STATE OF NEW YORK

5096

2023-2024 Regular Sessions

IN ASSEMBLY

March 2, 2023

Introduced by M. of A. LAVINE, WILLIAMS, L. ROSENTHAL, SEAWRIGHT, WALLACE, PHEFFER AMATO, PEOPLES-STOKES, TAYLOR, McMAHON, MORINELLO, RA, BURDICK, BRAUNSTEIN, COLTON, J. M. GIGLIO, DICKENS -- Multi-Sponsored by -- M. of A. DINOWITZ, HEVESI, LUPARDO, McDONOUGH, SIMON, THIELE -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the public buildings law, in relation to requiring full family service restroom facilities in public buildings

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

Section 1. The public buildings law is amended by adding a new section 54 to read as follows:

§ 54. Restroom accessibility and equipment requirements for public buildings. 1. In addition to all of the requirements of the state building code referenced in section fifty-one of this article, all buildings constructed after the effective date of this section which are covered by this article shall be required to include, at a minimum, at least one family restroom, accessible from any point within the building open to the public, which is to be equipped such that a caregiver is able to attend to the sanitary and hygienic needs of any person affected by any combination of physical and/or cognitive disabilities such that they require constant assistance with activities for daily living, including, but are not strictly limited to, an inability to utilize conventional restroom facilities.

2. The precise configuration and equipment to be included in such family restroom facilities shall be determined pursuant to rules and regulations promulgated by the department of state codes division, in cooperation with the office for persons with developmental disabilities, and with the input of an independent party, appointed by the governor, who is a person with disabilities or who is the parent or legal guardian of a person whose disabilities prevent their use of conventional rest-

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

LBD02726-01-3

room facilities. The equipment is to include a horizontal flat raised surface area suitable for safely diapering an adult person of at least two hundred fifty pounds weight and equipped with a system to sanitize the surface. All such rules and regulations shall be promulgated and implemented within one hundred eighty days of the effective date of this section.

§ 2. This act shall take effect immediately.