



## **132nd MAINE LEGISLATURE**

## FIRST REGULAR SESSION-2025

**Legislative Document** 

No. 1121

H.P. 740

House of Representatives, March 18, 2025

An Act to Ensure Equitable Access for All Caregivers to Diaper Changing Stations in State Buildings Open to the Public

Reference to the Committee on State and Local Government suggested and ordered printed.

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative COLLAMORE of Pittsfield. Cosponsored by President DAUGHTRY of Cumberland and Representatives: BOYER of Poland, DILL of Old Town, EDER of Waterboro, Speaker FECTEAU of Biddeford, MINGO of Calais, ROBERTS of South Berwick, SAYRE of Kennebunk.

1	Be it enacted by the People of the State of Maine as follows:
2	Sec. 1. 5 MRSA c. 153, sub-c. 3 is enacted to read:
3	SUBCHAPTER 3
4	STATE BUILDINGS OPEN TO THE PUBLIC
5	§1777. Diaper changing stations in public restrooms required
6 7	<b>1. Definitions.</b> As used in this section, the following terms have the following <u>meanings.</u>
8 9	A. "Diaper changing station" means a table or other device suitable for changing the diaper of a child who has not attained 4 years of age.
10	B. "Public building" means a permanent structure or building owned by the State.
11 12	C. "Public restroom" means a sanitary facility within a public building that is open for public use and contains at least one toilet or urinal.
13 14	<b>2. Requirement.</b> Except as provided in subsection 3, the Department of Administrative and Financial Services, Bureau of General Services shall ensure that:
15 16 17	A. A public restroom in a public building constructed on or after the effective date of this section is equipped with a diaper changing station that is physically safe, sanitary and appropriate;
18 19 20	B. A public restroom within any portion of a public building that is remodeled on or after the effective date of this section is equipped with a diaper changing station that is physically safe, sanitary and appropriate; and
21 22 23 24 25 26 27	C. No later than July 1, 2027, if the only public restroom within a public building that is equipped with a diaper changing station is restricted to persons of a specific gender, another public restroom within the building that is available to persons of other genders is equipped with a diaper changing station that is physically safe, sanitary and appropriate. The bureau may satisfy the requirements of this paragraph by providing a family or gender-neutral restroom that is equipped with a diaper changing station that is physically safe, sanitary and appropriate.
28 29	A diaper changing station required under this subsection must be accessible to individuals with disabilities.
30 31	<b>3. Exceptions.</b> A public restroom is not subject to the requirements of subsection 2 if the restroom:
32 33	A. Has a conspicuous sign directing an individual to the location of another restroom on the same floor with a diaper changing station that is accessible to the individual;
34 35 36	B. Would have to undergo construction to remodel or alter the restroom or the building it is located within in order to install a diaper changing station and the construction is not feasible due to the cost. This paragraph does not apply to new construction;

- C. Would have to undergo construction in order to install a diaper changing station and 1 the construction required would be inconsistent with the rules adopted by the Maine 2 3 Historic Preservation Commission; or 4 D. Would have to undergo construction in order to install a diaper changing station and the construction required would be inconsistent with the Maine Uniform Building and 5 6 Energy Code. 7 **SUMMARY** 8 This bill establishes requirements related to equipping public restrooms in public 9 buildings that are owned by the State with diaper changing stations. 10 The bill requires that a public restroom in a public building owned by the State and constructed after the effective date of this legislation must be equipped with a safe, sanitary 11 12 and appropriate diaper changing station. The same requirement applies for a public restroom within any portion of a public building owned by the State that was remodeled on 13
- or after the effective date of this legislation. The bill also requires that by July 1, 2027, if the only public restroom equipped with a diaper changing station within a public building owned by the State is restricted to a specific gender, another public restroom available to other genders must be equipped with a diaper changing station that is safe, sanitary and appropriate.
- 19 The bill provides certain exceptions, including in cases where the construction required 20 to comply with these provisions would not be feasible due to the cost or would not comport 21 with rules adopted by the Maine Historic Preservation Commission or would be 22 inconsistent with the Maine Uniform Building and Energy Code.