

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

SENATE BILL 443

5 By: Senator B. Davis
6 By: Representative L. Johnson
7

For An Act To Be Entitled

9 AN ACT TO REQUIRE DIAPER CHANGING ACCOMMODATIONS IN
10 CERTAIN BUILDINGS; AND FOR OTHER PURPOSES.

Subtitle

14 TO REQUIRE DIAPER CHANGING ACCOMMODATIONS
15 IN CERTAIN BUILDINGS.

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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code Title 20, Chapter 27, is amended to add an
21 additional subchapter to read as follows:

22 Subchapter 28 – Diaper Changing Accommodations

23
24 20-27-2801. Diaper changing accommodations.

25 (a) As used in this section:

26 (1) "Public building" means a structure occupied by an agency of
27 the State of Arkansas or its political subdivisions;

28 (2)(A) "Public place" means an enclosed area to which the public
29 is invited or in which the public is permitted, including without limitation:

30 (i) A bank;

31 (ii) An educational facility;

32 (iii) A healthcare facility;

33 (iv) A laundromat;

34 (v) A public transportation facility;

35 (vi) A reception area;

36 (vii) A restaurant;



1 (viii) A retail food production and marketing
2 establishment;

3 (ix) A retail service establishment;

4 (x) A retail store;

5 (xi) A shopping mall;

6 (xii) A sports arena;

7 (xiii) A theater; and

8 (xiv) A waiting room.

9 (B) A private residence is not a public place unless it is
10 used as a licensed childcare, adult day care, or healthcare facility; and

11 (3) "Substantial renovation" means a construction or renovation
12 project requiring a building permit with an estimated cost of ten thousand
13 dollars (\$10,000) or more.

14 (b) A public building or public place that installs a diaper changing
15 accommodation in a restroom shall ensure that the diaper changing
16 accommodation is equally available or provided regardless of the gender for
17 which the restroom is designed.

18 (c) This section applies to a restroom:

19 (1) Constructed on or after the effective date of this section;
20 and

21 (2) Existing on or after the effective date of this section
22 which undergo substantial renovation.

23 (d) This section shall be applied to the extent that this section may
24 be implemented in compliance with local, state, and federal laws regarding
25 access for persons with disabilities and with existing fire, health, and
26 safety standards.

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