RN1716719 **AP 16**

**INTRODUCED BY SENIOR ASSEMBLY MEMBER BLOCH**

Legislative Counsel’s Digest

AP 16: PUBLIC RESTROOM ACCESSIBILITY.

EXISTING FEDERAL LAW, THE AMERICANS WITH DISABILITIES ACT OF 1990, GENERALLY REQUIRES RESTROOMS TO BE CONFIGURED IN A MANNER THAT ALLOWS ACCESS FOR DISABLED PEOPLE. REGULATIONS PROMULGATED UNDER THE ACT REQUIRE, AMONG OTHER THINGS, THE INSTALLATION OF GRAB BARS AND TOILETS THAT ARE 17 TO 19 INCHES HIGH IN DISABLED-ACCESSIBLE TOILET STALLS.

THIS MEASURE WOULD MEMORIALIZE THE LEGISLATURE AND THE GOVERNOR TO ENACT LEGISLATION THAT WOULD REQUIRE BY JANUARY 1, 2021, ALL PUBLICLY ACCESSIBLE RESTROOMS TO INSTALL SIDE WALL HAND RAILS IN ALL TOILET STALLS, AND THAT WOULD IMMEDIATELY REQUIRE RENOVATIONS AND NEW CONSTRUCTION OF PUBLICLY ACCESSIBLE RESTROOMS WITH MORE THAN ONE TOILET STALL TO INCORPORATE AT LEAST ONE TOILET OF THE MAXIMUM HEIGHT ALLOWED UNDER FEDERAL LAW.

VOTE MAJORITY.

AP 16: RELATING TO PUBLIC RESTROOMS: GRAB BARS: TOILET HEIGHT

WHEREAS, THE FEDERAL AMERICANS WITH DISABILITIES ACT OF 1990 SPECIFIES THAT PUBLICLY ACCESSIBLE RESTROOMS EQUIPPED WITH TOILET STALLS MUST HAVE AT LEAST ONE DISABLED-ACCESSIBLE TOILET STALL; AND

WHEREAS, FEDERAL REGULATIONS REQUIRE DISABLED-ACCESSIBLE TOILETS TO BE BETWEEN 17 AND 19 INCHES HIGH; AND

WHEREAS, FEDERAL REGULATIONS REQUIRE THAT GRAB BARS BE INSTALLED IN DISABLED-ACCESSIBLE TOILET STALLS; AND

WHEREAS, CALIFORNIA HAS THE LARGEST POPULATION OVER 60 YEARS OF AGE IN THE NATION; AND

WHEREAS, MANY ELDERLY CALIFORNIANS ARE NOT CONSIDERED DISABLED BUT MAY HAVE KNEE, BACK, AND BALANCE ISSUES; AND

WHEREAS, PUBLIC TOILETS ARE OFTEN TOO LOW FOR SAFE AND COMFORTABLE USE BY THE ELDERLY; AND

WHEREAS, THE NUMBER OF EXISTING DISABLED-ACCESSIBLE TOILET STALLS IS INSUFFICIENT TO MEET THE NEEDS OF CALIFORNIA’S ELDERLY POPULATION; AND

WHEREAS, SIDE WALL GRAB BARS THAT ARE EITHER STATIONARY OR ON A SWIVEL MECHANISM ARE A SIMPLE AND EFFECTIVE WAY TO ENABLE THE ELDERLY TO ACCESS ALL PUBLICLY ACCESSIBLE TOILET STALLS; AND

WHEREAS, RENOVATION OR NEW CONSTRUCTION OF PUBLICLY ACCESSIBLE RESTROOMS CAN EASILY INCORPORATE TOILETS OF THE MAXIMUM HEIGHT ALLOWED UNDER FEDERAL LAW; NOW, THEREFORE, BE IT

RESOLVED, BY THE SENIOR ASSEMBLY AND THE SENIOR SENATE, JOINTLY, THAT THE SENIOR LEGISLATURE OF THE STATE OF CALIFORNIA AT ITS 2017 REGULAR SESSION, A MAJORITY OF THE MEMBERS VOTING THEREFOR, HEREBY PROPOSES THAT ALL PUBLICLY ACCESSIBLE RESTROOMS HAVE SIDE WALL GRAB BARS, EITHER STATIONARY OR ON A SWIVEL MECHANISM, INSTALLED IN EVERY TOILET STALL, UNLESS IT WOULD BE TECHNICALLY UNFEASIBLE TO DO SO, BY JANUARY 1, 2021. ADDITIONALLY, IT IS FURTHER PROPOSED THAT, EFFECTIVE IMMEDIATELY, RENOVATIONS AND NEW CONSTRUCTION OF PUBLICLY ACCESSIBLE RESTROOMS WITH MORE THAN ONE TOILET STALL BE REQUIRED TO INCLUDE AT LEAST ONE TOILET OF THE MAXIMUM HEIGHT ALLOWED UNDER THE FEDERAL AMERICANS WITH DISABILITIES ACT OF 1990 IN ADDITION TO THE DISABLED-ACCESSIBLE TOILET STALLS, AS SPECIFIED, ALREADY REQUIRED; AND BE IT FURTHER

RESOLVED, THAT THE SENIOR LEGISLATURE OF THE STATE OF CALIFORNIA RESPECTFULLY MEMORIALIZES THE LEGISLATURE AND THE GOVERNOR OF THE STATE OF CALIFORNIA TO ENACT APPROPRIATE LEGISLATION THAT WOULD ADDRESS THE CONCERNS SET FORTH IN THIS MEASURE; AND BE IT FURTHER

RESOLVED, THAT A COPY OF THIS MEASURE BE TRANSMITTED TO THE SPEAKER OF THE ASSEMBLY, THE PRESIDENT PRO TEMPORE OF THE SENATE, AND THE GOVERNOR OF THE STATE OF CALIFORNIA.