

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

—
H.P. 740 - L.D. 1121

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

Be it enacted by the People of the State of Maine as follows:

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:

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

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

C. If the only public restroom within a public building that is equipped with a diaper changing station is restricted to persons of a specific gender, another public restroom within the building that is available to persons of other genders is equipped with a

diaper changing station that is physically safe, sanitary and appropriate. The bureau may satisfy the requirements of this paragraph by providing a family or gender-neutral restroom that is equipped with a diaper changing station that is physically safe, sanitary and appropriate. The bureau shall ensure that the requirements of this paragraph are satisfied by January 1, 2029 or when funding allows those requirements to be satisfied, whichever occurs first.

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

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

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

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

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

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

4. Outside funding. The Department of Administrative and Financial Services, Bureau of General Services may accept outside funds for the purchase, construction and installation of diaper changing stations in accordance with the requirements of subsection 2.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

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

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

GENERAL FUND	2025-26	2026-27
Capital Expenditures	\$15,000	\$15,000
GENERAL FUND TOTAL	<u>\$15,000</u>	<u>\$15,000</u>