

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 5147
OFFERED BY MR. CARSON OF INDIANA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Bathrooms Accessible
3 in Every Situation Act” or “BABIES Act”.

**4 SEC. 2. BABY CHANGING FACILITIES IN RESTROOMS IN
5 PUBLIC BUILDINGS.**

6 (a) IN GENERAL.—Chapter 33 of title 40, United
7 States Code, is amended—

8 (1) by redesignating sections 3314, 3315, and
9 3316 as sections 3315, 3316, and 3317, respectively;
10 and

11 (2) by inserting after section 3313 the following
12 new section:

13 “§ 3314. Baby changing facilities in restrooms

14 “(a) ADDITIONAL REQUIREMENT FOR THE CON-
15 STRUCTION, ALTERATION, AND ACQUISITION OF PUBLIC
16 BUILDINGS.—Except as provided in subsection (b) and
17 subject to any reasonable accommodations that may be
18 made for individuals in accordance with the Americans

1 with Disabilities Act (42 U.S.C. 12101 et seq.) restrooms
2 in a public building shall be equipped with baby changing
3 facilities that the Administrator determines are physically
4 safe, sanitary, and appropriate.

5 “(b) EXCEPTIONS.—The requirement under sub-
6 section (a) shall not apply—

7 “(1) to a restroom in a public building that is
8 not available or accessible for public use;

9 “(2) to a restroom in a public building that
10 contains clear and conspicuous signage indicating
11 where a restroom with a baby changing table is lo-
12 cated within the same section or corridor of such
13 public building; or

14 “(3) if new construction would be required to
15 install a baby changing facility in the public building
16 and the cost of such construction is unfeasible.

17 “(c) DEFINITIONS.—In this section:

18 “(1) BABY CHANGING FACILITY.—The term
19 ‘baby changing facility’ means a table or other de-
20 vice suitable for changing the diaper of a child age
21 3 or under.

22 “(2) PUBIC BUILDING.—The term ‘public build-
23 ing’ means a public building as defined in section
24 3301.”.

1 (b) CLERICAL AMENDMENT.—The analysis for such
2 chapter is amended by striking the items relating to sec-
3 tions 3314, 3315, and 3316 and inserting the following:

“3314. Baby changing facilities in restrooms.

“3315. Delegation.

“3316. Report to Congress.

“3317. Certain authority not affected.”.

4 (c) APPLICABILITY.—The requirement under section
5 3314(a) of title 40, United States Code, shall apply in the
6 case of a public building constructed, altered, or acquired
7 by the Administrator of General Services on or after the
8 date that is 1 year after the date of the enactment of this
9 section, beginning on that date.

Amend the title so as to read: “A bill To amend title
40, United States Code, to require restrooms in public
buildings to be equipped with baby changing facilities.”.

