

HOUSE BILL REPORT

HB 1223

As Reported by House Committee On:
Consumer Protection & Business

Title: An act relating to diaper changing stations.

Brief Description: Concerning diaper changing stations at restaurants.

Sponsors: Representatives Reeves, Doglio, Thai, Hudgins, Shewmake, Stanford, Appleton, Slatter, Frame and Macri.

Brief History:

Committee Activity:

Consumer Protection & Business: 1/30/19, 2/5/19 [DPS].

Brief Summary of Substitute Bill

- Requires restaurants that offer a children's menu and have an occupancy of greater than 60 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 restroom renovations upon the effective date, and existing restaurants on December 31, 2020.

HOUSE COMMITTEE ON CONSUMER PROTECTION & BUSINESS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Kirby, Chair; Reeves, Vice Chair; Barkis, Ryu, Santos, Stanford, Volz, Walen and Ybarra.

Minority Report: Do not pass. Signed by 2 members: Representatives Vick, Ranking Minority Member; Hoff, Assistant Ranking Minority Member.

Minority Report: Without recommendation. Signed by 1 member: Representative Dufault.

Staff: Robbi Kesler (786-7153).

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.

Background:

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:

Restaurants that offer a children's menu are required 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 2 civil infraction. The maximum penalty and the default amount for a class 2 civil infraction is \$125, not including statutory assessments.

These requirements apply to new construction and restroom renovations with a cost of \$10,000 or more. Existing restaurants must comply by December 31, 2020.

Substitute Bill Compared to Original Bill:

The substitute bill makes renovation threshold applicable to renovations of one or more restrooms rather than any renovation.

Appropriation: None.

Fiscal Note: Available.

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) Changing a baby should be easy and changing tables should be in restrooms. This bill protects the health and safety of our children and people that frequent restaurants.

Folks should be taking care of diaper changing in restrooms rather than booths or other places in the restaurant. Restaurants would like to provide diaper changing stations for their customers, although the requirement should only apply to new construction and restroom renovations.

(Opposed) None.

Persons Testifying: Representative Reeves, prime sponsor; Samantha Louderback, Washington Hospitality Association; and Senator Hunt.

Persons Signed In To Testify But Not Testifying: None.