

By: Hernandez

H.B. No. 2215

A BILL TO BE ENTITLED

AN ACT

relating to private spaces in certain buildings for diaper changing stations.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 341, Health and Safety Code, is amended by adding Section 341.070 to read as follows:

Sec. 341.070. DIAPER CHANGING STATIONS. (a) In this section:

(1) "Health facility" means a facility licensed under Subtitle B, Title 4.

(2) "Historic structure" has the meaning assigned by Section 442.001, Government Code.

(b) This section does not apply to:

(1) a restroom renovation with an estimated cost of less than \$10,000;

(2) the construction or renovation of a building for which the governmental entity issuing a building permit for the construction or renovation determines that installing a diaper changing station would:

(A) be infeasible;

(B) result in noncompliance with federal, state, or local health, life safety, or building code requirements; or

(C) limit the accessibility of a restroom to a person with a disability;

1 (3) an industrial building, nightclub, bar,
2 retirement community, or other establishment that restricts access
3 to the premises based on age;

4 (4) a health facility with single-occupancy
5 restrooms;

6 (5) a historic structure;

7 (6) a restaurant with a seating capacity of less than
8 50 persons; or

9 (7) a building in which a centrally located diaper
10 changing station is available for public use within 300 feet of an
11 entrance to the building.

12 (c) A person who engages in or contracts for the
13 construction of a building, or the renovation of the restrooms of a
14 building, with one or more restrooms accessible to the public,
15 including a building owned or leased by this state or a political
16 subdivision of this state, shall provide a private space for a
17 diaper changing station that is available to the public in a shared
18 restroom or space, or in each restroom or space designated as a
19 diaper changing station.

20 (d) Each diaper changing station shall be maintained,
21 repaired, and replaced as necessary and cleaned with the same
22 frequency as a restroom in the building.

23 SECTION 2. The changes in law made by this Act apply only to
24 the construction or renovation of a building with restrooms
25 accessible to the general public that begins on or after January 1,
26 2022.

27 SECTION 3. This Act takes effect September 1, 2021.