

SB83 ENGROSSED



1 SB83
2 QJMP454-2
3 By Senator Orr
4 RFD: Finance and Taxation Education
5 First Read: 04-Feb-25



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A BILL

TO BE ENTITLED

AN ACT

Relating to public buildings; to provide requirements for the installation and maintenance of powered, height-adjustable, adult-size changing tables in public bathrooms under certain circumstances; to provide grant award payments to public entities with preexisting public facilities; and to encourage the installation of adult-size changing tables in private sector facilities.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. For the purposes of this act, the following terms have the following meanings:

(1) PUBLIC BUILDING. A building or appurtenance to a building designed for public access and maintained for the public benefit through the use of state or local government funds.

(2) PUBLIC ENTITY. Has the same meaning as defined in 42 U.S.C. § 12131.

(3) RESPONSIBLE AUTHORITY. An organization, office, or individual responsible for enforcing code requirements or approving equipment, materials, installations, or procedures.

Section 2. (a) Beginning January 1, 2028, a public



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entity that constructs a new public restroom accessible to both men and women in a public building, or that totally renovates an existing public restroom that is accessible to both men and women in a public building, shall do all of the following:

(1) Ensure that one or more of the public restrooms has a powered, height-adjustable, adult-size changing table that is capable of serving both a baby and an adult.

(2) Provide signage indicating the location of the public restroom with the changing table.

(3) Revise any existing central directory or map identifying the location of offices, restrooms, and other facilities to indicate the location of the public restroom with the changing table.

(4) Maintain, repair, and replace each changing table as necessary to ensure safety and ease of use.

(5) Clean each changing table with the same frequency as the public restrooms located within the facility.

(6) Provide sufficient clear floor space in the installation of adult-size changing tables to comply with the requirements of the 2010 Americans with Disabilities Act standards for accessible design prescribed in 28 C.F.R. § 35.151 and 36 C.F.R. Part 1191, appendices B and D.

(b) Except as otherwise provided in subsection (c), this section only applies to new construction and to a total renovation of a restroom for which a permit has been obtained, for which the cost of renovation is at least five hundred thousand dollars (\$500,000), and that totally removes all



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nonstructural interior walls, floor and ceiling finishes, mechanical systems, electrical systems, and plumbing fixtures and supply and waste lines. If a public building operated by a public entity is in compliance with the requirements of this section at the time of new construction or renovation, additional changing tables are not required.

(c) The responsible authority may grant an exemption from the requirements of this section if the responsible authority determines that any of the following apply:

(1) The installation would not be feasible.

(2) The installation would result in a failure to comply with the 2010 Americans with Disabilities Act standards for access for persons with disabilities.

(3) The installation would threaten or destroy the historic significance of a historic property.

(4) The public building is not frequented by the public.

(d) This section does not establish a private right of action.

(e) Beginning October 1, 2030, and every three years thereafter, the amount provided in subsection (b) shall be subject to a cost adjustment. The Chief Examiner of the Department of Examiners of Public Accounts shall adjust the amount provided in subsection (b) based on the percentage increase in the Consumer Price Index for the immediately preceding three-year period, rounded to the nearest thousand dollars. The Department of Examiners of Public Accounts shall notify the public of the adjusted dollar amounts by July 1



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85 before the fiscal year in which the change will take effect.

86 (e) Public K-12 schools and public institutions of
87 higher education are exempt from the requirements of this
88 section, unless the public K-12 school or public institution
89 of higher education has any area determined by the responsible
90 authority to be frequented by the public, including, but not
91 limited to, auditoriums, gymnasiums, stadiums, and sports
92 halls.

93 Section 3. (a) Subject to appropriation by the
94 Legislature, funds shall be appropriated to eligible public
95 entities for the installation of powered, height-adjustable,
96 adult-size changing tables in preexisting public restrooms.

97 (b) In awarding grants, the Legislature shall
98 prioritize geographical diversity and higher traffic
99 facilities. Applicants for grants must be public entities
100 located in this state. The award must be used for facilities
101 that are open to the public and accessible to both men and
102 women.

103 Section 4. The Legislature encourages the private
104 sector, when totally renovating building facilities and when
105 constructing new restrooms, to install and maintain powered,
106 height-adjustable, adult-size changing tables in restrooms
107 open to the public and accessible to both men and women.

108 Section 5. This act shall become effective on October
109 1, 2025.



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112 Senate

113 Read for the first time and referred04-Feb-25
114 to the Senate committee on Finance
115 and Taxation Education

116
117 Read for the second time and placed12-Feb-25
118 on the calendar:
119 1 amendment

120
121 Read for the third time and passed27-Feb-25
122 as amended
123 Yeas 27
124 Nays 0
125 Abstains 0

126
127
128 Patrick Harris,
129 Secretary.
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