

HOUSE BILL REPORT

HB 2758

As Reported by House Committee On:
Business & Financial Services

Title: An act relating to diaper changing stations.

Brief Description: Concerning diaper changing stations at restaurants.

Sponsors: Representatives Doglio, Dolan, Stanford, Stonier, Bergquist and Reeves.

Brief History:

Committee Activity:

Business & Financial Services: 1/24/18, 1/31/18 [DPS].

Brief Summary of Substitute Bill

- Requires restaurants that offer a children's menu and have an occupancy of greater than sixty persons to install and maintain a diaper changing station in a restroom accessible to women and a restroom accessible to men, or a restroom accessible to both men and women.
- Prescribes civil penalties for violations.
- Applies to new construction and significant renovations upon the effective date and existing restaurants on December 31, 2019.

HOUSE COMMITTEE ON BUSINESS & FINANCIAL SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Kirby, Chair; Reeves, Vice Chair; Bergquist, Blake, Santos and Stanford.

Minority Report: Do not pass. Signed by 5 members: Representatives Vick, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Barkis, Jenkin and McCabe.

Staff: Robbi Kesler (786-7153).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Since 2016 federal law has required a diaper changing station be available to men and women in federal buildings that contain a public restroom.

Washington has no specific laws related to diaper changing stations. With the exception of federal buildings located in the state, no other business or public building is required to provide diaper changing facilities.

Summary of Substitute Bill:

Requires restaurants that offer a children's menu to install and maintain a diaper changing station in a restroom accessible to women and a restroom accessible to men, or a restroom accessible to both men and women. A restaurant is exempt from this requirement if:

- it does not have a restroom available to the public;
- the occupancy is less than 60 persons;
- there is a restroom with the required changing table(s) within 300 feet; or
- the existing restroom does not have the space required to install a diaper changing station.

For a first violation, the restaurant owner or operator will receive a warning letter from the city or county. For a subsequent violation, the restaurant owner or operator will be guilty of a class two civil infraction. The maximum penalty and the default amount for a class two civil infraction is \$125, not including statutory assessments.

These requirements apply to new construction and renovations with a cost of \$10,000 or more. Existing restaurants must comply by December 31, 2019.

Substitute Bill Compared to Original Bill:

The substitute bill adds a provision stating the requirements apply to new construction and renovations with a cost of \$10,000 or more and adds a compliance date of December 31, 2019, for existing restaurants.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This is a health issue and could be a barrier to parents that want to take their children places. Changing a child on the floor of a restroom or on the chair or table in the dining area is a public health hazard, parents should not be forced to make that choice. This

bill is structured in a way that will not be a huge imposition to businesses, but still ensures diaper changing stations are available. There is a federal law that requires diaper changing stations in federal buildings. Often a diaper changing station is only located in a women's restroom, the requirement that the diaper changing stations be available to men and women is important.

(Opposed) None.

(Other) There is qualified support, but amendments may be necessary. Restaurants face challenges to installing the diaper changing station in areas where there is no room.

Persons Testifying: (In support) Representative Doglio, prime sponsor; and Hillary Hunt.

(Other) Samantha Louderback, Washington Hospitality Association.

Persons Signed In To Testify But Not Testifying: None.