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Date: (Filing No. H-)

INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 61, L.D. 93, “An Act to Ensure Access for All Caregivers to Diaper Changing Stations in Public Restrooms”

Amend the bill by striking out the title and substituting the following:

'An Act to Ensure Access for All Caregivers to Diaper Changing Stations in State Buildings Open to the Public'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 5 MRSA c. 153, sub-c. 3 is enacted to read:

SUBCHAPTER 3

STATE BUILDINGS OPEN TO THE PUBLIC

§1777. Diaper changing stations in public restrooms required

1. Definitions. As used in this section, the following terms have the following meanings.

A. "Diaper changing station" means a table or other device suitable for changing the diaper of a child who has not attained 4 years of age.

B. "Public building" means a permanent structure or building owned by the State.

C. "Public restroom" means a sanitary facility within a public building that is open for public use and contains at least one toilet or urinal.

2. Requirement. Except as provided in subsection 3, the Department of Administrative and Financial Services, Bureau of General Services shall ensure that:

COMMITTEE AMENDMENT

1 A. A public restroom in a public building constructed on or after the effective date of
2 this section is equipped with a diaper changing station that is physically safe, sanitary
3 and appropriate;

4 B. A public restroom within any portion of a public building that is remodeled on or
5 after the effective date of this section is equipped with a diaper changing station that is
6 physically safe, sanitary and appropriate; and

7 C. No later than July 1, 2025, if the only public restroom within a public building that
8 is equipped with a diaper changing station is restricted to persons of a specific gender,
9 another public restroom within the building that is available to persons of other genders
10 is equipped with a diaper changing station that is physically safe, sanitary and
11 appropriate. The bureau may satisfy the requirements of this paragraph by providing a
12 family or gender-neutral restroom that is equipped with a diaper changing station that
13 is physically safe, sanitary and appropriate.

14 A diaper changing station required under this subsection must be accessible to individuals
15 with disabilities.

16 **3. Exceptions.** A public restroom is not subject to the requirements of subsection 2 if
17 the restroom:

18 A. Has a conspicuous sign directing an individual to the location of another restroom
19 on the same floor with a diaper changing station that is accessible to the individual;

20 B. Would have to undergo construction to remodel or alter the restroom or the building
21 it is located within in order to install a diaper changing station and the construction is
22 not feasible due to the cost. This paragraph does not apply to new construction;

23 C. Would have to undergo construction in order to install a diaper changing station and
24 the construction required would be inconsistent with the rules adopted by the Maine
25 Historic Preservation Commission; or

26 D. Would have to undergo construction in order to install a diaper changing station and
27 the construction required would be inconsistent with the Maine Uniform Building and
28 Energy Code.

29 **Sec. 2. Appropriations and allocations.** The following appropriations and
30 allocations are made.

31 **ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

32 **Bureau of General Services - Capital Construction and Improvement Reserve Fund**
33 **0883**

34 Initiative: Provides one-time funding to install diaper changing stations in state-owned
35 buildings.

36 GENERAL FUND	2023-24	2024-25
37 Capital Expenditures	\$15,000	\$15,000
38		
39 GENERAL FUND TOTAL	<u>\$15,000</u>	<u>\$15,000</u>

40 ,

41 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
42 number to read consecutively.

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SUMMARY

This amendment requires, with certain exceptions, public restrooms in a public building owned by the State to be equipped with a diaper changing station.

FISCAL NOTE REQUIRED

(See attached)