

SB 444-3
(LC 733)
3/28/25 (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 “456.508 and”.

2 Delete lines 7 through 18 and insert:

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

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

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

19 **“SECTION 3. ORS 456.508 is amended to read:**

20 **“456.508. As used in ORS 456.510 and 456.513:**

21 **“(1) ‘Accessible’ means that housing complies with federal accessibility**

1 guidelines implementing the Fair Housing Amendments Act of 1988, 42 U.S.C.
2 3601 et seq., **or the Uniform Federal Accessibility Standards, both** as
3 amended and in effect on [*January 1, 2004*] **the effective date of this 2025**
4 **Act.**

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

7 “(3) ‘Contiguous units’ means units that are on the same tax lot or on
8 contiguous tax lots that have a common boundary[.], **including** tax lots that
9 are separated by a public road [*are contiguous tax lots for purposes of this*
10 *subsection*].

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

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

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

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

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

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

26 “(b) An agriculture workforce housing tax credit, as described in ORS
27 315.164;

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

30 “(d) Funding under the federal HOME Investment Partnerships Act, 42

1 U.S.C. 12721 to 12839, as amended and in effect on [January 1, 2004] **the ef-**
2 **fective date of this 2025 Act;**

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

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

7 “(8) ‘Visitable’ means capable of being approached, entered and used by
8 individuals with mobility impairments, including but not limited to individ-
9 uals using wheelchairs.”.

10 In line 19, delete “3” and insert “4”.

11 On page 2, delete line 13 and insert:

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

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

17 After line 22, insert:

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

23 Delete lines 27 through 37 and insert:

24 **“SECTION 5. (1) Section 2 of this 2025 Act and the amendments to**
25 **ORS 456.508 and 456.510 by sections 3 and 4 of this 2025 Act become**
26 **operative on January 1, 2026.**

27 **“(2) The Director of the Department of Consumer and Business**
28 **Services and the Housing and Community Services Department may**
29 **adopt rules and take any other action before the operative date speci-**
30 **fied in subsection (1) of this section that is necessary to enable the**

1 **director and the department, on and after the operative date specified**
2 **in subsection (1) of this section, to undertake and exercise all of the**
3 **duties, powers and functions conferred on the director and the de-**
4 **partment by section 2 of this 2025 Act and the amendments to ORS**
5 **456.508 and 456.510 by sections 3 and 4 of this 2025 Act.**

6 **“SECTION 6. This 2025 Act takes effect on the 91st day after the**
7 **date on which the 2025 regular session of the Eighty-third Legislative**
8 **Assembly adjourns sine die.”**

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