section:

10 **“§ 3314. Baby changing facilities in male and female**
11 **restrooms**

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

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

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

25 “(2) a restroom in a public building that con-
26 tains clear and conspicuous signage indicating where

1 a male or female restroom is located within the same
 2 section or corridor of such public building.

3 “(c) DEFINITION.—In this section, the term ‘baby
 4 changing facility’ means a table or other device suitable
 5 for changing the diaper of a child age 3 or under.”.

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

“3314. Baby changing facilities in male and female restrooms.

“3315. Delegation.

“3316. Report to Congress.

“3317. Certain authority not affected.”.

9 (c) APPLICABILITY.—The requirement under sub-
 10 section (a) shall apply—

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

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

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