

HB 3309 A STAFF MEASURE SUMMARY
House Committee On Housing and Homelessness

Carrier: Rep. Valderrama

Action Date: 04/04/23

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 8-2-1-0

Yeas: 8 - Dexter, Fahey, Gamba, Hartman, Helfrich, Helm, Javadi, Levy E

Nays: 2 - Cate, Wright

Exc: 1 - Boice

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Claire Adamsick, LPRO Analyst

Meeting Dates: 3/23, 4/4

WHAT THE MEASURE DOES:

Directs Oregon Housing and Community Services (OHCS) to report to interim committee of the Legislative Assembly on or before September 15, 2024 and on September 15 of each subsequent year that includes information on proportion of OHCS-funded development that includes accessibility features recognized under state building code, disaggregated by category. Allows OHCS to define “accessible unit” by rule, in consultation with the Department of Consumer and Business Services. Directs OHCS and Housing Stability Council to incorporate incentives in funding offerings to increase quantity and quality of accessible units. Directs OHCS and Council to consider advice from disability community members or advocates in the agency’s housing program development efforts. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Limitations of available accessible housing choice
- Life impacts of lack of housing that meets accessibility needs
- Potential overlap with Oregon Housing Needs Analysis provisions in HB 2001 (2023) regarding accessibility
- Cost of developing units with accessibility features
- Cost of retrofitting vs. building new accessible units

EFFECT OF AMENDMENT:

Removes minimum requirements on accessible units in Oregon Housing and Community Services (OHCS) multifamily housing programs. Directs OHCS to report to interim committee of the Legislative Assembly on or before September 15, 2024 and on September 15 of each subsequent year that includes information on proportion of department-funded development that includes accessibility features recognized under state building code, disaggregated by category. Allows OHCS to define “accessible unit” by rule, in consultation with the Department of Consumer and Business Services. Directs OHCS and Housing Stability Council to incorporate incentives in funding offerings to increase quantity and quality of accessible units. Removes directive to OHCS and Housing Stability Council to develop policies to increase the supply of housing for households including a person with a disability.

BACKGROUND:

The U.S. Department of Housing and Urban Development (HUD) requires that privately owned and publicly subsidized housing, whether for rental or sale, meet accessibility requirements of the Fair Housing Act in buildings built after March 13, 1991. All federally funded housing developments of five or more units are required to construct five percent of dwelling units (or at least one unit, whichever is greater) to be “accessible for persons with mobility disabilities.”

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The 2010 *U.S. Department of Justice ADA Standards for Accessible Design* set minimum requirements for new design and construction of public and commercial buildings, and describes mobility features necessary in accessible residential dwelling units, including accessible route within a unit, turning space, and toilet and bathing facilities, and communication features, such as alarm notification or ability to visually identify a visitor.

House Bill 3309 A requires Oregon Housing and Community Services (OHCS) to study the provision of state-funded units which contain accessibility features recognized under state building code. The measure directs the Housing Stability Council (Council) to develop incentives within OHCS' funding offerings, and directs OHCS and the Council to consult with disability community members or advocates in efforts to increase the quantity and quality of accessible units.