

Legislative Analysis



REQUIRE ADULT CHANGING TABLES

Phone: (517) 373-8080
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House Bill 4649 (proposed substitute H-1)

Sponsor: Rep. Lori M. Stone

Committee: Regulatory Reform

Complete to 10-24-23

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4649 would amend the Stille-DeRossett-Hale Single State Construction Code Act to require that the owner of certain buildings or structures install and provide access to at least one height-adjustable, adult-sized changing table, with a privacy wall, in a toilet facility or other space in the building or structure that is universal as to gender and is available to the public. The location of the toilet facility or other facility where the changing table is located would have to be conspicuously displayed at the entrance of the building or structure, or place of recreation, where it is located. If the building or structure, or place of recreation, has a central directory, the location of the changing table would have to be indicated in the directory.

The requirement would apply to the following buildings or structures that are constructed (with an estimated cost of \$500,000 or more) or renovated (with an estimated cost of \$10,000 or more, if the renovation includes a toilet facility) on or after January 1, 2025:

- A building or structure, including any building or structure owned by the state, that has a maximum occupancy limit of 250 or more people.
- A building or structure used for exhibition or entertainment, including a movie theater, concert hall, convention center, shopping mall, or a store that is larger than 40,000 square feet.
- A building or structure used for public display or collection, including a museum, library, or gallery, that has a maximum occupancy limit of 750 or more people.
- A building or structure located in a place of recreation, including a park, zoo, or amusement park, that has a maximum occupancy limit of 1,000 or more people.
- Any of the following located in Michigan:
 - An airport, as defined in 49 USC 47102(16).¹
 - A bus station.
 - An interstate rest stop.
 - A hospital.
 - A rehabilitation facility with more than 10 full-time employees.
 - A place of education with more than 10 full-time employees.

Owners of affected buildings or structures would be required to comply with the bill in a manner consistent with all of the following:

- The federal Americans with Disabilities Act of 1990 (Public Law 101-336).
- The Persons with Disabilities Civil Rights Act.
- All federal, state or local regulations regarding public accommodation of persons with disabilities.

¹ A commercial service airport with more than 10,000 passenger boardings a year.

The bill would exempt the owner of an affected building or structure if complying with the requirements would be *technically infeasible*.

Technically infeasible would mean, with respect to an alteration of a building or structure, something that has little likelihood of being accomplished because existing structural conditions would require removing or altering a load-bearing member that is an essential part of the structural frame or because other existing physical or site constraints prohibit modification or addition of elements, spaces, or features that are in full and strict compliance with the minimum requirements.

The Department of Licensing and Regulatory Affairs would be authorized to promulgate rules to implement and enforce the bill.

Proposed MCL 125.1513h

FISCAL IMPACT:

The bill would increase costs to the state and local governments, including local school districts, intermediate school districts (ISDs), public school academies (PSAs), state universities, community colleges, and district libraries. Final costs would depend on many factors, including the total number of buildings that meet the criteria that would require the installation of at least one changing table, the percentage of those buildings that have a renovation project costing over \$10,000 each year, whether additional costs are needed to create a gender-universal restroom, whether two changing tables are installed for male and female restrooms instead of one, whether state or local governments would install more than the legal minimum number of changing tables in each building, vendor per-unit cost of each changing table, installation costs, and others. It would cost an estimated \$10,000 for purchase and installation of each changing table.

From a cursory assessment of state-owned buildings, it is estimated that the bill's average annual costs to purchase and install changing tables after January 2025 would be \$500,000 for state government. The cost increase for local entities, community colleges, and public universities would depend on how many buildings operated by that entity meet the criteria under the bill each year. As noted above, it would cost an estimated \$10,000 for each changing table installed under the bill's requirements.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.