STATE OF NEW YORK

4042--B

Cal. No. 1049

2025-2026 Regular Sessions

IN SENATE

January 31, 2025

Introduced by Sens. HARCKHAM, ADDABBO, ASHBY, HINCHEY, LIU, MARTINEZ, MARTINS, MAY, RHOADS, ROLISON, SCARCELLA-SPANTON, WEBB, WEBER -- read twice and ordered printed, and when printed to be committed to the Committee on Disabilities -- recommitted to the Committee on Disabilities in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee and committed to the Committee on Finance -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the civil rights law and the public buildings law, in relation to enacting the "traveling with dignity act"

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

Section 1. Short title. This act shall be known and may be cited as the "traveling with dignity act".

§ 2. The civil rights law is amended by adding a new section 79-r to read as follows:

§ 79-r. Adult changing accommodations. 1. As used in this section, the following terms shall have the following meanings:

(a) "Adult changing accommodation" means a height-adjustable adult changing table that is for use by persons with disabilities who need help with diapering.

(b) "Covered facility" means a commercial place of public amusement, including auditoriums, theatres, convention centers, exhibition halls, permanent amusement parks, and sports arenas, for which the maximum occupancy is determined to be two thousand five hundred or more people.

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

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(c) "Disability" shall have the same meaning as provided for in subdivision twenty-one of section two hundred ninety-two of the executive law.

2. A person, private firm, organization, or corporation that owns or manages a covered facility shall install and maintain at least one adult changing accommodation for persons with a physical disability that is accessible to individuals of any gender when the facility is open to the public, and shall ensure that such bathroom shall be clearly designated by the posting of such on or near the entry door of each bathroom, and, if the facility has a central directory, shall ensure that the central directory indicates the location of the adult changing accommodation, provided that:

(a) Covered facilities newly constructed on or after January first, two thousand twenty-seven shall comply with the provisions of this section at the time of construction;

(b) Existing covered facilities renovated on or after January first, two thousand twenty-seven, shall comply with the provisions of this section at the time of renovation; and

(c) Any other existing covered facility shall comply with the provisions of this section no later than January first, two thousand thirty-six.

3. The commissioner of the office of general services, in collaboration with the chief disability officer, shall promulgate regulations in order to effectuate the requirements of this section, including, but not limited to, specifications regarding the dimensions of such adult changing accommodations.

4. The commissioner of the office of general services may grant an exemption from the requirements of this section if the commissioner determines that:

(a) installation of an adult changing accommodation is not feasible;

(b) installation would result in noncompliance with the Americans with Disabilities Act or any other applicable accessibility standards;

(c) the total cost of the construction or renovation project does not exceed twenty thousand dollars; or

(d) installation would destroy the historic significance of a historic property.

§ 3. The public buildings law is amended by adding a new section 148 to read as follows:

§ 148. Adult changing accommodations. 1. As used in this section:

(a) "state agency" means any state department, office, board, bureau, commission, agency, or any public authority or public benefit corporation at least one of whose members is appointed by the governor;

(b) "state-owned building" means any building owned by a state agency used for official state business;

(c) "single-occupancy bathroom" means a bathroom intended for use by no more than one occupant at a time or for family or assisted use and which has a door for entry into and egress from the bathroom that may be locked by the occupant to ensure privacy and security; and

(d) "adult changing accommodation" means a height-adjustable adult changing table that is for use by persons with disabilities who need help with diapering.

2. Each state agency shall ensure that all state-owned buildings determined by the commissioner of the office of general services to be regularly open to, or utilized by, the general public with a maximum of occupancy of not less than two thousand five hundred shall have at least one single-occupancy bathroom in such building with an adult changing

accommodation by January first, two thousand thirty-seven, provided, however, that in such instances in which the fire code does not set a maximum occupancy of a state-owned building, the commissioner of the office of general services shall have the discretion to determine that it is in the public interest to require that such state-owned building shall be subject to the requirements of this section.

3. The commissioner of the office of general services, in collaboration with the chief disability officer, shall promulgate regulations in order to effectuate the requirements of this section, including, but not limited to, specifications regarding the dimensions of such adult changing accommodations.

4. The commissioner of the office of general services may grant an exemption from the requirements of this section if the commissioner determines that:

(a) installation of an adult changing accommodation is not feasible;

(b) installation would result in noncompliance with the Americans with Disabilities Act or any other applicable accessibility standards;

(c) the total cost of the construction or renovation project does not exceed twenty thousand dollars;

(d) installation would destroy the historic significance of a historic property; or

(e) the building or facility is not regularly open to, or utilized by, the general public.

§ 4. This act shall take effect immediately and shall apply to all public works bids and contracts solicited on or after such effective date; provided, however, this act shall not apply retroactively to previously issued or existing public works contracts, with the state or any municipal corporation, public benefit corporation, or public body.