

# Union Calendar No.

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5147

[Report No. 114-]

To amend title 40, United States Code, to require that male and female restrooms in public buildings be equipped with baby changing facilities.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 2016

Mr. CICILLINE (for himself, Ms. BROWN of Florida, Mr. CÁRDENAS, Ms. DELAURO, Mr. FARR, Mr. HASTINGS, Mr. HONDA, Mr. KILMER, Ms. JACKSON LEE, Ms. LEE, Mr. TED LIEU of California, Mrs. CAROLYN B. MALONEY of New York, Mr. McDERMOTT, Ms. MENG, Mrs. NAPOLITANO, Ms. NORTON, Mr. POLIS, and Mr. RYAN of Ohio) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

SEPTEMBER --, 2016

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on April 29, 2016]

# **A BILL**

To amend title 40, United States Code, to require that male and female restrooms in public buildings be equipped with baby changing facilities.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Bathrooms Accessible*  
5 *in Every Situation Act” or “BABIES Act”.*

6 **SEC. 2. BABY CHANGING FACILITIES IN RESTROOMS IN**  
7 **PUBLIC BUILDINGS.**

8 *(a) IN GENERAL.—Chapter 33 of title 40, United*  
9 *States Code, is amended—*

10 *(1) by redesignating sections 3314, 3315, and*  
11 *3316 as sections 3315, 3316, and 3317, respectively;*  
12 *and*

13 *(2) by inserting after section 3313 the following*  
14 *new section:*

15 **“§ 3314. Baby changing facilities in restrooms**

16 *“(a) ADDITIONAL REQUIREMENT FOR THE CONSTRUC-*  
17 *TION, ALTERATION, AND ACQUISITION OF PUBLIC BUILD-*  
18 *INGS.—Except as provided in subsection (b) and subject to*  
19 *any reasonable accommodations that may be made for indi-*  
20 *viduals in accordance with the Americans with Disabilities*  
21 *Act (42 U.S.C. 12101 et seq.) restrooms in a public building*  
22 *shall be equipped with baby changing facilities that the Ad-*  
23 *ministrator determines are physically safe, sanitary, and*  
24 *appropriate.*

1           “(b) *EXCEPTIONS.*—*The requirement under subsection*  
2 *(a) shall not apply—*

3                   “(1) *to a restroom in a public building that is*  
4 *not available or accessible for public use;*

5                   “(2) *to a restroom in a public building that con-*  
6 *tains clear and conspicuous signage indicating where*  
7 *a restroom with a baby changing table is located on*  
8 *the same floor of such public building;*

9                   “(3) *if new construction would be required to in-*  
10 *stall a baby changing facility in the public building*  
11 *and the cost of such construction is unfeasible; or*

12                   “(4) *to a building not subject to an alteration as*  
13 *set forth in section 3307.*

14           “(c) *DEFINITIONS.*—*In this section:*

15                   “(1) *BABY CHANGING FACILITY.*—*The term ‘baby*  
16 *changing facility’ means a table or other device suit-*  
17 *able for changing the diaper of a child age 3 or*  
18 *under.*

19                   “(2) *PUBIC BUILDING.*—*The term ‘public build-*  
20 *ing’ means a public building as defined in section*  
21 *3301 and controlled by the Public Building Service of*  
22 *the General Services Administration.’’.*

23           “(b) *CLERICAL AMENDMENT.*—*The analysis for such*  
24 *chapter is amended by striking the items relating to sections*  
25 *3314, 3315, and 3316 and inserting the following:*

          “3314. *Baby changing facilities in restrooms.*

“3315. *Delegation.*

“3316. *Report to Congress.*

“3317. *Certain authority not affected.*”.

1           (c) *APPLICABILITY.*—*The requirement under section*  
2 *3314(a) of title 40, United States Code, shall apply in the*  
3 *case of a public building constructed, altered, or acquired*  
4 *by the Administrator of General Services on or after the*  
5 *date that is 1 year after the date of the enactment of this*  
6 *Act, beginning on that date.*

Amend the title so as to read: “A bill to amend title 40, United States Code, to require restrooms in public buildings to be equipped with baby changing facilities.”.