

Department of Legislative Services  
Maryland General Assembly  
2012 Session

FISCAL AND POLICY NOTE

Senate Bill 555  
Finance

(Senator Getty)

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Public Health - Retail Establishments - Use of Toilet Facilities by Customers

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This bill alters the conditions under which a retail establishment that has a toilet facility for its employees is required to allow the use of the facility by a “customer” (as specified in current law, an individual who utilizes an ostomy device or suffers from Crohn’s disease, ulcerative colitis, any other inflammatory bowel disease, or any other medical condition that requires immediate access to a toilet facility).

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Fiscal Summary

**State Effect:** The bill does not directly affect governmental finances or operations.

**Local Effect:** The bill does not directly affect governmental finances or operations.

**Small Business Effect:** Minimal.

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Analysis

**Bill Summary/Current Law:** Current law specifies that, at the request of a customer and where a public restroom is not readily available, each retail establishment that has at least 20 employees and a toilet facility for its employees must allow the customer to use the facility. The bill repeals this requirement and instead specifies that, at the request of a customer and where a public restroom is not readily available, each retail establishment that has a toilet facility for its employees must allow the customer to use the facility if three or more employees of the retail establishment are working at the time of the request.

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## **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland Chamber of Commerce, Department of Health and Mental Hygiene, Maryland Association of County Health Officers, Department of Legislative Services

**Fiscal Note History:** First Reader - February 28, 2012  
mc/mwc

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