

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2033 Session of  
1989

INTRODUCED BY RUDY, B. SMITH, OLIVER, HARPER, COHEN, JACKSON,  
JOHNSON, KOSINSKI, SCHULER, GODSHALL, J. L. WRIGHT, DEMPSEY,  
VEON, ROBINSON, BELARDI, BILLOW, NAHILL, E. Z. TAYLOR,  
GIGLIOTTI, DONATUCCI, JOSEPHS, LAUGHLIN, KUKOVICH, GLADECK,  
FOX, WILSON AND LINTON, OCTOBER 23, 1989

REFERRED TO COMMITTEE ON STATE GOVERNMENT, OCTOBER 23, 1989

AN ACT

1 Providing for restrooms in facilities where the public  
2 congregates; and requiring that restroom facilities be  
3 provided for women on an equitable basis.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Statement of purpose.

7 The purpose of this act is to end the inequitable delays  
8 which women face when they need to use restroom facilities in  
9 public places when men are rarely required to wait for the same  
10 purpose.

11 Section 2. Definitions.

12 The following words and phrases when used in this act shall  
13 have the meanings given to them in this section unless the  
14 context clearly indicates otherwise:

15 "Department." The Department of Labor and Industry of the  
16 Commonwealth of Pennsylvania.

17 "Facilities where the public congregates." Sports and

1 entertainment arenas, stadiums, community and convention halls,  
2 specialty event centers, amusement facilities, ski resorts, and  
3 public middle schools and high schools. The term includes  
4 specialty event centers in public parks.

5 "Public building." A building owned or leased by the  
6 Commonwealth, an agency or instrumentality of the Commonwealth  
7 or a political subdivision.

8 "Specialty event center." An open arena used for rallies,  
9 concerts, exhibits, etc., with no permanent structure for  
10 purposes of assembly.

#### 11 Section 3. Restroom requirements.

12 Publicly and privately owned facilities where the public  
13 congregates shall be equipped with sufficient temporary or  
14 permanent restrooms to meet the needs of the public at peak  
15 hours. More water closets and lavatories shall be provided for  
16 women than for men by a ratio determined by the department.

#### 17 Section 4. Standards.

18 The department shall adopt, by regulation, standards with  
19 respect to all public and private facilities where the public  
20 congregates, unless such facilities are exempt from coverage  
21 under section 6.

#### 22 Section 5. Applicability.

23 This act shall apply to facilities where the public  
24 congregates which commence construction, or which undertake  
25 structural alterations, repairs or improvements exceeding 50% of  
26 the entire facility, on or after January 1, 1990.

#### 27 Section 6. Exemptions.

28 This act shall not apply to the following:

29 (1) Any hotel. For purposes of this section, "hotel"

30 means an establishment in which there exists the relationship

1 of guests and innkeeper between the occupants and the owner  
2 or operator of the establishment. The existence of some other  
3 legal relationship between the occupants and owner or  
4 operator shall be immaterial.

5 (2) Any public eating or drinking place as defined in  
6 the act of May 23, 1945 (P.L.926, No.369), referred to as the  
7 Public Eating and Drinking Place Law.

8 (3) Community and municipal parks with seating capacity  
9 for less than 500 persons.

10 Section 7. Effective date.

11 This act shall take effect immediately.