

CONSENT CALENDAR

February 8, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Health, Human Services and Elderly
Affairs to which was referred HB 1130-FN,**

**AN ACT relative to restroom access for persons with
certain medical conditions. Having considered the
same, report the same with the following amendment,
and the recommendation that the bill OUGHT TO PASS
WITH AMENDMENT.**

Rep. Lucy Weber

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Health, Human Services and Elderly Affairs
Bill Number:	HB 1130-FN
Title:	relative to restroom access for persons with certain medical conditions.
Date:	February 8, 2022
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2022-0542h

STATEMENT OF INTENT

This bill, as amended, provides access to an employee restroom for persons who have certain medical conditions including Crohn's disease, ulcerative colitis, use of an ostomy device, and other medical conditions that may require immediate bathroom access at retail establishments which do not provide public restrooms. The existence of the medical condition would be proven by a card signed by a health care provider, by an identifying card from a national association or by other reasonable evidence of a qualifying condition. Access is required only when the employee toilet facility is not located in an area where providing access would create a health or safety risk for the customer, or a safety risk to an employee of the establishment. The amendment also removed a penalty of \$1000 for retail establishments not complying with the statute. Committee members believe that \$1000 is too great a burden on a small retail establishment, and although this leaves the statute without the "teeth" that would be provided by a penalty, this was a good balance between the access needed by the customer and the potential burden on the business.

Vote 21-0.

Rep. Lucy Weber
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Health, Human Services and Elderly Affairs

HB 1130-FN, relative to restroom access for persons with certain medical conditions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. This bill, as amended, provides access to an employee restroom for persons who have certain medical conditions including Crohn's disease, ulcerative colitis, use of an ostomy device, and other medical conditions that may require immediate bathroom access at retail establishments which do not provide public restrooms. The existence of the medical condition would be proven by a card signed by a health care provider, by an identifying card from a national association or by other reasonable evidence of a qualifying condition. Access is required only when the employee toilet facility is not located in an area where providing access would create a health or safety risk for the customer, or a safety risk to an employee of the establishment. The amendment also removed a penalty of \$1000 for retail establishments not complying with the statute. Committee members believe that \$1000 is too great a burden on a small retail establishment, and although this leaves the statute without the "teeth" that would be provided by a penalty, this was a good balance between the access needed by the customer and the potential burden on the business. **Vote 21-0.**

Original: House Clerk

Cc: Committee Bill File

Rep. Weber, Ches. 1
February 7, 2022
2022-0542h
05/08

Amendment to HB 1130-FN

1 Amend RSA 155:82, III as inserted by section 3 of the bill by replacing it with the following:

2

3 III. The employee toilet facility is not located in an area where providing access would create
4 a health or safety risk to the customer, and providing access to the toilet facility would not pose a
5 risk to an employee.

6

7 Amend RSA 155 as inserted by section 3 of the bill by deleting RSA 155:83.

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

EXECUTIVE SESSION on Bill # HB1130-FN

BILL TITLE: An Act relative to restroom access for persons with certain medical conditions.

DATE: 2/8/2022

LOB ROOM: 210-11

MOTION:

Adoption of Amendment # 2022-0542h

Moved by Rep. Weber Seconded by Rep. Kelsey Vote: 21-0

MOTION:

OTP/A

Moved by Rep. Weber Seconded by Rep. DeLemus Vote: 21-0

CONSENT CALENDAR: **YES** **NO**

Minority Report? Yes No If yes, author, Rep: _____ Motion _____

Respectfully submitted: _____ baf
Rep. Beth Folsom, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK



9/28/2021 11:15:01 AM
Roll Call Committee Registers
Report

2022 SESSION

Health, Human Services and Elderly Affairs

Bill #: HB1130-FN **Motion:** _____ **AM #:** 2022-0542h **Exec Session Date:** 2/8/2022

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Pearson, Mark A. Chairman	Y		
Layon, Erica J. Vice Chairman	Y		
McMahon, Charles E.	Y		
Acton, Dennis F.	Y		
Gay, Betty I.	Y		
Cushman, Leah P.	Y		
Folsom, Beth A. Clerk	Y		
Kelsey, Niki	Y		
King, Bill C.	Y		
Renzullo,	Y		
DeLemus, Susan	Y		
Weber, Lucy M.	Y		
MacKay, James R.	Y		
Snow, Kendall A.	Y		
Knirk, Jerry L.	Y		
Salloway, Jeffrey C.	Y		
Cannon, Gerri D.	Y		
Nutter-Upham, Frances E.	Y		
Schapiro, Joe	Y		
Woods, Gary L.	Y		
Merchant, Gary	Y		
TOTAL VOTE:	21	0	

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK



9/28/2021 11:15:01 AM
Roll Call Committee Registers
Report

2022 SESSION

Health, Human Services and Elderly Affairs

Bill #: HB1130-FN **Motion:** OTPA **AM #:** 2022-0542h **Exec Session Date:** 2/8/2022

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Pearson, Mark A. Chairman	Y		
Layon, Erica J. Vice Chairman	Y		
McMahon, Charles E.	Y		
Acton, Dennis F.	Y		
Gay, Betty I.	Y		
Cushman, Leah P.	Y		
Folsom, Beth A. Clerk	Y		
Kelsey, Niki	Y		
King, Bill C.	Y		
Renzullo,	Y		
DeLemus, Susan	Y		
Weber, Lucy M.	Y		
MacKay, James R.	Y		
Snow, Kendall A.	Y		
Knirk, Jerry L.	Y		
Salloway, Jeffrey C.	Y		
Cannon, Gerri D.	Y		
Nutter-Upham, Frances E.	Y		
Schapiro, Joe	Y		
Woods, Gary L.	Y		
Merchant, Gary	Y		
TOTAL VOTE:	21	0	

Rep. Weber, Ches. 1
February 7, 2022
2022-0542h
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3 III. The employee toilet facility is not located in an area where providing access would create
4 a health or safety risk to the customer, and providing access to the toilet facility would not pose a
5 risk to an employee.

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7 Amend RSA 155 as inserted by section 3 of the bill by deleting RSA 155:83.

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

PUBLIC HEARING on Bill # HB 1130-FN

BILL TITLE: An Act relative to restroom access for persons with certain medical conditions.

DATE: 01/12/2022

ROOM: LOB 210-11

Time Public Hearing Called to Order: 1:05

Time Adjourned: 1:38

Committee Members: Reps. M. Pearson, Layon, Folsom, Acton, Gay, Cushman, Kelsey, B. King, Kofalt, Weber, MacKay, Query, Knirk, Salloway, Cannon, Nutter-Upham, Schapiro, Woods and Merchant, Murray

TESTIMONY

Representative Schmidt - introduced the bill

It is specific to what it allows as eligible medical conditions. Requires a medical provider signature.

- please also add urinary conditions
- protections against false use
- hazard to employee?
- what a card would look like

Matthew Sullivan, Bedford

- citizen presented personal story of need as an Ostomate
- was thanked for his testimony

Randi Mahoney - Nashua citizen provided

Gave description of situations, what it can lead to, and what preparations are needed just to leave home. She is a Crohn's patient

- what other states are doing
- what other conditions could be included
- signage

Respectfully submitted,

Rep. Beth Folsom, Clerk

House Remote Testify

Health, Human Services and Elderly Affairs Committee Testify List for Bill HB1130 on 2022-01-11

Support: 79 Oppose: 20 Neutral: 0 Total to Testify: 0

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Donnelly, Ryan	Hudson, NH rdonnelly@gsil.org	A Member of the Public	Granite State Independent Living	Support	No	No	1/10/2022 4:38 PM
POST, LISA CM	Lyndeborough, NH Lisa.Post@leg.state.nh.us	An Elected Official	Myself	Support	No	No	1/11/2022 7:33 AM
Meuse, David	Portsmouth, NH David.Meuse@leg.state.nh.us	An Elected Official	Rockingham 29	Support	No	No	1/11/2022 7:34 AM

Archived: Wednesday, February 9, 2022 9:17:11 AM
From: [Matt Sullivan](#)
Sent: Tuesday, February 8, 2022 9:37:45 AM
To: [~House Health Human Services and Elderly Affairs](#)
Subject: Expressing Support for HB-1130 FN
Importance: Normal

Mr. Chairman and Members of the Health, Human Services, and Elderly Affairs Committee:

My name is Matthew Sullivan, and I am a resident of Bedford. I was before the committee in January to voice my support for HB 1130 FN, related to providing restroom access for those with certain medical conditions. I write to you this morning before the Executive Session to once again express my support for the bill as one that ought to be quick to pass to the floor.

As stated at the hearing, I live with two of the applicable conditions: Crohn's disease and an ostomy. Both can create a sudden need for a bathroom, where seconds and minutes matter. While most retail establishments have public restrooms, it can become a form of roulette to pick the right one. When the wrong business is chosen, it can be an embarrassment for the patient.

With this type of uncertainty in our lives, especially when a disease is causing a "flare", sometimes a patient needs to weigh the potential consequences when deciding to leave the house. This could mean missing work, not being able to go out, and not conducting business & shopping in the community. We can all remember the sense of isolation from the early COVID lockdowns, and this is akin to what Inflammatory Bowel Disease (IBD) patients can experience time and again.

Several members of the committee expressed expanding the bill to include other medical conditions, and I will go out on a limb to express the sentiment of all IBD patients: YES! We lose nothing from increased equity for those that need a restroom, whether it be from a disease, pregnancy, or even just a bad lunch. But, a similar bill with broad uses has come before the committee in the past, only to be deemed ITL. The language in this bill is more narrow, and could likely serve as a means to test the waters before reviewing expanded uses in the future. There is no need to rush into something that has already been proven to be an obstacle in the past.

Besides being a patient of chronic illness, my wife and I are partners in a small business in Rochester. We understand the concerns related to the safety of employees and patrons. I believe the bill has language to cover such issues, allowing denial to a bathroom if there is a safety issue for either party involved. I know that we keep our restroom facilities clean and safe for our staff, and I hope that all businesses would do the same. In the case of a single employee, let them deny access. The supporters of this bill are not asking for carte blanche access to every toilet in the world, just increased access to what we experience today.

I will say that in the nearly 30 years of living with this illness, I have only been denied restroom access 8-10 times. Most employees and businesses are kind and generous for those in some obvious plight. But, the times where I was denied was simply because of "policy" or "liability, two words often just thrown around like some sort of unmovable force. The last thing I want to do is kindness, but this is more than that; this is about giving hope to a group of Granite Staters that need just a little bit more in their lives.

People often love to quote the line from Robert Frost's poem "Mending Wall", "Good fences make good neighbors." But it is often overlooked that it is the poem is a story of two neighbors coming

together to build and repair a wall, part of their community. That is what this bill has the opportunity to do: build a better New Hampshire.

Thank you for all your efforts, and I hope I get to see this bill be designated as "Ought to Pass."

Regards,
Matthew Sullivan
Bedford, NH

Majority Reports

Submitted by: Rep. Stephen T. Pelkey, Commerce

HB764 (ITL) – This bill would require any private business to offer lavatory facilities to any person in cases of emergency. Current law requires only public buildings as well as bars and restaurants (or businesses that serve food) to provide lavatory facilities. The committee was unanimous with the difficulty of first establishing the definition of emergency and second mandating businesses to allow the public use of their facilities which for many would require extensive remodeling to meet access needs of the public as well as ADA compliant. The committee further felt that local control of building codes is the appropriate authority having jurisdiction beyond existing law.

(75)

~~HB831 (ITL) – This bill would require the pharmacist or designee to notify a consumer that a particular prescription needed to be renewed. By allowing this bill as written, the pharmacist would bear the burden of liability which is clearly unintended. The consequences could very well mean eventual higher costs to the consumers due to increased liability, handling and administrative costs of the pharmacies. The committee unanimously viewed this bill as the consumer's responsibility to manage his or her own prescriptions.~~

~~HB853 (ITL) – This bill would have no effect or demands on the federal government to change our federal reserve system and therefore would be a poor use of our legislative resources. Although the sponsors intent is to surface the discussion of fiat currency, the majority of the committee felt strongly that it should not be part of our legislative process. However, in support of the sponsors intent, Thomas Jefferson was claimed to have said that, "If the American people ever allow private banks to control the issue of their money, first by inflation and then by deflation, the banks and corporations that will grow up around them will deprive the people of their property until their children will wake up homeless on the continent their fathers conquered." With that said, the Federal Reserve (a private bank) which controls our money (paper aka "fiat money" which is defined as inconvertible paper by a government decree which is backed insufficiently by gold and by the levying of future taxes) falls exclusively under the jurisdiction of the United States government, not the State of New Hampshire.~~

Archived: Thursday, January 20, 2022 3:35:05 PM
From: [Sierra Christine Querns](#)
Sent: Tuesday, January 11, 2022 10:23:17 AM
To: ~House Health Human Services and Elderly Affairs
Subject: HB 1130
Importance: Normal

Dear Honorable Members of the Health and Human Services Committee,

> I am writing on behalf of HB 1130 and how important it is to myself and many others in our community. Passing this bill would help provide not only relief to many chronically ill members of our state, but also peace of mind knowing they have options.

>

> As someone who suffers from IBD (specifically ulcerative colitis), there have been many instances in which I relied on public restrooms due to issues relating to my disease. Because of the anxiety that IBD causes, I am constantly aware of and searching for bathrooms around me in case of emergency anytime I leave the house. Rarely have I had to ask a private business for a restroom, but there have been times when I have because I simply wasn't able to make it to another restroom in time and would have straight up soiled myself otherwise. It has nothing to do with being a clean person or "going before you leave" - it's a symptom of chronic illness.

>

> Thank you for your serious consideration of this bill - you are able to improve the lives of many. Having the peace of mind that it's lawfully required to allow an IBD patient access to a bathroom is a huge relief for citizens like myself.

>

> Thank you,

>

> Sierra Querns

> Nashua, NH

Archived: Thursday, January 20, 2022 3:35:05 PM
From: [Sierra Christine Querns](#)
Sent: Tuesday, January 11, 2022 10:17:42 AM
To: ~House Health Human Services and Elderly Affairs
Subject: HB 1130
Importance: Normal

Dear Honorable Members of the Health and Human Services Committee,

I am writing on behalf of HB 1130 and how important it is to myself and many others in our community. Passing this bill would help provide not only relief to many chronically ill members of our state, but also peace of mind knowing they have options.

As someone who suffers from IBD (specifically ulcerative colitis), there have been many instances in which I relied on public restrooms due to issues relating to my disease. Because of the anxiety that IBD causes, I am constantly aware of and searching for bathrooms around me in case of emergency anytime I leave the house. Rarely have I had to ask a private business for a restroom, but there have been times when I have because I simply wasn't able to make it to another restroom in time and would have straight up soiled myself otherwise. It has nothing to do with being a clean person or "going before you leave" - it's a symptom of chronic illness.

Thank you for your serious consideration of this bill - you are able to improve the lives of many. Having the peace of mind that it's lawfully required to allow an IBD patient access to a bathroom is a huge relief for citizens like myself.

Thank you,

Sierra Querns
Nashua, NH

Archived: Thursday, January 20, 2022 3:35:05 PM
From: [Julia Sullivan](#)
Sent: Sunday, January 9, 2022 1:53:12 PM
To: [~House Health Human Services and Elderly Affairs](#)
Subject: Support for HB 1130
Importance: Normal

Dear Honorable Members of the Health and Human Services Committee:

I'm writing today to ask you to support the bathroom access bill HB 1130. The protection this offers people with sometimes debilitating medical conditions can offer a huge positive impact on lives, with minimal impact to anyone else.

I have one elderly family member who lost much of their lower digestive system to colon cancer. This person doesn't eat when they are out of the house, no matter how long they will be out, for fear of an urgent need to use the restroom.

I also have a child who has suffered from a bowel condition. We actually had to homeschool him until it got sufficiently under control. Seeing the impact of bowel incontinence, especially when an incident occurred in public, was heartbreaking. His body simply didn't signal the need to find a restroom until the very last minute, and then he had to either access one immediately, or deal with the humiliation and the cleanup of an accident.

I hope this bill passes to ease the burden of these conditions for their sufferers, and allow them to enjoy access to activities in the community along with everyone else.

Respectfully,
Julia Sullivan
Nashua, NH

Archived: Thursday, January 20, 2022 3:35:05 PM
From: Alexis Lambdin
Sent: Friday, January 7, 2022 11:07:09 PM
To: ~House Health Human Services and Elderly Affairs
Subject: HB #1130
Importance: Normal

Dear Honorable Members of the Health and Human Services Committee,
I'm sending this message to ask that you pass HB #1130. IBS affects between 25 and 45 Million Americans, and 2/3 of those affected are women. When people suffering from IBS experience flare ups they do not have the option the wait. Not having access to bathrooms can lead to feelings humiliation, embaressment, and isolation. I have friends personally who have had accidents because stores would not allow them use their bathroom and they could not even make it out of the store. I have friends who feel like they can go places unless they have a plan for a flare up or know of a nearby restroom.
I ask for your compassion and humanity to please strongly considering HB #1130.

Thank you for your consideration,
Alexis Lambdin

Archived: Thursday, January 20, 2022 3:35:05 PM
From: [6039664526](#)
Sent: Thursday, January 6, 2022 9:29:49 AM
To: ~House Health Human Services and Elderly Affairs
Subject: HB1130
Importance: Normal

Dear Honorable Members of the Health & Human Services Committee:

This bill includes assistance which after you have duly read and understood the particulars will allow a vote to pass HB#1130.

Sincerely,
Norma Valley
Nashua, NH

Sent from my iPad

Archived: Thursday, January 20, 2022 3:35:05 PM
From: [Michelle Blake](#)
Sent: Thursday, January 6, 2022 8:46:20 AM
To: ~House Health Human Services and Elderly Affairs
Subject: FW: Bill # HB 1130
Importance: Normal

Dear Honorable Members of the Health and Human Services Committee:

Please consider passing this Bill (#HB 1130) in New Hampshire. I have suffered with Crohn's disease since I was in my 20's (30 years now). Passing this bill would certainly make my life easier.

Unless you have suffered with one of these illnesses (Crohn's, IBS, IBD) you have no idea how much passing this Bill would help.

Thank you,

Michelle Blake

18 Williams Drive
Hudson, NH 03051
E: michellb54@gmail.com

Archived: Thursday, January 20, 2022 3:36:19 PM
From: [Jan Schmidt](#)
Sent: Friday, January 7, 2022 11:11:02 AM
To: ~House Health Human Services and Elderly Affairs
Cc: [Catherine Rombeau](#)
Subject: HB1130 - relative to restroom access for persons with certain medical conditions
Importance: Normal
Attachments:
[gencourt.state.nh.usBillHistorySofS_Archives2007houseHB764H.pdf](#) ;

On doing my due diligence and in consideration of your time and the use of paper.

I will provide via PDF, the last bill on bathroom access in NH. At least I think it was. 30 pages, a bill that was very simple with no definitions or limits, and it was found ITL

From 2007

Regards,
Jan

Representative Jan Schmidt
Proud Chair of the Nashua Delegation

At [Home: Tesha4@gmail.com](mailto:Tesha4@gmail.com)
11 Pope Circle, Nashua NH 03063
Hillsborough District 28, Ward 1 Nashua

In Concord: Jan.Schmidt@leg.state.nh.us
NH House of Representatives
Labor, Industrial, and Rehabilitative Services Committee
Room 307 Legislative Office Building



Archived: Tuesday, February 8, 2022 9:08:09 AM
From: [Cassandra Levesque](#)
Sent: Tuesday, February 8, 2022 7:15:26 AM
To: [~House Health Human Services and Elderly Affairs](#)
Subject: Testimony in support of HB1130-FN
Importance: Normal

Testimony in support of HB1130-FN

Inflammatory Bowel Disease can affect anyone, no matter their gender, age, race, or ethnicity. People, both children, and adults with IBD all too often suffer for years before they begin the journey toward an accurate diagnosis and treatment, often there is no known cause or cure. They live with symptoms, such as diarrhea, fatigue, abdominal pain and cramping, blood in their stool, reduced appetite and unintended weight loss, and even inflammation and sores (ulcers) along the superficial lining of the large intestine and rectum.

However, there is another aspect that people with these conditions have to live with. They have to live with the fact that at any time, anywhere they could have a flare up and they have to have access to a restroom immediately or they will have an embarrassing accident, something completely out of their control. Many IBD patients worry about whether or not they will have access to a restroom in public. Unfortunately, not all public retail establishments have public restrooms available, and there have been incidents in which IBD patients have been denied access to employee-only restrooms.

The Restroom Access Act (also known as Ally's Law or the Crohn's & Colitis Fairness Act) seeks to ensure that people with certain medical conditions have access to employee-only restrooms when a public one is unavailable. This is truly a bill that would show some human compassion, give people their dignity and truly help people. I urge you to please support our local community members and pass this bill.

Thank you,
Representative Cassandra Levesque
Strafford 4 - Barrington

HB 1130-FN - AS INTRODUCED

2022 SESSION

22-2238

05/08

HOUSE BILL ***1130-FN***

AN ACT relative to restroom access for persons with certain medical conditions.

SPONSORS: Rep. J. Schmidt, Hills. 28; Rep. Levesque, Straf. 4; Rep. Cohen, Hills. 28

COMMITTEE: Health, Human Services and Elderly Affairs

ANALYSIS

This bill requires retail establishments to allow individuals with medical conditions, like Crohn's disease and colitis, to use employee toilet facilities under certain circumstances.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~in brackets and struckthrough.~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to restroom access for persons with certain medical conditions.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Title. This act shall be known and may be cited as the “Crohn’s and Colitis Fairness Act” or
2 the “Restroom Access Act”.

3 2 Purpose. The general court hereby finds and declares that:

4 I. Crohn’s disease and ulcerative colitis, collectively known as inflammatory bowel disease
5 (IBD), are painful, medically incurable diseases that affect the digestive system resulting in
6 symptoms that include loss of bowel control and require urgent and sudden use of a restroom.

7 II. Denying restroom access to IBD patients can lead to embarrassing, avoidable accidents
8 that can cause extreme emotional distress.

9 III. As IBD affects numerous people in this state, and as increasing numbers of people are
10 being diagnosed with IBD, it is in the public interest to ensure that these patients can access a
11 restroom in an emergency.

12 3 New Subdivision. Amend RSA 155 by inserting after section 80 the following new subdivision:

13 Restroom Access Act

14 155:81 Definitions. In this subdivision:

15 I. “Eligible medical condition” means Crohn’s disease, ulcerative colitis, any other
16 inflammatory bowel disease, irritable bowel disease syndrome, or any other medical condition that
17 requires the use of an ostomy device or immediate access to a toilet facility.

18 II. “Retail establishment” means a place of business open to the general public for the sale of
19 goods or services.

20 155:82 Restroom Access. A retail establishment that has a toilet facility for its employees shall
21 allow any individual who is lawfully on the premises of such place of business to use that toilet
22 facility during normal business hours, even if the place of business does not normally make the
23 employee toilet facility available to the public, provided that the following conditions are met:

24 I. The individual requesting the use of the employee toilet facility suffers from an eligible
25 medication condition or utilizes an ostomy device, as evidenced by a signed document from a health
26 care provider, an identification card from a national association, or other reasonable evidence of a
27 qualifying medical condition.

28 II. A public restroom is not immediately accessible to the customer.

29 III. The employee toilet facility is not located in an area where providing access would create
30 a health or safety risk to the customer.

HB 1130-FN - AS INTRODUCED

- Page 2 -

- 1 155:83 Violations and Enforcement. A retail establishment or an employee of a retail
- 2 establishment found in violation of RSA 155:82 shall be subject to a fine of \$1,000.
- 3 4 Effective Date. This act shall take effect upon its passage.

**HB 1130-FN- FISCAL NOTE
 AS INTRODUCED**

AN ACT relative to restroom access for persons with certain medical conditions.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

METHODOLOGY:

This bill requires retail establishments to allow individuals with eligible medical conditions to use employee toilet facilities under certain circumstances as well as establishing a fine for any retail establishment or an employee of a retail establishment in violation of the statute. There is no method to determine how many violation charges would be brought as a result of the changes contained in this bill to determine the fiscal impact on state General Fund expenditures or revenue.

It is assumed any fiscal impact from this bill will not occur until after FY 2022.

AGENCIES CONTACTED:

None