



2019 ASSEMBLY BILL 261

June 7, 2019 - Introduced by Representatives QUINN, SARGENT, RODRIGUEZ, SHANKLAND, SORTWELL, SPIROS, SPREITZER, STUBBS and TUSLER, cosponsored by Senators PETROWSKI, BEWLEY and OLSEN. Referred to Committee on Education.

1 **AN ACT** *to renumber and amend* 101.128; and *to create* 101.128 (title) and
2 101.128 (2m) of the statutes; **relating to:** use of certain public building
3 restrooms.

Analysis by the Legislative Reference Bureau

This bill provides that, if the water closet compartments of a restroom in a building that is subject to the Commercial Building Code have full-height walls and doors, and the restroom's lavatories are located outside the water closet compartments, the restroom may be designated for use by both sexes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 101.128 (title) of the statutes is created to read:

5 **101.128** (title) **Restrooms.**

6 **SECTION 2.** 101.128 of the statutes is renumbered 101.128 (1m), and 101.128
7 (1m) (a) (intro.), (b) (title) and 2., (c) 1. (intro.) and 2. and (d) 1. (intro.) and 2., as
8 renumbered, are amended to read:

ASSEMBLY BILL 261**SECTION 2**

1 101.128 **(1m)** (a) *Definitions.* (intro.) In this section subsection:

2 (b) (title) *Restroom requirements Requirements.*

3 2. 'Standards.' The department shall promulgate rules that establish
4 standards that the owner of a facility where the public congregates shall meet to
5 achieve the equal speed of access required under ~~par. (a)~~ subd. 1.

6 (c) 1. 'Exemptions established.' (intro.) This section subsection does not apply
7 to any of the following:

8 2. *Mixed-use facilities.* If a facility where the public congregates contains a
9 hotel, restaurant or school, the requirements of this section subsection shall apply
10 only to the portion of the facility where the public congregates that is not part of the
11 hotel, restaurant or school.

12 (d) 1. 'Six months after rules promulgated.' (intro.) This section subsection
13 applies to any facility where the public congregates at which the following events
14 begin on or after the first day of the 7th month beginning after the department
15 promulgates rules under this section subsection:

16 2. 'Renovations or additions.' In any existing facility where the public
17 congregates to which this section subsection applies under ~~par. (a) 3. to 5.~~ subd. 1.
18 c. to e., the requirements of this section subsection apply only to the renovated
19 portion of the facility or to the structural or land addition of the facility.

20 **SECTION 3.** 101.128 (2m) of the statutes is created to read:

21 101.128 **(2m)** LAVATORY LOCATION. If the water closet compartments of a
22 restroom in a public building or place of employment have full-height walls and
23 full-height doors, and the lavatories in the restroom are located outside the water
24 closet compartments, the restroom may be designated for use by both sexes.

25

(END)