

AMENDEDARIZONA STATE SENATE  
RESEARCH STAFF

TO: MEMBERS OF THE SENATE

DATE: March 28, 2019

SUBJECT: Strike-everything amendment to H.B. 2113, relating to public restrooms; diaper changing stations**CHERIE STONE**LEGISLATIVE RESEARCH ANALYST  
HEALTH & HUMAN SERVICES COMMITTEE  
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Requires a public entity that constructs or renovates a restroom in a public building to include at least one diaper changing station (changing station) that is capable of serving babies and adults and that is accessible to both men and women.

Background

The Arizona Department of Administration (ADOA) is responsible for the maintenance, allocation of space, operation, alteration, renovation and security of specified public buildings, including: 1) the executive tower of the state Capitol building; 2) state office buildings in Tucson; and 3) all other buildings owned or leased by the state and located near the state Capitol building. Statute excludes certain buildings that are occupied, operated and maintained by specified state agencies from ADOA responsibility, including: 1) the Arizona Department of Transportation; 2) the Arizona Power Authority; 3) the Capitol Museum; 4) the legislative services wing; 5) the House of Representatives and Senate wings of the state Capitol building; and 6) the Arizona courts building ([A.R.S. § 41-791](#)).

According to ADOA, there are approximately 300 restrooms in public buildings owned and maintained by ADOA on the Capitol Mall and approximately 1,400 restrooms statewide within the state's building system inventory, excluding the state's universities.

Building renewal projects for buildings within the state building system inventory are funded by expenditures from the Capital Outlay Stabilization Fund that receives revenue from rent charged to state agencies on the Capitol Mall. According to a Joint Legislative Budget Committee (JLBC) fiscal note for a similar measure, the estimated cost per fixture to install an adult changing station is between \$3,600 and \$10,000 depending on the changing station model ([JLBC fiscal note](#)).

Provisions

1. Requires a public entity that constructs a new restroom in a public building or that totally renovates an existing restroom in a public building to:
  - a) include at least one changing station that:
    - i. is accessible to both men and women;
    - ii. is capable of serving both babies and adults; and
    - iii. provides sufficient clear floor space to comply with the 2010 Americans with Disabilities Act (ADA) standards for accessible design;
  - b) provide signage that indicates the changing station's location near the entrance to the changing station; and
  - c) indicate the changing station's location in the building directory if such a directory exists.

2. Permits the responsible authority to grant an exemption from changing station requirements if any of the following applies to the construction of a changing station that serves both babies and adults:
  - a) the installation would not be feasible;
  - b) the installation would result in a failure to comply with ADA standards for access for persons with disabilities; or
  - c) the installation would threaten or destroy the historic significance of a historic property.
3. States that this legislation does not establish a private right of action.
4. Defines *public entity*, *public building*, *responsible authority* and *totally renovates*.
5. Becomes effective on the general effective date.

Amendments Adopted by Committee

1. Adopted the strike-everything amendment.
2. Requires that changing stations provide sufficient clear floor space in compliance with the ADA.
3. Modifies the definition of *public entity*.
4. Defines *2010 ADA standards for accessible design*.

Senate Action

HHS            3/27/19    DPA/SE    8-0-0