

**HOUSE . . . . . No. 2029**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Christine P. Barber and Michael J. Moran***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the Architectural Access Board.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Christine P. Barber</i>	<i>34th Middlesex</i>
<i>Joseph A. Boncore</i>	<i>First Suffolk and Middlesex</i>
<i>Daniel Cahill</i>	<i>10th Essex</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>
<i>Edward F. Coppinger</i>	<i>10th Suffolk</i>
<i>Daniel R. Cullinane</i>	<i>12th Suffolk</i>
<i>Michael S. Day</i>	<i>31st Middlesex</i>
<i>Linda Dean Campbell</i>	<i>15th Essex</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and</i>

	<i>Middlesex</i>
<i>Carlos Gonzalez</i>	<i>10th Hampden</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>
<i>Kate Hogan</i>	<i>3rd Middlesex</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>

**HOUSE . . . . . No. 2029**

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By Representatives Barber of Somerville and Moran of Boston, a petition (accompanied by bill, House, No. 2029) of Christine P. Barber and others relative to further regulating the Architectural Access Board. Public Safety and Homeland Security.

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**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
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An Act relative to the Architectural Access Board.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. The first paragraph of section 13A of chapter 22 of the General Laws, as  
2 appearing in the 2016 Official Edition, is hereby amended by striking out the second and third  
3 sentences and inserting in place thereof the following 3 sentences:-

4 "Two of the appointive members shall be architects licensed to practice in the  
5 commonwealth. One of the appointive members shall be a licensed building inspector. Three of  
6 the appointive members shall be selected after consultation with advocacy groups on behalf of  
7 persons with disabilities."

8 SECTION 2. Said section 13A of said chapter 22, as so appearing, is hereby further  
9 amended by striking out, in lines 39 and 40, the words "public buildings accessible to, functional  
10 for, and safe for use by physically handicapped persons" and inserting in place thereof the  
11 following words:-

12 "buildings, including areas that are not generally in public use under the Department of  
13 Justice's Americans with Disabilities Act Standards for Accessible Design, accessible to,  
14 functional for and safe for use by persons with disabilities."

15 SECTION 3. Said section 13A of said chapter 22, as so appearing, is hereby further  
16 amended by striking out, in lines 43 and 44, the following words "for businesses, auditoriums,  
17 sporting or recreational facilities, or cultural centers".

18 SECTION 4. Said section 13A of said chapter 22, as so appearing, is hereby further  
19 amended by striking out, in lines 46 to 45, inclusive, the words "of handicapped persons or for  
20 vehicles used to transport such handicapped persons if the number of parking spaces in any such  
21 area is fifteen or more. The parking spaces reserved for vehicles of such handicapped persons  
22 shall be clearly marked as such" and inserting in place thereof the following words:-

23 "authorized to display handicapped plates or placards under section 2 of chapter 90;  
24 provided, that the parking requirements shall be consistent with the Americans with Disabilities  
25 Act Standards for Accessible Design."

26 SECTION 5. Said section 13A of said chapter 22, as so appearing, is hereby further  
27 amended by striking out, in line 52, the words "for physically handicapped persons" and  
28 inserting in place thereof the following words:-

29 "and accessible".

30 SECTION 6. Said section 13A of said chapter 22, as so appearing, is hereby further  
31 amended by striking out, in lines 55 to 57, inclusive, the words " ; provided, however, that the

32 dwelling is constructed for first occupancy after March thirteenth, nineteen hundred and ninety-  
33 one” and inserting in place thereof the following words:-

34 "and (3) all public use and common use portions of such multiple dwellings, provided, in  
35 the case of buildings built before March 13, 1991, the building is unoccupied when renovations  
36 occur or is being renovated as part of a change of use into such a multiple dwelling facility."

37 SECTION 7. Said section 13A of said chapter 22, as so appearing, is hereby further  
38 amended by inserting after the words “equivalent to”, in line 60, the following words:-

39 "or greater than."

40 SECTION 8. Said section 13A of said chapter 22 of the General Laws, as so appearing, is  
41 hereby further amended by inserting after the word “Act”, in line 61, the following words:-

42 ", the Department of Justice’s Americans with Disabilities Act Standards for Accessible  
43 Design,".

44 SECTION 9 Said section 13A of said chapter 22, as so appearing, is hereby further  
45 amended by inserting after the word “buildings”, in line 66, the following words:-

46 "and facilities".

47 SECTION 10. Said section 13A of said chapter 22, as so appearing, is hereby further  
48 amended by inserting after the word “buildings”, in line 74, the following words:-

49 "and facilities".

50 SECTION 11. Said section 13A of said chapter 22, as so appearing, is hereby further  
51 amended by striking out, in lines 79 and 80, the words “handicapped persons,” and inserting in  
52 place thereof the following words:-

53 "persons with a disability.

54 SECTION 12. Said section 13A of said chapter 22, as so appearing, is hereby further  
55 amended by striking out, in lines 87 and 88 the word “newspaper” and inserting in place thereof  
56 the following words:-

57 "forms of".

58 SECTION 13. Said section 13A of said chapter 22, as so appearing, is hereby further  
59 amended by inserting after the word “building”, in line 92, the following words:-

60 "or facility".

61 SECTION 14. Said section 13A of said chapter 22, as so appearing, is hereby further  
62 amended by inserting after the word “building”, in line 93, the following words:-

63 "or facility".

64 SECTION 15. Said section 13A of said chapter 22, as so appearing, is hereby further  
65 amended by inserting after the word “changed to a”, in line 93, the following words:-

66 "residential use or a".

67 SECTION 16. Said section 13A of said chapter 22, as so appearing, is hereby further  
68 amended by inserting, in line 94, after the words “which the building” the following words:-

69 "or facility."

70 SECTION 17. Said section 13A of said chapter 22, as so appearing, is hereby further  
71 amended by inserting after the word "building", in line 95, the following words:-

72 "or facility".

73 SECTION 18. Said section 13A of said chapter 22, as so appearing, is hereby further  
74 amended by striking out, in lines 101 and 102, the words "physically handicapped persons" and  
75 inserting in place thereof the following words:-

76 "persons with a disability".

77 SECTION 19. Said section 13A of said chapter 22, as so appearing, is hereby further  
78 amended by striking out the eighth paragraph.

79 SECTION 20. Said section 13A of said chapter 22, as so appearing, is hereby further  
80 amended by striking out, in lines 130 and 131, the word "person" and inserting in place thereof  
81 the following words:-

82 "building, or portion thereof,".

83 SECTION 21. Said section 13A of said chapter 22, as so appearing, is hereby further  
84 amended by inserting after the words "for a building", in line 149, the following words:-

85 "or facility".

86 SECTION 22. Said section 13A of said chapter 22, as so appearing, is hereby further  
87 amended by inserting after the word "building", in line 165, the following word:-

88           ", facility".

89           SECTION 23. Said section 13A of said chapter 32, as so appearing, is hereby further  
90 amended by striking out, in lines 176, 178 and 186 the words "physically handicapped persons"  
91 and inserting in place thereof, in each instance, the following words:-

92           "persons with a disability".

93           SECTION 24. Said section 13A of said chapter 22, as so appearing, is hereby further  
94 amended by inserting after the definition of "Construction" the following definition:-

95           "Facility", all or any portion of a building, structure, site improvement, complex,  
96 equipment, road, walk, passageway, parking lot or other real or personal property, including the  
97 site where the building, property, structure or equipment is located."

98           SECTION 25. Said section 13A of said chapter 22, as so appearing, is hereby further  
99 amended by striking out, in line 199, the words "Physically handicapped person" and inserting in  
100 place thereof the following words:-

101           "Person with a disability".

102           SECTION 26. Said section 13A of said chapter 22, as so appearing, is hereby further  
103 amended by striking out, in line 203, the words "Physically handicapped persons" and inserting  
104 in place thereof the following words:-

105           "A person with a disability."



106 SECTION 27. Said section 13A of said chapter 22, as so appearing, is hereby further  
107 amended by striking out the definition of “Public building” and inserting in place thereof the  
108 following definition:-

109 “Public building”, buildings constructed by the commonwealth or any political  
110 subdivision thereof with public funds and open to public use, including, but not limited to, the  
111 places of public accommodation listed in 28 CFR 36.104.