

STATE OF NEW YORK

8523

IN SENATE

March 8, 2022

Introduced by Sen. SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to permitting employees of public utilities access to certain restroom facilities without being a paying customer

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The general business law is amended by adding a new section
2 399-k to read as follows:

3 § 399-k. Access to restroom facilities. 1. A place of business open
4 to the general public for the sale of goods or services that has a
5 toilet facility for its employees shall allow any individual who is
6 lawfully on the premises of such place of business to use that toilet
7 facility during normal business hours, even if the place of business
8 does not normally make the employee toilet facility available to the
9 public, provided that all of the following conditions are met:

10 a. the individual requesting the use of the employee toilet facility
11 is an employee of a public utility company or a public utility corpo-
12 ration as defined in section two of the public service law, provided
13 that the place of business may require the individual to present reason-
14 able evidence that the individual is an employee of such public utility
15 entity;

16 b. two or more employees of the place of business are working at the
17 time the individual requests use of the employee toilet facility;

18 c. the employee toilet facility is not located in an area where
19 providing access would create an obvious health or safety risk to the
20 requesting individual or create an obvious security risk to the place of
21 business;

22 d. use of the toilet facility would not create an obvious health or
23 safety risk to the requesting individual; and

24 e. a public restroom is not immediately accessible to the requesting
25 individual.

26 2. A violation of the provisions of this section shall be punishable
27 by a civil penalty not to exceed five hundred dollars for each
28 violation.

29 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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