

Christopher A. JohnsonMajority Leader, Legislator, 16th District

Chair, Minority Affairs Task Force

Co-Chair, Rules

**Committee Assignments**

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Legislation

Public Safety

MEMORANDUM OF LEGISLATION**DATE:** March 03, 2023**TITLE:** Diapers Involve All Parents Equally Regardless of Sex (DIAPERS) Act**SPONSOR:** Majority Leader Johnson**PURPOSE OR GENERAL IDEA OF BILL:** To require that all Westchester County restrooms open for public use provide safe, sanitary, and convenient diaper changing accommodations regardless of the gender for which the restroom is designed or access to diaper changing accommodations in proximity to a county restroom open for public use.**INTENT:** To provide all parents and caregivers equal access to diaper changing accommodations in or in proximity to any county bathroom open for public use.**JUSTIFICATION:** While changing tables have long been a fixture in women's bathrooms, this has not been the case in men's bathrooms. As a result, a substantial number of parents are excluded from utilizing a resource aimed at supporting families. The lack of changing accommodations in every type of restroom makes it difficult for parents to fully share responsibilities, thereby perpetuating discrimination and reinforcing harmful gender roles. Without access to sanitary and safe spaces, parents often use other surfaces to change diapers, including restroom floors or counters. These unsanitary conditions can pose health risks to children, parents, and others using the bathrooms. Diaper changing accommodations such as a changing station, deck, tables, or similar amenity not only makes the task of diaper changing easier and cleaner, they also reduce the risk of injury.**PRESENT LAW:** The federal government passed the Bathrooms Accessible in Every Situation (BABIES) Act in October 2016, which requires changing stations that are "physically safe, sanitary and appropriate" be available in both women's and men's bathrooms in federal buildings open for public use. In April 2018, New York State passed a law requiring all new or substantially renovated buildings that have bathrooms used by the public make changing tables accessible to both men and women. The law requires that at least one changing table be available to both men and women on each floor of a building that has a public toilet. The New York State requirement mirrors one that went into effect in New York City in 2018. However, the provisions of the state law do not apply to local governments. No such law requiring changing accommodations in county restrooms open for public use currently exists.**FISCAL IMPACT:** TBD