S T A T E O F N E W Y O R K

7786--A

2009-2010 Regular Sessions

I N A S S E M B L Y

April 23, 2009

Introduced by M. of A. WEISENBERG -- read once and referred to the Committee on Consumer Affairs and Protection -- recommitted to the Committee on Consumer Affairs and Protection in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law and the executive law, in relation to requiring unisex or family bathrooms in certain buildings accessible to the public

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The general business law is amended by adding a new article 12-C to read as follows:

ARTICLE 12-C

NEW CONSTRUCTION REQUIREMENTS

SECTION 219. UNISEX RESTROOMS.

S 219. UNISEX RESTROOMS. ANY PERSON OR ENTITY CONSTRUCTING A BUILDING AFTER SEPTEMBER FIRST, TWO THOUSAND TEN, THAT IS LARGER THAN FIFTEEN THOUSAND SQUARE FEET, AND THAT IS USED FOR COMMERCIAL PURPOSES, SHALL ENSURE THAT SUCH BUILDING BE EQUIPPED WITH AT LEAST ONE RESTROOM THAT IS DESIGNATED AS A UNISEX OR FAMILY RESTROOM. SUCH RESTROOM SHALL ALSO BE HANDICAPPED ACCESSIBLE AND COMPLY WITH ALL PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT.

S 2. Paragraphs d and e of subdivision 2 of section 377 of the executive law, as added by chapter 707 of the laws of 1981, are amended and a new paragraph f is added to read as follows:

d. encourage, so far as may be practicable, the standardization of construction practices, methods, equipment, material and techniques; [and]

e. eliminate restrictive, obsolete, conflicting and unnecessary building regulations and requirements which tend to increase unnecessarily construction costs or retard unnecessarily the use of new materials, or

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

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provide unwarranted preferential treatment to types or classes of material or products or methods of construction[.]; AND

F. REQUIRE THAT ALL COMMERCIAL BUILDINGS LARGER THAN FIFTEEN THOUSAND SQUARE FEET THAT ARE CONSTRUCTED AFTER SEPTEMBER FIRST, TWO THOUSAND TEN, CONTAIN AN APPROPRIATE NUMBER OF UNISEX OR FAMILY RESTROOMS AND ENSURE THAT SUCH RESTROOMS ARE ADA COMPLIANT.

S 3. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the timely implementation of this act on its effective date is authorized to be made and completed on or before such effective date.