

Introduced by Senator LaraFebruary 21, 2014

An act to add Section 1714.27 to the Civil Code, relating to public accommodations.

LEGISLATIVE COUNSEL'S DIGEST

SB 1350, as introduced, Lara. Baby diaper changing accommodations.

Existing law requires publicly and privately owned facilities where the public congregates to be equipped with sufficient restrooms to meet the need of the public at peak hours.

This bill would require any place of public accommodation that provides restroom facilities for the public and installs new, or substantially renovated facilities, as defined, to install and maintain at least one baby diaper changing accommodation that is accessible to women and one that is accessible to men, or one that is accessible to both.

A violation of this provision would be an infraction. By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1714.27 is added to the Civil Code, to
2 read:

3 1714.27. (a) Any place of public accommodation that provides
4 restroom facilities for the public and installs new, or substantially
5 renovated, facilities shall install and maintain at least one baby
6 diaper changing accommodation that is accessible to women and
7 at least one baby diaper changing accommodation that is accessible
8 to men, or a single baby diaper changing accommodation that is
9 accessible to both.

10 (b) As used in this section, “public accommodation” is defined
11 as in Section 12181(7) of Title 42 of the United States Code.

12 (c) As used in this section, “substantially renovated” means a
13 construction or renovation project requiring a building permit and
14 with an estimated cost of ten thousand dollars (\$10,000) or more.

15 (d) Installation of baby diaper changing accommodations shall
16 comply with local, state, and federal laws regarding access for
17 persons with disabilities and with existing fire, health, and safety
18 standards.

19 (e) A violation of this section shall be an infraction, punishable
20 by a fine not exceeding two hundred fifty dollars (\$250).

21 (f) This section shall not be enforceable by a private right of
22 action.

23 SEC. 2. No reimbursement is required by this act pursuant to
24 Section 6 of Article XIII B of the California Constitution because
25 the only costs that may be incurred by a local agency or school
26 district will be incurred because this act creates a new crime or
27 infraction, eliminates a crime or infraction, or changes the penalty
28 for a crime or infraction, within the meaning of Section 17556 of
29 the Government Code, or changes the definition of a crime within
30 the meaning of Section 6 of Article XIII B of the California
31 Constitution.

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