

SENATE FILE NO. SF0073

Restroom access-medical conditions.

Sponsored by: Senator(s) Bebout and Representative(s)
McOmie and Miller

A BILL

for

1 AN ACT relating to public health and safety; creating the
2 restroom facility access card program as specified;
3 granting card holders access to restroom facilities in all
4 retail businesses as specified; granting rulemaking
5 authority; providing a penalty; and providing for an
6 effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 35-4-901 and 35-4-902 are created to
11 read:

12

13 ARTICLE 9

14 RESTROOM FACILITY ACCESS

15

1 **35-4-901. Issuance of restroom facility access card;**
2 **granting of rulemaking authority; definitions.**

3

4 (a) The department of health shall issue a restroom
5 facility access card to an applicant submitting a letter
6 from his physician stating the applicant has an eligible
7 medical condition that requires immediate access to a
8 restroom facility. A restroom facility access card issued
9 by the department of health shall state:

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11 (i) The name of the card holder;

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13 (ii) That the card holder has an eligible
14 medical condition which is recognized by the department of
15 health as requiring immediate access to restroom
16 facilities;

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18 (iii) That any retail establishment with a
19 restroom facility located on the premises that is not
20 available for use by the general public shall allow the
21 card holder to use the restroom facility during normal
22 business hours;

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1 (iv) The penalty for failure to allow the card
2 holder to use a restroom facility as provided by W.S.
3 35-4-902;

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5 (v) The expiration date of the restroom facility
6 access card.

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8 (b) A restroom facility access card issued under this
9 section shall expire one (1) year after the issuance date
10 of the card. To renew the card, a card holder shall submit
11 a letter from his physician stating that the card holder
12 continues to suffer from the eligible medical condition and
13 that reissuance of his restroom facility card is medically
14 necessary.

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16 (c) The department may promulgate rules for the
17 administration and implementation of this article.

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19 (d) A retail establishment is not required to make
20 any physical changes to a restroom facility to comply with
21 this article.

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23 (e) As used in this article:

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1 (i) "Eligible medical condition" means Crohn's
2 disease, ulcerative colitis, irritable bowel syndrome, or
3 any other permanent or temporary medical condition that
4 requires immediate access to a restroom facility;

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6 (ii) "Physician" means a person authorized or
7 licensed to practice medicine as provided in W.S. 33-26-101
8 through 33-26-601;

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10 (iii) "Retail establishment" means a place of
11 business open to the general public for the sale of goods
12 or services;

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14 (iv) "Restroom facility" means a toilet facility
15 located on the premise of a retail establishment that is
16 not available for use by the general public.

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18 **35-4-902. Penalty.**

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20 Refusal by an employee of a retail establishment to provide
21 a card holder with access to a restroom facility as
22 required by this article is a misdemeanor punishable by a
23 fine of not more than one hundred dollars (\$100.00).

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1 **Section 2.** This act is effective July 1, 2008.

2

3 (END)