

AMENDED IN ASSEMBLY JUNE 1, 2015

AMENDED IN ASSEMBLY APRIL 28, 2015

AMENDED IN ASSEMBLY APRIL 14, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 662

Introduced by Assembly Member Bonilla

February 24, 2015

An act to amend Section 19954.5 of, and to add Section 19952.5 to, the Health and Safety Code, relating to public accommodation.

LEGISLATIVE COUNSEL'S DIGEST

AB 662, as amended, Bonilla. Public accommodation: disabled adults: changing facilities.

The federal Americans with Disabilities Act of 1990 and the California Building Standards Code require that specified buildings, structures, and facilities be accessible to, and usable by, persons with disabilities. Existing law requires, among others, any person who owns or manages a place of public amusement and resort to provide seating or accommodations for physically disabled persons in a variety of locations within the facility, as specified. Existing law authorizes the district attorney, the city attorney, the Attorney General or, in certain instances, the Department of Rehabilitation acting through the Attorney General, to bring an action to enjoin a violation of prescribed requirements relating to access to buildings by disabled persons.

This bill would, by January 1, 2020, require the Division of the State Architect, the California Building Standards Commission, or other appropriate state regulatory entity to adopt regulations requiring a commercial place of public amusement, as defined, that is constructed

on or after January 1, 2020, or that renovates a bathroom on or after January 1, 2029, to install and maintain at least one adult changing station, as defined, for a person with a physical disability, as specified. ~~The bill would also make conforming changes.~~

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

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

1 SECTION 1. Section 19952.5 is added to the Health and Safety
2 Code, to read:

3 19952.5. (a) By January 1, 2020, the Division of the State
4 Architect, the California Building Standards Commission, or other
5 appropriate state regulatory entity shall adopt regulations requiring
6 a commercial place of amusement to install and maintain at least
7 one adult changing station for persons with a physical disability
8 that is accessible to both men and women when the facility is open
9 to the public.

10 (b) The regulations adopted pursuant to this section shall contain
11 the following:

12 (1) An installation and maintenance requirement for both of the
13 following:

- 14 (A) A new construction occurring on or after January 1, 2020.
- 15 (B) A renovation of a restroom occurring on or after January 1,
16 2029, if the renovation requires a permit or if the estimated cost
17 of the renovation is ten thousand dollars (\$10,000) or more.

18 (2) A requirement that the entrance to each station has
19 conspicuous signage indicating the location of the station.

20 (3) A requirement that, if there is a central directory, the central
21 directory indicate the location of the adult changing station.

22 (c) The Division of the State Architect, the California Building
23 Standards Commission, or other appropriate state regulatory entity
24 may modify the regulations adopted pursuant to this section to
25 conform to existing laws, regulations, and ordinances.

26 (d) For purposes of this section, all of the following definitions
27 shall apply:

28 (1) “Commercial place of public amusement” means an
29 auditorium, convention center, cultural complex, exhibition hall,
30 permanent amusement park structure, sports arena, or theater or
31 movie house that has a minimum occupancy of 1,000 people.

1 “Commercial place of public amusement” does not include any
2 public higher education facility.

3 (2) “Adult changing station” means an adult changing table
4 placed within an enclosed restroom facility that is for use by
5 persons with physical disabilities who need help with diapering.

6 (3) “Physical disability” means a mental or physical disability,
7 as described in Section 12926 of the Government Code.

8 ~~SEC. 2. Section 19954.5 of the Health and Safety Code is~~
9 ~~amended to read:~~

10 ~~19954.5. If a violation of Section 19952, 19952.5, 19953, or~~
11 ~~19954 is alleged or the application or construction of any of these~~
12 ~~sections is in issue in any proceeding in the Supreme Court of~~
13 ~~California, a state court of appeal, or the appellate division of a~~
14 ~~superior court, each party shall serve a copy of the party’s brief or~~
15 ~~petition and brief, on the State Solicitor General at the Office of~~
16 ~~the Attorney General. A brief may not be accepted for filing unless~~
17 ~~the proof of service shows service on the State Solicitor General.~~
18 ~~Any party failing to comply with this requirement shall be given~~
19 ~~a reasonable opportunity to cure the failure before the court~~
20 ~~imposes any sanction and, in that instance, the court shall allow~~
21 ~~the Attorney General reasonable additional time to file a brief in~~
22 ~~the matter.~~