
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 999 Session of
2020

INTRODUCED BY LEACH, FARNESE, TARTAGLIONE AND HUGHES,
JANUARY 31, 2020

REFERRED TO LABOR AND INDUSTRY, JANUARY 31, 2020

AN ACT

1 Amending the act of November 10, 1999 (P.L.491, No.45), entitled
2 "An act establishing a uniform construction code; imposing
3 powers and duties on municipalities and the Department of
4 Labor and Industry; providing for enforcement; imposing
5 penalties; and making repeals," in uniform construction code,
6 providing for diaper changing stations in public facilities.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The act of November 10, 1999 (P.L.491, No.45),
10 known as the Pennsylvania Construction Code Act, is amended by
11 adding a section to read:

12 Section 306. Diaper changing stations in public facilities.

13 (a) General rule.--An individual, corporation, partnership,
14 company, organization, association or other business entity that
15 owns or manages a public facility with at least one restroom
16 that is open to the public shall install and maintain a safe,
17 sanitary, convenient and publicly accessible diaper changing
18 station in each public restroom.

19 (b) Compliance.--Except as provided in subsection (c), all
20 existing public facilities, new construction and renovations for

1 which a permit has been obtained shall comply with the
2 requirements under subsection (a). An existing public facility
3 which is not in compliance shall have 90 days from the effective
4 date of this subsection to meet the requirements under
5 subsection (a).

6 (c) Exception.--This section does not apply to existing
7 public facilities, new construction or renovations for which a
8 permit has been obtained if a code administrator determines that
9 the installation of a diaper changing station is not feasible or
10 would result in a failure to comply with applicable building
11 standards governing the right of access for individuals with
12 disabilities.

13 (d) Signage.--A public facility shall ensure the following:

14 (1) Each public restroom shall include signage at or
15 near the entrance to the public restroom indicating the
16 location of the diaper changing station.

17 (2) If there is a central directory identifying, for the
18 benefit of the public, the location of offices, restrooms and
19 other facilities in the building, that central directory
20 shall indicate the location of diaper changing stations.

21 (e) Maintenance, repair and cleaning.--A diaper changing
22 station shall be maintained, repaired and replaced as necessary
23 to ensure safety and ease of use and shall be cleaned with the
24 same frequency as the restroom in which it is located.

25 (f) Applicability.--This section does not apply to an
26 industrial building or to a nightclub or bar that does not
27 permit anyone who is under 18 years of age to enter the premises
28 or to a restroom located in a health facility if the restroom is
29 intended for the use of one patient or resident at a time.

30 (g) Definitions.--As used in this section, the following

1 words and phrases shall have the meanings given to them in this
2 subsection unless the context clearly indicates otherwise:

3 "Commonwealth agency." An agency, authority or other
4 instrumentality of the Commonwealth.

5 "Diaper changing station." A table or other device suitable
6 for changing the diaper of a child three years of age or
7 younger.

8 "Health facility." A facility, place or building that is
9 organized, maintained and operated for the diagnosis, care,
10 prevention and treatment of human illness, including
11 convalescence and rehabilitation and care during and after
12 pregnancy, for one or more individuals, to which the individuals
13 are admitted for a 24-hour stay or longer.

14 "Public facility." Any of the following:

15 (1) A public building owned by a Commonwealth agency or
16 a portion of a building that is owned by the Commonwealth and
17 includes at least one restroom that is open to the public.

18 (2) A public building owned by a municipality or portion
19 of a building that is owned by a municipality and includes at
20 least one restroom that is open to the public.

21 (3) A theater or movie house, grocery store, health
22 facility, convention center, sports arena, auditorium,
23 cultural complex, exhibition hall, library, passenger
24 terminal, permanent amusement park structure, restaurant with
25 occupancy of at least 60 persons, shopping center of more
26 than 25,000 square feet, tourist attraction or retail store
27 of more than 5,000 square feet.

28 Section 2. This act shall take effect in 60 days.