

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 5147  
OFFERED BY MR. CARSON OF INDIANA**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Bathrooms Accessible  
3 in Every Situation Act” or “BABIES Act”.

**4 SEC. 2. BABY CHANGING FACILITIES IN RESTROOMS IN  
5 PUBLIC BUILDINGS.**

6 (a) IN GENERAL.—Chapter 33 of title 40, United  
7 States Code, is amended—

8 (1) by redesignating sections 3314, 3315, and  
9 3316 as sections 3315, 3316, and 3317, respectively;  
10 and

11 (2) by inserting after section 3313 the following  
12 new section:

**13 “§ 3314. Baby changing facilities in restrooms**

14 “(a) ADDITIONAL REQUIREMENT FOR THE CON-  
15 STRUCTION, ALTERATION, AND ACQUISITION OF PUBLIC  
16 BUILDINGS.—Except as provided in subsection (b) and  
17 subject to any reasonable accommodations that may be  
18 made for individuals in accordance with the Americans

1 with Disabilities Act (42 U.S.C. 12101 et seq.) restrooms  
2 in a public building shall be equipped with baby changing  
3 facilities that the Administrator determines are physically  
4 safe, sanitary, and appropriate.

5 “(b) EXCEPTIONS.—The requirement under sub-  
6 section (a) shall not apply—

7 “(1) to a restroom in a public building that is  
8 not available or accessible for public use;

9 “(2) to a restroom in a public building that  
10 contains clear and conspicuous signage indicating  
11 where a restroom with a baby changing table is lo-  
12 cated on the same floor of such public building;

13 “(3) if new construction would be required to  
14 install a baby changing facility in the public building  
15 and the cost of such construction is unfeasible; or

16 “(4) to a building not subject to an alteration  
17 as set forth in section 3307 of title 40, United  
18 States Code.

19 “(c) DEFINITIONS.—In this section:

20 “(1) BABY CHANGING FACILITY.—The term  
21 ‘baby changing facility’ means a table or other de-  
22 vice suitable for changing the diaper of a child age  
23 3 or under.

24 “(2) PUBIC BUILDING.—The term ‘public build-  
25 ing’ means a public building as defined in section

1       3301 and controlled by the Public Building Service  
2       of the General Services Administration.”.

3       (b) CLERICAL AMENDMENT.—The analysis for such  
4 chapter is amended by striking the items relating to sec-  
5 tions 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.”.

6       (c) APPLICABILITY.—The requirement under section  
7 3314(a) of title 40, United States Code, shall apply in the  
8 case of a public building constructed, altered, or acquired  
9 by the Administrator of General Services on or after the  
10 date that is 1 year after the date of the enactment of this  
11 section, 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.”.

