May 23, 2019 - Introduced by Senators Petrowski, Bewley and Olsen, cosponsored by Representatives Quinn, Sargent, Rodriguez, Shankland, Sortwell, Spiros, Spreitzer, Stubbs and Tusler. Referred to Committee on Utilities and Housing.

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

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

101.128 (title) Restrooms.

SECTION 2. 101.128 of the statutes is renumbered 101.128 (1m), and 101.128 (1m) (a) (intro.), (b) (title) and 2., (c) 1. (intro.) and 2. and (d) 1. (intro.) and 2., as renumbered, are amended to read:
101.128 (1m) (a) Definitions. (intro.) In this section subsection:

(b) (title) Restroom requirements Requirements.

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

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

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

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

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

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

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

(END)