

Disability-Related Legislation Update

Despite the passage of the Americans with Disabilities Act (ADA) more than 30 years ago, much work remains to be done to ensure easy and safe physical access for all. The evidence lies in the bills and resolutions introduced thus far in state legislatures from Hawaii to New Jersey. At the Federal level, two bills and resolutions regarding the disabled have also been introduced.

In the states, pending bills focus on requiring adherence to the ADA, appropriating funds to modify public spaces for disability accommodations and amending procurement regulations regarding accessibility requirements in contracts. Resolutions proposed in the US Congress and states recommit to promoting and ensuring disability rights. A US House bill dubbed the ACCESS Act calls for the development of a program to educate State and local governments and property owners on “effective and efficient strategies for promoting access to public accommodations for persons with a disability.

We are only halfway through the legislative year, so check back here regularly for updates on the bills listed below or new bills introduced.

State Bills

Georgia S 53 – Senate Committee on Science and Technology – To establish and enforce website design, navigability and accessibility specifications and standards for all state agency websites. Passed Senate 52-0; 2nd Read in House Science and Technology Committee.

Hawaii SB 739 – Senate Judiciary Committee – Relating to the ADA. Requires all places of public accommodation to comply with accessibility guidelines established under the ADA. Session has adjourned but the bill has been carried over to the next session which begins in January.

Massachusetts S 1629 – Joint Committee on Public Safety and Homeland Security – Building a More Accessible Massachusetts. Changes the composition of the Architectural Access Board to include two licensed architects, one licensed building inspector and three members to be appointed in consultation with advocacy groups on behalf of the disabled. The bill would also strengthen and expand requirements for physical access.

Minnesota H 139 – House State Government Finances and Election Committee – Appropriates money to modify public spaces for disability accommodations. A companion bill sits in the Senate.

Minnesota H 35 – House Human Services and Policy Finance Committee – Grants to cities and counties to improve website accessibility total \$500,000. Sets disbursements for 2022 and 2023 at \$250,000 each year.

Maine 496 – This measure was enacted on June 23, 2021 and ensure public spaces are compliant with the ADA.

New Jersey AJR 140 – Assembly Human Services Committee – Access for All Committees Resolution. Urges municipalities to establish local Access for All Committees to assist citizens with disabilities.

New Jersey S 3511 – Senate Health, Human Services and Senior Citizens Committee – Relates to accessibility signage. Would require removal of “handicapped” from signage at restrooms, access ramps, entry doors, and parking spaces.

New York A 3417 – Assembly Governmental Operations Committee – Amends accessibility requirements in procurement contracts regulation to include information and communication technologies.

New York A 7121 – Senate Code Committee – Would waive the state’s sovereign immunity to claims under the ADA.

North Dakota S 2146 – Appropriates \$750,000 for accessibility improvements on the state capitol grounds. Passed and was signed into law at the end of April.

Federal Bills

House of Representatives H.R. 77 – Judiciary Committee – ADA Compliance for Customer Entry to Stores and Services Act (ACCESS Act). This bill would mandate the development of a program to educate State and local governments and property owners on effective and efficient strategies for promoting access to public accommodations for persons with a disability.

Senate Resolution 86 – Energy and Natural Resources Committee – Would recommit the United States to the promotion of disability rights.