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AB-662 Public accommodation: disabled adults: changing facilities. (2015-2016)

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Assembly Bill No. 662

CHAPTER 742

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

[Approved by Governor October 10, 2015. Filed with Secretary of State October 10, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

AB 662, 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 require a person, private firm, organization, or corporation that owns or manages a commercial place of public amusement, as defined, constructed on or after January 1, 2020, or renovated on or after January 1, 2025, to install and maintain at least one adult changing station, as defined, for a person with a physical disability, as specified. The bill would require a facility to ensure that the entrance to each adult changing station has conspicuous signage indicating its location, and, if the facility has a central directory, ensure that the central directory indicates the location of the adult changing station.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

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

19952.5. (a) A person, private firm, organization, or corporation that owns or manages a commercial place of public amusement shall install and maintain at least one adult changing station for persons with a physical disability that is accessible to both men and women when the facility is open to the public, if either of the following occur:

(1) The commercial place of public amusement is newly constructed on or after January 1, 2020.

(2) (A) When an existing commercial place of public amusement is renovated on or after January 1, 2025, and requires a permit or the estimated cost of the renovation is ten thousand dollars (\$10,000) or more.

(B) A commercial place of public amusement with an enclosed restroom facility or other similar private facility with an adult changing table in use before January 1, 2025, shall be deemed to comply with this paragraph.

(b) A facility shall ensure that the entrance to each adult changing station has conspicuous signage indicating the location of the station, and, if the facility has a central directory, shall ensure that the central directory indicates the location of the adult changing station.

(c) For purposes of this section, all of the following definitions shall apply:

(1) "Commercial place of public amusement" means an auditorium, convention center, cultural complex, exhibition hall, permanent amusement park, sports arena, or theater or movie house for which the maximum occupancy is determined to be 2,500 or more people. "Commercial place of public amusement" does not include any public or private higher education facility or district agricultural association.

(2) "Adult changing station" means an adult changing table placed within an enclosed restroom facility or other similar private facility that is for use by persons with physical disabilities who need help with diapering.

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