

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 117 Session of 2019

INTRODUCED BY D. MILLER, MURT, SOLOMON, SCHLOSSBERG, McNEILL, RABB, OTTEN, KIRKLAND AND HILL-EVANS, JANUARY 28, 2019

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, JANUARY 28, 2019

AN ACT

1 Amending the act of November 10, 1999 (P.L.491, No.45), entitled
 2 "An act establishing a uniform construction code; imposing
 3 powers and duties on municipalities and the Department of
 4 Labor and Industry; providing for enforcement; imposing
 5 penalties; and making repeals," in uniform construction code,
 6 providing for changing stations in places of public
 7 accommodation.

8 The General Assembly of the Commonwealth of Pennsylvania
 9 hereby enacts as follows:

10 Section 1. The act of November 10, 1999 (P.L.491, No.45),
 11 known as the Pennsylvania Construction Code Act, is amended by
 12 adding a section to read:

13 Section 306. Changing stations in places of public
 14 accommodation.

15 (a) Installation and maintenance.--An individual,
 16 corporation, partnership, company, organization, association or
 17 other business entity that owns or manages a place of public
 18 accommodation shall install and maintain at least one adult
 19 changing station for persons with disabilities or special health
 20 care issues or the elderly. Each changing station shall be

1 accessible to both men and women when the place of public
2 accommodation is open to the public and any of the following
3 conditions are met:

4 (1) The place of public accommodation is constructed on
5 or after the date which is two years after the effective date
6 of this subsection.

7 (2) Except as provided in subsection (b), when an
8 alteration or addition is made on or after the date which is
9 four years after the effective date of this subsection to a
10 place of public accommodation which existed before the
11 effective date of this subsection and:

12 (i) the alteration or addition requires a permit; or

13 (ii) the estimated cost of the alteration or
14 addition is \$10,000 or more.

15 (b) Compliance.--A place of public accommodation which is
16 subject to subsection (a) (2) and which has an adult changing
17 station in use prior to the date which is four years after the
18 effective date of this subsection, shall be deemed to comply
19 with the requirements of subsection (a).

20 (c) Signage.--A place of public accommodation shall ensure
21 that:

22 (1) the entrance to each adult changing station has
23 conspicuous signage indicating the location of the adult
24 changing station; and

25 (2) if the place of public accommodation has a central
26 directory, the central directory indicates the location of
27 the adult changing station.

28 (d) Definitions.--As used in this section, the following
29 words and phrases shall have the meanings given to them in this
30 subsection unless the context clearly indicates otherwise:

1 "Adult changing station." An adult changing table placed
2 within an enclosed restroom facility or other similar private
3 facility that is for use by older children, the elderly and
4 adults with disabilities or special health care needs.

5 "Adult changing table." A height-adjustable folding
6 ergonomic table, which may be wall-mounted or freestanding, for
7 caregivers providing personal care for older children, the
8 elderly and adults with disabilities or special health care
9 needs.

10 "Commonwealth entity." Any of the following:

11 (1) An executive agency, as that term is defined in 62
12 Pa.C.S. § 103 (relating to definitions).

13 (2) An independent agency, as that term is defined in 62
14 Pa.C.S. § 103.

15 (3) The General Assembly and its officers and agencies.

16 (4) An officer or agency of the unified judicial system.

17 "Place of public accommodation." Any of the following:

18 (1) An auditorium, convention center, cultural complex,
19 exhibition hall, permanent amusement park, sports arena,
20 theater or movie house for which the maximum occupancy is
21 determined to be 2,000 or more individuals.

22 (2) A State-owned building.

23 (3) A hospital.

24 (4) A public airport which routinely offers domestic or
25 international flights.

26 "State-owned building." A building which is owned or
27 constructed for a Commonwealth entity. The term includes
28 roadside rest areas maintained by the Department of
29 Transportation under the act of June 7, 1961 (P.L.257, No.151),
30 entitled "An act providing for the construction, erection and

1 maintenance of roadside rests adjacent to State highway routes;
2 providing for the acquisition of interests in land by gift,
3 purchase or condemnation; granting powers to and imposing duties
4 upon the Department of Transportation, the Secretary of
5 Transportation, the Governor and the Department of General
6 Services; authorizing rules and regulations and providing
7 penalties for violations thereof, and making an appropriation."

8 Section 2. This act shall take effect immediately.