

# HB478 INTRODUCED



1 HB478  
2 JP873YN-1  
3 By Representative Ingram  
4 RFD: Commerce and Small Business  
5 First Read: 19-Feb-26



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SYNOPSIS:

This bill would require a retail establishment that has an employee toilet facility to allow customers with medical conditions that require immediate access to a toilet facility to use an employee toilet facility under certain conditions.

This bill would require that a customer requesting access to an employee toilet facility provide evidence of his or her medical condition to the retail establishment.

This bill would provide that a retail establishment providing access to an employee toilet facility does not owe a customer a greater degree of care than is owed to a licensee on the premises.

This bill would not require a retail establishment to make any physical changes to an employee toilet facility.

This bill would establish that a refusal to comply with this act is a misdemeanor offense punishable by a fine.

A BILL  
TO BE ENTITLED  
AN ACT



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29  
30 Relating to public restrooms; to create the Restroom  
31 Access Act; to require retail establishments to provide  
32 restroom access to customers with eligible medical conditions;  
33 to provide that a retail establishment does not owe a greater  
34 duty of care to a customer accessing employee toilet  
35 facilities than is owed to a licensee on the premises; and to  
36 provide that a violation of this act is a misdemeanor  
37 punishable by fine.

38 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

39 Section 1. (a) This section shall be known as and may  
40 be cited as the "Restroom Access Act."

41 (b) For the purposes of this section, the following  
42 terms have the following meanings:

43 (1) CUSTOMER. An individual who is lawfully on the  
44 premises of a retail establishment.

45 (2) ELIGIBLE MEDICAL CONDITION. Crohn's disease,  
46 ulcerative colitis, irritable bowel syndrome, or any other  
47 permanent or temporary medical condition that requires  
48 immediate access to a toilet facility.

49 (3) RETAIL ESTABLISHMENT. A place of business open to  
50 the general public for the sale of goods or services.

51 (c) A retail establishment that has a toilet facility  
52 for its employees shall allow a customer to use that facility  
53 during normal business hours if all of the following  
54 conditions are met:

55 (1) The retail establishment does not have a public  
56 restroom that is immediately accessible to the customer.



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57 (2) The employee toilet facility is not located in an  
58 area where providing access would create an obvious health or  
59 safety risk to the customer or an obvious security risk to the  
60 retail establishment.

61 (3) The customer requesting the use of the employee  
62 toilet facility suffers from an eligible medical condition,  
63 and the customer provides the retail establishment with  
64 evidence of the customer's eligible medical condition,  
65 including:

66 a. A copy of a statement signed by a physician,  
67 registered nurse, physician assistant, or a person acting  
68 under the delegation and supervision of a licensed physician,  
69 that indicates the customer suffers from an eligible medical  
70 condition or uses an ostomy device; or

71 b. An identification card issued by the Crohn's &  
72 Colitis Foundation of America that indicates the customer  
73 suffers from an eligible medical condition or uses an ostomy  
74 device.

75 (4) Three or more employees of the retail establishment  
76 are working and physically present on the premises of the  
77 retail establishment at the time the customer requests to use  
78 the employee toilet facility.

79 (d) In providing access to an employee toilet facility  
80 under this section, the retail establishment or employee does  
81 not owe the customer to whom access is provided a greater  
82 degree of care than is owed to a licensee on the premises.

83 (e) A retail establishment is not required to make any  
84 physical changes to an employee toilet facility under this



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85 section.

86 (f) An employee of a retail establishment who refuses  
87 to provide a customer with access to an employee toilet  
88 facility as required by this section commits a misdemeanor  
89 punishable by a fine of not more than one hundred dollars  
90 (\$100).

91 Section 2. This act shall become effective on October  
92 1, 2026.