

By: Representative Crawford

To: Public Property;
Appropriations

HOUSE BILL NO. 1048

1 AN ACT TO AMEND SECTION 43-6-113, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE EACH PUBLIC BUILDING UNDER THE POWER AND CONTROL OF THE
3 STATE OR ANY OF ITS POLITICAL SUBDIVISIONS, AS WELL AS ANY PRIVATE
4 OR COMMERCIAL BUSINESS THAT IS OPEN TO THE PUBLIC FOR ASSEMBLY OR
5 AMUSEMENT PURPOSES AND CONSTRUCTED ON OR AFTER JULY 1, 2023, TO
6 HAVE AT LEAST ONE RESTROOM FACILITY LOCATED THEREIN WITH AN ADULT
7 CHANGING STATION FOR PERSONS WITH PHYSICAL DISABILITIES; TO
8 REQUIRE SUCH BUILDINGS THAT WERE CONSTRUCTED BEFORE JULY 1, 2023,
9 TO INSTALL AND MAINTAIN AN ADULT CHANGING STATION BY JANUARY 1,
10 2026; AND FOR RELATED PURPOSES.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

12 **SECTION 1.** Section 43-6-113, Mississippi Code of 1972, is
13 amended as follows:

14 43-6-113. (1) An appropriate number of * * * restrooms
15 shall be accessible to, and usable by, the physically handicapped
16 and shall have space to allow traffic of individuals in
17 wheelchairs.

18 (2) * * * Restrooms for each sex shall have at least one (1)
19 toilet stall that: (a) is three (3') feet wide; (b) is at least
20 four (4') feet eight (8") inches, preferably five (5') feet deep;
21 (c) has a door (where doors are used) that is thirty-two (32")
22 inches wide and swings out; (d) has handrails on each side,



23 thirty-three (33") inches high and parallel to the floor, one and
24 one-half (1½") inches in outside diameter, with one and one-half
25 (1½) inches clearance between rail and wall, and fastened securely
26 at ends and center; and (e) has a water closet with the seat
27 twenty (20") inches from the floor.

28 (3) * * * Restrooms shall have at least one (1) lavatory
29 with a narrow apron, which when mounted at standard height is
30 usable by individuals in wheelchairs, or shall have lavatories
31 mounted higher, when particular designs demand, so that they are
32 usable by individuals in wheelchairs.

33 (4) Mirrors and shelves shall be provided above such
34 lavatory at a height as low as practicable and no higher than
35 forty (40") inches above the floor, measured from the top of the
36 shelf and the bottom of the mirror.

37 (5) * * * Restrooms for men which have wall-mounted urinals
38 shall have an appropriate number of such urinals with the opening
39 of the basin nineteen (19") inches from the floor, or shall have
40 floor-mounted urinals that are on level with the main floor of
41 the * * * restroom.

42 (6) * * * Restrooms shall have an appropriate number of
43 towel racks, towel dispensers, and other dispensers and disposal
44 units mounted with openings of dispensers or receptacles no higher
45 than forty (40") inches from the floor.

46 (7) Each public building under the power and control of the
47 state or any of its political subdivisions, as well as any private



48 or commercial business that is open to the public for assembly or
49 amusement purposes constructed on or after July 1, 2023, shall
50 have at least one (1) restroom facility located therein with an
51 adult changing station for persons with physical disabilities,
52 which is accessible to both men and women. By January 1, 2026,
53 each public building, private or commercial business that is open
54 to the public for assembly or amusement purposes, which was
55 constructed before July 1, 2023, shall install and maintain an
56 adult changing station for persons with physical disabilities,
57 which is accessible to both men and women. The adult changing
58 station shall meet all of the following requirements:

59 (a) (i) Has conspicuous signage at the entrance of
60 each adult changing station indicating the location of the
61 station; and

62 (ii) If there is a central directory, the
63 directory shall indicate the location of the adult changing
64 station;

65 (b) Has a table with a weight capacity of at least four
66 hundred (400) pounds;

67 (c) Has a table with a minimum length of at least
68 seventy-two (72) inches and a minimum width of at least eighteen
69 (18) inches from the wall;

70 (d) Has a table that sits at a minimum height of
71 eighteen (18) inches from the floor;



72 (e) Is located in an enclosed area of the restroom that
73 fits the table in an open position that accommodates a wheelchair
74 and a caregiver.

75 (8) For purposes of this section, the following terms shall
76 have the meaning ascribed in this subsection, unless the context
77 clearly requires otherwise:

78 (a) "Adult changing station" means an area in which an
79 adult changing table has been placed within an enclosed restroom
80 facility that is for use by persons with physical disabilities who
81 are in need of assistance with diapering.

82 (b) "Adult changing table" means a wall mounted,
83 folding ergonomic table for the special needs diapering of adults.

84 (c) "Place of public assembly or amusement" means an
85 auditorium, convention center, cultural complex, exhibition hall,
86 permanent amusement park structure, sports arena or theater or
87 movie house that has a minimum occupancy capacity of five hundred
88 (500) people.

89 (d) "Physical disability" means a permanent physical
90 disability, mental illness or intellectual disability as defined
91 in the Americans with Disabilities Act of 1990, as amended.

92 **SECTION 2.** This act shall take effect and be in force from
93 and after July 1, 2023.

