

REFERENCE TITLE: public accommodations; adult changing stations

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HB 2922

Introduced by
Representative Peña

AN ACT

AMENDING SECTION 41-1444, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 14, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-1970; RELATING TO PUBLIC ACCOMMODATIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-1444, Arizona Revised Statutes, is amended to
3 read:

4 41-1444. Changing stations; public buildings; adult changing
5 station requirements; violation; civil penalty;
6 definitions

7 A. A public entity that constructs a new restroom that is
8 accessible to the public in a public building OR ON PUBLIC LAND THAT IS
9 LEASED, SUBLET OR RENTED TO A PRIVATE ENTITY or that totally renovates an
10 existing restroom that is accessible to both men and women and to the
11 public in a public building OR ON PUBLIC LAND shall:

12 1. Include in at least one restroom in each building at least one
13 changing station that is capable of serving both a baby and an adult, ~~and~~
14 that is accessible to both men and women AND THAT IS WITHIN THE PRIVACY OF
15 A STALL OR IN A SEPARATE ROOM IF PRIVACY MAY NOT BE GUARANTEED.

16 2. Provide signage at or near the entrance to the changing station
17 indicating the location of the changing station.

18 3. Indicate the location of the changing station in the central
19 building directory, if such a directory exists.

20 B. The responsible authority may grant an exemption from the
21 requirements of this section if the responsible authority determines that:

22 1. Any of the following would apply to the installation of a
23 changing station that is capable of serving both a baby and an adult:

24 (a) The installation would not be feasible.

25 (b) The installation would result in a failure to comply with the
26 Americans with disabilities act standards for access for persons with
27 disabilities.

28 (c) The installation would threaten or destroy the historic
29 significance of a historic property.

30 2. The public building is not frequented by the public.

31 C. The installation of a changing station under this section must
32 provide sufficient clear floor space to comply with the requirements of
33 the 2010 Americans with disabilities act standards for accessible design.

34 D. ADULT CHANGING STATIONS SHALL BE:

35 1. PROVIDED IN ALL OF THE FOLLOWING LOCATIONS:

36 (a) IN ASSEMBLY AND MERCANTILE ESTABLISHMENTS THAT HAVE FAMILY OR
37 ASSISTED-USE TOILETS OR BATHING ROOMS.

38 (b) POSTSECONDARY EDUCATIONAL FACILITIES WHERE AT LEAST TWELVE OR
39 MORE MALE AND FEMALE WATER CLOSETS ARE REQUIRED TO SERVE THE FACILITIES.

40 (c) OCCUPANCIES USED FOR ASSEMBLY PURPOSES THAT REQUIRE AT LEAST
41 SIX OR MORE MALE AND FEMALE WATER CLOSETS.

42 (d) HIGHWAY REST STOPS AND HIGHWAY SERVICE PLAZAS.

43 2. LOCATED IN RESTROOMS THAT INCLUDE ONLY ONE WATER CLOSET AND ONLY
44 ONE LAVATORY. FIXTURES LOCATED IN THE RESTROOMS PURSUANT TO THIS PARAGRAPH
45 MUST BE INCLUDED IN DETERMINING THE NUMBER OF FIXTURES PROVIDED IN AN
46 OCCUPANCY. THE OCCUPANTS SHALL HAVE ACCESS TO THE ADULT CHANGING STATION
47 AT ALL TIMES WHEN THE OCCUPANCY IS OCCUPIED.

1 3. LOCATED ON AN ACCESSIBLE ROUTE WHERE A PERSON IS NOT MORE THAN
2 TWO STORIES ABOVE OR BELOW THE STORY WITH THE ADULT CHANGING STATION AND
3 THE PATH OF TRAVEL TO THE ADULT CHANGING STATION FACILITY IS NOT MORE THAN
4 TWO THOUSAND FEET.

5 F. A PUBLIC ENTITY MAY NOT REQUIRE TRAVEL THROUGH A SECURITY
6 CHECKPOINT TO ACCESS AN ADULT CHANGING STATION.

7 G. IF A PUBLIC ENTITY VIOLATES THIS SECTION, THE PUBLIC ENTITY
8 SHALL BE SUBJECT TO A \$1,000 CIVIL PENALTY. THE CIVIL PENALTY SHALL BE
9 ASSESSED EVERY THREE MONTHS UNTIL THE PUBLIC ENTITY COMPLIES WITH THE
10 REQUIREMENTS OF THIS SECTION. THE MONIES COLLECTED PURSUANT TO THIS
11 SUBSECTION SHALL BE DEPOSITED IN THE DEVELOPMENTAL DISABILITIES GRANT FUND
12 ESTABLISHED BY SECTION 41-1970.

13 ~~D.~~ H. This section does not establish a private right of action.

14 ~~E.~~ I. For the purposes of this section:

15 1. "Public building" means a building or appurtenance to a building
16 that is built in whole or in part with public monies.

17 2. "Public entity" means any:

18 (a) State or local government.

19 (b) Department, agency, special purpose district or other
20 instrumentality of a state or local government, including the legislature.

21 3. "Responsible authority" means an organization, office or
22 individual responsible for enforcing the requirements of a code or
23 standard or for approving equipment, materials, an installation or a
24 procedure.

25 4. "Totally renovates" means to perform construction that is at
26 least \$50,000 and that totally removes OR MOVES OR CHANGES THE LOCATION OF
27 all nonstructural interior walls, floor and ceiling finishes, mechanical
28 systems, electrical systems and plumbing fixtures and supply and waste
29 lines.

30 5. "2010 Americans with disabilities act standards for accessible
31 design" means the 2010 standards for state and local government facilities
32 prescribed in 28 Code of Federal Regulations section 35.151 and 36 Code of
33 Federal Regulations part 1191, appendices B and D.

34 6. "WATER CLOSET" HAS THE SAME MEANING PRESCRIBED IN SECTION
35 45-311.

36 Sec. 2. Title 41, chapter 14, article 1, Arizona Revised Statutes,
37 is amended by adding section 41-1970, to read:

38 41-1970. Developmental disabilities grant fund

39 THE DEVELOPMENTAL DISABILITIES GRANT FUND IS ESTABLISHED CONSISTING
40 OF MONIES COLLECTED PURSUANT TO SECTION 41-1444. MONIES IN THE FUND ARE
41 CONTINUOUSLY APPROPRIATED AND ARE EXEMPT FROM THE PROVISIONS OF SECTION
42 35-190 RELATING TO LAPSING OF APPROPRIATIONS. THE DEPARTMENT SHALL
43 ADMINISTER THE FUND AND DISTRIBUTE MONIES FROM THE FUND TO FAMILIES OF
44 CHILDREN WITH A DISABILITY. THE DEPARTMENT SHALL ESTABLISH THE
45 ELIGIBILITY CRITERIA AND ANY RULES NECESSARY TO IMPLEMENT THE GRANT FUND.