
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 690 Session of
2019

INTRODUCED BY KORTZ, KINSEY, SCHLOSSBERG, BARRAR, HILL-EVANS,
CALTAGIRONE, YOUNGBLOOD AND McCLINTON, MARCH 5, 2019

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, MARCH 5, 2019

AN ACT

1 Providing for restroom access for certain customers of retail
2 establishments and imposing a penalty.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Restroom
7 Access Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "Customer." An individual who is lawfully on the premises of
13 a retail establishment and who uses an ostomy device or who
14 suffers from an inflammatory bowel disease, such as Crohn's
15 disease, ulcerative colitis or any other medical condition that
16 requires immediate access to a toilet facility.

17 "Retail establishment." A place of business open to the
18 general public for the sale of goods or services.

1 Section 3. Customer access to retail establishment toilet
2 facilities.

3 A retail establishment that has a toilet facility for its
4 employees shall allow a customer to use that facility during
5 normal business hours if all of the following apply:

6 (1) The toilet facility is not located in an area where
7 providing access would create an obvious health or safety
8 risk to the customer or an obvious security risk to the
9 retail establishment.

10 (2) A public restroom is not immediately accessible to
11 the customer.

12 (3) The customer provides the retail establishment with
13 evidence that the customer uses an ostomy device or suffers
14 from an inflammatory bowel disease, such as Crohn's disease,
15 ulcerative colitis or any other medical condition that
16 requires immediate access to a toilet facility, by providing
17 documentation in writing by the customer's physician or an
18 identification card that is issued to the customer by a
19 nonprofit organization whose purpose includes serving
20 individuals who suffer from such disease or condition.

21 Section 4. Penalty and jurisdiction.

22 (a) Penalty.--A retail establishment that violates the
23 provisions of this act is subject to a civil penalty of up to
24 \$500.

25 (b) Jurisdiction.--The magisterial district judge for the
26 jurisdiction in which the retail establishment is located may
27 impose the civil penalty authorized under this section.

28 Section 5. Effective date.

29 This act shall take effect immediately.