

House Bill 2699

Sponsored by Representative CLEM

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires that each state building entryway be accessible by wheelchair users. Makes noncompliance on or after January 1, 2016, subject to civil penalty.

A BILL FOR AN ACT

Relating to building entryway accessibility for wheelchair users.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS 447.210 to 447.280.

SECTION 2. (1) As used in this section:

(a)(A) "Entryway" means, except as provided in subparagraph (B) of this paragraph, a location made available for nonemergency use by the general public to enter or depart from a building.

(B) "Entryway" does not mean:

(i) A passageway that connects areas within the interior of a building;

(ii) A location that is reachable only after traveling through the interior of a building, such as an enclosed courtyard or a terrace, observation deck or roof;

(iii) A location that is available for exiting from a building but not available for use by the general public to enter the building; or

(iv) A location used as a temporary replacement of an entryway that has become unavailable.

(b) "State building" means a building:

(A) Occupied on a full-time basis by a unit of state government as defined in ORS 174.111; and

(B) Owned by the state or held by the state under a fixed-term lease that exceeds one year.

(2) Each entryway of a state building must be accessible by wheelchair users. For purposes of this subsection, an entryway is accessible if a wheelchair user with no disability other than the inability to walk is able to use the entryway to independently enter or depart from the building. An accessible entryway must be served by at least one path of travel accessible by wheelchair users.

(3) The requirement imposed by this section is in addition to, and not in lieu of, any other requirement for the accessibility of affected buildings and related facilities imposed by federal or state law.

SECTION 3. Notwithstanding ORS 447.280, 455.450 and 455.895, the Director of the De-

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **partment of Consumer and Business Services may impose a civil penalty for noncompliance**
2 **with section 2 of this 2013 Act only for noncompliance that occurs on or after January 1,**
3 **2016.**

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