

SB 1576 -1 STAFF MEASURE SUMMARY

Senate Committee On Housing and Development

Prepared By: Kaia Maclaren, LPRO Analyst

Meeting Dates: 2/5, 2/10

WHAT THE MEASURE DOES:

The measure requires the Department of Consumer and Business Services to adopt rules to align the state building code with federal fair housing accessibility requirements and specified national accessibility standards. It also limits the use of state funding for new subsidized rental housing developments to projects that meet certain accessibility requirements. The measure takes effect on the 91st day following adjournment sine die.

Detailed Summary:

Requires the Director of the Department of Business and Consumer Services to adopt rules to conform the state building code to accessibility requirements under the National Fair Housing Act and to certain standards of the American National Standards Institute. Mandates that at least ten percent, or a minimum of two units, of the dwelling units in multifamily residential buildings containing more than 15 units be Type A accessible units as described by the American National Standards Institute A117.1 (ANSI A117.1).

Requires the Director of DCBS to adopt rules to require that all units in multifamily housing with three or more dwelling units be Type B dwelling units (ANSI A117.1) and be subject to accessibility requirements under the Fair Housing Act.

Requires that any subsidized rental development for which the Housing and Community Services Department (OHCS) provides funding complies with the Uniform Federal Accessibility Standards, except if the development falls within the multifamily housing occupancy classification. Requires that if the development falls within the multifamily housing occupancy classification, the building makes visitable the greater of:

- The common areas of the subsidized development and at least ten percent of the total number of dwelling units; or
- The common areas of the development and at least two dwelling units if the development has 15 or more dwelling units.

Allows OHCS and the Director of DCBS to adopt rules and take any other action before the operative date that may be necessary to enable them to undertake and exercise the duties mandated by the bill.

Fiscal impact: May have fiscal impact, but no statement yet issued

Revenue impact: May have revenue impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 The amendment removes from the base bill the requirement that the state building code be changed to increase the number of accessible units required in new developments. It changes any reference to Uniform Federal Accessibility Standards to, instead, Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

BACKGROUND:

The American National Standards Institute (ANSI) is a private, non-profit organization that administers and coordinates the U.S. voluntary standards and is the official U.S. representative to the International Organization

for Standardization (ISO) and the International Electrotechnical Commission (IEC). “ANSI A117.1” in relation to accessibility guidelines refers to building standards *ICC A117.1-2017: Accessible and Usable Buildings and Facilities*. This American National Standard, also referred to as ANSI A117.1, is consistent with both Americans with Disabilities Act (ADA) regulations and U.S. Department of Housing and Urban Development (HUD) Fair Housing Accessibility Guidelines and is compatible with the International Building Code.

Group R-2 Buildings are multifamily residential buildings defined by ANSI A117.1 as those occupancies containing more than two dwelling units where the occupants are primarily permanent in nature (as opposed to transient, such as hotels or boarding houses). They include multifamily developments and other shared sleeping spaces, such as dormitories or congregant living arrangements housing more than 16 people.

Type A and Type B Dwelling Units are accessible units defined in ANSI A117.1; Type A being the highest standard of accessibility, and Type B having fewer requirements. The basic features, according to the [International Code Council](#) (ICC, on which ANSI A117.1 is based) for Type A units are turning radiuses to accommodate wheelchairs, lower shelving, lever-type door hardware, accessible thresholds throughout, lower kitchen workstations and lavatories. Type B units must include parallel approach at sinks and bathroom vanities, removable base cabinets, and blocking to make possible the future installment of grab bars.

According to the [National Council on Independent Living](#), “visibility” refers to a dwelling unit that is designed in such a way that it can be lived in or visited by people who have trouble with steps or who use wheelchairs or walkers.