

SUBJECT: Gender-specific portable restroom facilities

COMMITTEE: Public Health — committee substitute recommended

VOTE: 6 ayes — Berlanga, Hirschi, Coleman, Davila, Glaze, Maxey
0 nays
3 absent — Delisi, Janek, Rodriguez

WITNESSES: For — Lily Sosa
Against — None

DIGEST: CSHB 2677 would require portable restrooms open for use by the public to be designated for one gender only. A portable restroom facility designated for use by women could not contain a urinal.

The bill would authorize the Texas Department of Health to adopt rules implementing its provisions.

CSHB 2677 would take effect September 1, 1997.

SUPPORTERS SAY: CSHB 2677 would promote health and sanitation. Most portable restroom facilities in Texas are unisex, equipped with both a urinal and a toilet. The proximity of the urinal and the toilet means that individuals using the toilet are likely to come into contact with unsanitary surfaces, increasing the risk of infection and possibly disease. Any increased cost that CSHB 2677 would cause would be a small price to pay for improved public health and sanitation.

For individuals with small children, this situation can be a health hazard as there are usually no sinks around to wash their hands. Young children may throw toys or keys into the urinal, causing another potential health hazard. Women are faced with this problem considerably more often than men since they are more likely to be using and helping children use the toilet facility.

OPPONENTS
SAY:

Requiring portable restrooms to meet such strict mandates would be overregulation by the state beyond that justified by the health and safety considerations involved. No one is compelled to use portable toilets; they are provided for a convenience only. Furthermore, these portable facilities are not meant as permanent replacements, but are designed to meet an immediate need.

Furthermore, requiring portable toilet vendors to either purchase new units that do not have urinals or remove the urinals from certain units would drive up the cost of renting these items. This would increase the cost of public events substantially.

Currently, the city of Austin requires promoters to provide two portable units for each 500 in estimated attendance at an event; a portion of these must be wheelchair accessible. With the enactment of HB 2677, the promoters also would have to determine how many of the estimated attendees would be female versus male. This figure would likely change from event to event, meaning that vendors would have to keep more inventory on hand to meet needs.

OTHER
OPPONENTS
SAY:

Any sanitary problem or health threat due to urinals being next to toilets in portable restroom facilities applies to men as well as women. It would make more sense to regulate the proximity of urinals to toilets in portable restrooms than to require separate facilities for men and women.

NOTES:

The committee substitute removed the requirement that public portable restroom facilities be provided at a minimum ratio of two units for women for every one unit for men.