

SB 444-2
(LC 733)
2/28/25 (TSB/ps)

Requested by Senator PATTERSON

**PROPOSED AMENDMENTS TO
SENATE BILL 444**

1 On page 1 of the printed bill, line 2, after “ORS” insert “447.220, 456.508
2 and”.

3 Delete lines 7 though 18 and insert:

4 **“SECTION 2. The Director of the Department of Consumer and
5 Business Services shall adopt rules to conform the structural code to
6 the following requirements:**

7 **“(1) At least 10 percent of the dwelling units or sleeping units in
8 newly constructed Group R-2 buildings, or at least one dwelling unit
9 or sleeping unit in a newly constructed building with more than 10
10 dwelling units or sleeping units, must be Type A dwelling units or
11 sleeping units, as described in the current version of American Na-
12 tional Standards Institute standard A117.1.**

13 **“(2) In newly constructed multifamily housing with two or three
14 dwelling units or sleeping units, one of the ground floor dwelling units
15 or sleeping units is subject to accessibility requirements under the
16 Fair Housing Act and must be a Type B dwelling unit, as described in
17 the current version of American National Standards Institute standard
18 A117.1, unless the multifamily housing meets the conditions for site
19 impracticality described in the structural code.**

20 **“SECTION 3. ORS 447.220 is amended to read:**

21 **“447.220. [It is] The purpose of ORS 447.210 to 447.280 is to make affected**

1 buildings, including but not limited to commercial facilities, public accom-
2 modations, private entities, private membership clubs and churches, in the
3 state accessible to and usable by persons with disabilities, as provided in the
4 Americans with Disabilities Act, and to make covered multifamily dwellings
5 in the state accessible to and usable by all persons with disabilities, as pro-
6 vided in the Fair Housing Act. In requiring that buildings and facilities be
7 usable by persons with disabilities, [*it is not the intention of*] the Legislative
8 Assembly **does not intend** to require that items of personal convenience
9 such as rest rooms, telephones and drinking fountains be provided for mem-
10 bers of the public who have disabilities if [*they*] **the items of personal**
11 **convenience** are not otherwise provided for members of the public who do
12 not have disabilities. [*However, pursuant to*] **Under** the Americans with
13 Disabilities Act **and the Fair Housing Act**, the Director of the Department
14 of Consumer and Business Services may, **however**, provide greater pro-
15 tection to individuals with disabilities by adopting more stringent standards
16 than prescribed by the Americans with Disabilities Act **or, for the purpose**
17 **of making covered multifamily dwellings and other types of dwellings**
18 **in this state accessible to and usable by all persons with disabilities,**
19 **the Fair Housing Act.**

20 **“SECTION 4.** ORS 456.508 is amended to read:

21 “456.508. As used in ORS 456.510 and 456.513:

22 “(1) ‘Accessible’ means that housing complies with federal accessibility
23 guidelines implementing the Fair Housing Amendments Act of 1988, 42 U.S.C.
24 3601 et seq., **or the Uniform Federal Accessibility Standards, both** as
25 amended and in effect on [*January 1, 2004*] **the effective date of this 2025**
26 **Act.**

27 “(2) ‘Common living space’ means a living room, family room, dining room
28 or kitchen.

29 “(3) ‘Contiguous units’ means units that are on the same tax lot or on
30 contiguous tax lots that have a common boundary[.], **including** tax lots that

1 are separated by a public road [*are contiguous tax lots for purposes of this*
2 *subsection*].

3 “(4)(a) ‘New’ means that the housing being constructed did not previously
4 exist in residential or nonresidential form.

5 “(b) ‘New’ does not include the acquisition, alteration, renovation or re-
6 modeling of an existing structure.

7 “(5) ‘Powder room’ means a room containing at least a toilet and sink.

8 “(6) ‘Rental housing’ means a dwelling unit designed for nonowner occu-
9 pancy under a tenancy typically lasting six months or longer.

10 “(7) ‘Subsidized development’ means housing that receives one or more of
11 the following development subsidies from the Housing and Community Ser-
12 vices Department:

13 “(a) The federal low-income housing tax credit under 26 U.S.C. 42(a), if
14 no part of the eligible basis prior to the application of 26 U.S.C. 42(i)(2)(B)
15 was financed with an obligation described in 26 U.S.C. 42(h)(4)(A), all as
16 amended and in effect on [*January 1, 2004*] **the effective date of this 2025**
17 **Act;**

18 “(b) An agriculture workforce housing tax credit, as described in ORS
19 315.164;

20 “(c) A loan that qualifies the lending institution for a subsidized housing
21 loan tax credit, as described in ORS 317.097;

22 “(d) Funding under the federal HOME Investment Partnerships Act, 42
23 U.S.C. 12721 to 12839, as amended and in effect on [*January 1, 2004*] **the ef-**
24 **fective date of this 2025 Act;**

25 “(e) Moneys from the Oregon Housing Fund created under ORS 458.620;
26 or

27 “(f) Moneys from other grant or tax incentive programs administered by
28 the Housing and Community Services Department under ORS 456.559.

29 “(8) ‘Visitable’ means capable of being approached, entered and used by
30 individuals with mobility impairments, including but not limited to individ-

1 uals using wheelchairs.”.

2 In line 19, delete “3” and insert “5”.

3 On page 2, delete line 13 and insert:

4 “(A) Enabling, in a manner that is consistent with the Uniform Federal
5 Accessibility Standards, mobility for individuals who use wheelchairs or
6 other mobility devices in the greater of:”.

7 In line 18, after “Enabling” insert “, in a manner that is consistent with
8 the Uniform Federal Accessibility Standards,”.

9 After line 22, insert:

10 “(d) If the Uniform Federal Accessibility Standards apply to a dwelling
11 unit, common area or powder room within a subsidized development and are
12 more stringent than standards that apply to the unit, area or room under
13 paragraphs (a) to (c) of this subsection, the subsidized development must
14 comply with the Uniform Federal Accessibility Standards.”.

15 Delete lines 27 through 37 and insert:

16 **“SECTION 6. (1) Section 2 of this 2025 Act and the amendments to
17 ORS 447.220, 456.508 and 456.510 by sections 3 to 5 of this 2025 Act be-
18 come operative on January 1, 2026.**

19 **“(2) The Director of the Department of Consumer and Business
20 Services and the Housing and Community Services Department may
21 adopt rules and take any other action before the operative date speci-
22 fied in subsection (1) of this section that is necessary to enable the
23 director and the department, on and after the operative date specified
24 in subsection (1) of this section, to undertake and exercise all of the
25 duties, powers and functions conferred on the director and the de-
26 partment by section 2 of this 2025 Act and the amendments to ORS
27 447.220, 456.508 and 456.510 by sections 3 to 5 of this 2025 Act.**

28 **“SECTION 7. This 2025 Act takes effect on the 91st day after the
29 date on which the 2025 regular session of the Eighty-third Legislative
30 Assembly adjourns sine die.”.**

