



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3093

Introduced 2/17/2023, by Rep. Barbara Hernandez

SYNOPSIS AS INTRODUCED:

410 ILCS 35/20 from Ch. 111 1/2, par. 3751-20
410 ILCS 35/30 new
410 ILCS 35/35 new

Amends the Equitable Restrooms Act. Provides that every public restroom open to the public shall include menstrual hygiene products at no cost to the users of that public restroom. Provides that all menstrual hygiene products shall be placed within the public restroom and be openly accessible to users of that public restroom. Provides that the entity providing the public restroom shall be responsible for ordering, stocking, and replenishing the supply of menstrual hygiene products in the public restroom. Provides that the provisions do not apply to mosques, temples, churches, or other places of worship. Includes provisions relating to inspection of public restrooms and rules that the Department of Public Health shall adopt. Provides that a violation of provisions relating to baby changing stations, all-gender single-occupancy restrooms, and menstrual hygiene products is a petty offense with a fine of not more than \$100. Effective immediately.

LRB103 30407 AWJ 56837 b

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Equitable Restrooms Act is amended by
5 changing Section 20 and by adding Sections 30 and 35 as
6 follows:

7 (410 ILCS 35/20) (from Ch. 111 1/2, par. 3751-20)

8 Sec. 20. Application. Except for Section 25 and Section
9 30, this Act applies only to places of public accommodation
10 that commence construction, or that commence alterations
11 exceeding 50% of the entire place of public accommodation,
12 after the effective date of this Act.

13 (Source: P.A. 101-165, eff. 1-1-20.)

14 (410 ILCS 35/30 new)

15 Sec. 30. Menstrual hygiene products in public restrooms.

16 (a) The General Assembly finds that:

17 (1) menstrual hygiene products are a health care
18 necessity and not an item that can be forgone or
19 substituted easily; and

20 (2) access to menstrual hygiene products is a serious
21 and ongoing need in this State.

22 (b) As used in this Section:

1 "Menstrual hygiene products" means tampons and sanitary
2 napkins for use in connection with the menstrual cycle.

3 "Public restroom" means a public toilet facility that is
4 required by applicable law to be made available to customers,
5 patrons, visitors, employees, licensees, invitees, students,
6 or other members of the public.

7 (c) This Section applies to any existing or future public
8 buildings, as that term is defined in Section 18.

9 (d) Notwithstanding any other provision of law, every
10 public restroom open to the public shall include menstrual
11 hygiene products at no cost to the users of that public
12 restroom. All menstrual hygiene products shall be placed
13 within the public restroom and be openly accessible to users
14 of that public restroom. The entity providing a public
15 restroom shall be responsible for ordering, stocking, and
16 replenishing the supply of menstrual hygiene products in the
17 public restroom. This subsection does not apply to mosques,
18 temples, churches, and other places of worship if compliance
19 with the provision would conflict with the entity's sincerely
20 held religious beliefs, practices, or observances.

21 (e) During any inspection of a public building by a health
22 officer or health inspector, the health officer or health
23 inspector may inspect the public building to determine whether
24 it complies with this Section.

25 (f) The Department of Public Health shall adopt rules to
26 implement this Section.

1 (410 ILCS 35/35 new)

2 Sec. 35. Violation. A place of public accommodation or a
3 public building that violates Section 18, Section 25, or
4 Section 30 is guilty of a petty offense. The penalty is a fine
5 of not more than \$100.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.