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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2085 Session of  
2007

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INTRODUCED BY J. EVANS, BRENNAN, COHEN, FLECK, FRANKEL, GEIST,  
GOODMAN, GRELL, GRUCELA, HARHAI, HARPER, HENNESSEY, HERSHEY,  
HESS, HORNAMAN, KENNEY, LEACH, LEVDANSKY, MACKERETH, MURT,  
MUSTIO, MYERS, NAILOR, M. O'BRIEN, O'NEILL, SCHRODER,  
SIPTROTH, SONNEY AND THOMAS, DECEMBER 5, 2007

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REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, DECEMBER 5, 2007

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AN ACT

1 Providing for restroom access for certain customers of retail  
2 establishments and for a penalty.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Retail  
7 Establishment Restroom Access Act.

8 Section 2. Definitions.

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

12 "Customer." An individual who is lawfully on the premises of  
13 a retail establishment and who uses an ostomy device or who  
14 suffers from an inflammatory bowel disease, such as Crohn's  
15 disease, ulcerative colitis or any other medical condition that  
16 requires immediate access to a toilet facility.

1 "Retail establishment." A place of business open to the  
2 general public for the sale of goods or services.

3 Section 3. Customer access to retail establishment toilet  
4 facilities.

5 A retail establishment or an employee of a retail  
6 establishment that has a toilet facility for its employees shall  
7 allow a customer to use that facility during normal business  
8 hours if all of the following apply:

9 (1) The toilet facility is not located in an area where  
10 providing access would create an obvious health or safety  
11 risk to the customer or an obvious security risk to the  
12 retail establishment.

13 (2) A public restroom is not immediately accessible to  
14 the customer.

15 Section 4. Penalty.

16 A retail establishment or an employee of a retail  
17 establishment that violates the provisions of this act commits a  
18 summary offense.

19 Section 10. Effective date.

20 This act shall take effect immediately.