

SB 1576 A STAFF MEASURE SUMMARY
Senate Committee On Housing and Development

Carrier: Sen. Patterson

Action Date: 02/10/26
Action: Do pass with amendments. (Printed A-Eng.)
Vote: 4-1-0-0
Yeas: 4 - Anderson, Jama, Patterson, Pham
Nays: 1 - Nash
Fiscal: Has minimal fiscal impact
Revenue: No revenue impact
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Meeting Dates: 2/5, 2/10

WHAT THE MEASURE DOES:

The measure extends the authority of the director of the Department of Consumer and Business Services (DCBS) to include adopting more stringent standards for covered multifamily dwellings and other types of dwellings for purposes of compliance with the Fair Housing Act. The measure requires that any subsidized rental development for which Oregon Housing and Community Services (OHCS) provides funding complies with Section 504 of the federal Rehabilitation Act of 1973. It updates the definition of “accessible” as it applies to affordable and subsidized housing. It allows OHCS and the DCBS director 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 measure. The measure takes effect on the 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Availability of accessible housing
- Population and population trends of individuals with disabilities in Oregon
- Elements of, and differences between, Type A and Type B accessible units
- Accessibility requirements in the current building code

EFFECT OF AMENDMENT:

The amendment removes 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 reference Section 504 of the federal Rehabilitation Act.

BACKGROUND:

The [Americans with Disabilities Act \(ADA\)](#) is federal civil rights legislation, passed in 1990, that prohibits discrimination against people with disabilities in areas including employment, transportation, public accommodations, communications, and access to state and local government programs and services. In 2010, the U.S. Department of Justice released revised accessibility standards for public accommodations and commercial facilities.

Title VIII of the Civil Rights Act of 1968, also known as the Fair Housing Act, forbids discrimination in housing. In 1988, the Fair Housing Amendments Act (FHAA) added disability and family status to the list of protected classes. These additions require that housing providers make reasonable accommodations for individuals with disabilities. According to Disability Rights Oregon, a reasonable accommodation “is a change in rules, policies, or services” and is evaluated on a case-by-case basis. The FHAA also requires that any multifamily building built after March 1991 contain units that are “adaptable.” All units in buildings with elevators, and all ground-floor units in buildings without elevators, must have features that allow them to be adapted to the needs of people with accessibility requirements without structural modification. These may include reinforcement for the installation of grab bars,

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certain wider doorways, and zero-step bathrooms, among other requirements.

Section 504 of the Rehabilitation Act states that any properties that are “constructed, renovated, operated or purchased by a recipient of project-based federal financial assistance” must have a minimum of 5 percent accessible units, with a minimum of 2 percent accessible for those with sensory disabilities, among other accommodations. According to disability rights groups in Oregon, there are currently few enforcement mechanisms in place to ensure compliance, so there may be fewer accessible units in Oregon than the law intends.