

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Equitable Restrooms Act is amended by
5 changing Section 20 and by adding Section 30 as follows:

6 (410 ILCS 35/20) (from Ch. 111 1/2, par. 3751-20)

7 Sec. 20. Application. Except for Sections ~~Section~~ 25 and
8 30, this Act applies only to places of public accommodation
9 that commence construction, or that commence alterations
10 exceeding 50% of the entire place of public accommodation,
11 after the effective date of this Act.

12 (Source: P.A. 101-165, eff. 1-1-20.)

13 (410 ILCS 35/30 new)

14 Sec. 30. All-gender multiple-occupancy restrooms.

15 (a) The purpose of this Section is to promote the privacy,
16 safety, and gender inclusivity of all Illinois residents and
17 visitors. This Section shall be liberally construed to carry
18 out this purpose.

19 (b) In this Section, "multiple-occupancy restroom" means a
20 room or suite of rooms, intended for simultaneous use by 2 or
21 more occupants, containing at least one sink and at least 2
22 toilets.

1 (c) Notwithstanding any other provision of law, any
2 multiple-occupancy restroom may be identified as an all-gender
3 multiple-occupancy restroom and designated for use by any
4 person of any gender. An all-gender multiple-occupancy
5 restroom must include the following:

6 (1) Inclusive signage that is prominently displayed at
7 the exterior of the multiple-occupancy restroom for all
8 who are entering the restroom, that does not indicate any
9 specific gender, and that indicates any component that is
10 present in the multiple-occupancy restroom and is required
11 under this subsection or subsection (e).

12 (2) Floor-to-ceiling stall dividers equipped with a
13 sturdy and functioning locking mechanism controlled by the
14 user and a partition privacy cover or strip that ensures
15 that no one is able to see through the space between the
16 stall divider and door.

17 An all-gender multiple-occupancy restroom shall not
18 contain urinals.

19 (d) Any multiple-occupancy restroom may be converted into
20 an all-gender multiple-occupancy restroom. If a
21 multiple-occupancy restroom is to be converted into an
22 all-gender multiple-occupancy restroom and a
23 multiple-occupancy restroom serving a different gender is
24 located adjacent or in proximity to the all-gender
25 multiple-occupancy restroom, then both multiple-occupancy
26 restrooms must be converted into all-gender multiple-occupancy

1 restrooms.

2 (e) If a facility converts any multiple-occupancy restroom
3 into an all-gender multiple-occupancy restroom or commences
4 construction, or commences alterations exceeding 50% of the
5 facility, and implements an all-gender multiple-occupancy
6 restroom, the all-gender multiple-occupancy restroom must, in
7 addition to the requirements of subsection (c):

8 (1) satisfy all accessibility requirements set forth
9 by the federal Americans with Disabilities Act of 1990, as
10 amended, and the Illinois Accessibility Code (71 Ill. Adm.
11 Code 400);

12 (2) include a small trash receptacle with a cover in
13 each toilet stall;

14 (3) include at least one vending device of
15 menstruation supplies; and

16 (4) include at least one baby diaper changing station.

17 (f) If an all-gender multiple-occupancy restroom is newly
18 constructed, any newly constructed multiple-occupancy restroom
19 located adjacent or in proximity to the newly constructed
20 all-gender multiple-occupancy restroom must also be designated
21 as an all-gender multiple-occupancy restroom.

22 (g) When plumbing fixtures in a facility are otherwise
23 required to meet female-to-male ratio requirements, including,
24 but not limited to, the requirements under Section 15 or the
25 minimum fixture requirements adopted under the Illinois
26 Plumbing License Law, each individual fixture in an all-gender

1 multiple-occupancy restroom may be counted toward the required
2 number of either female or male fixtures until the minimum
3 requirement is met. If a fixture is counted toward the minimum
4 required fixtures for females, that same fixture shall not
5 also be counted toward the minimum required fixtures for
6 males. If a fixture is counted toward the minimum required
7 fixtures for males, that same fixture shall not also be
8 counted toward the minimum required fixtures for females.

9 This subsection shall not be construed to allow any
10 violation of female-to-male ratio requirements set forth by
11 this Act.

12 (h) During any inspection of a facility by a health
13 officer, health inspector, or building inspector, the health
14 officer, health inspector, or building inspector may inspect
15 the facility to determine whether it complies with this
16 Section, if it is required to do so.

17 (i) The Department of Public Health shall adopt rules to
18 implement this Section.

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.