

115TH CONGRESS  
1ST SESSION

# H. R. 3571

To amend title III of the Americans with Disabilities Act of 1990 to require a plaintiff to provide a defendant with an opportunity to correct a violation of such title voluntarily before the plaintiff may commence a civil action, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2017

Ms. CASTOR of Florida introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title III of the Americans with Disabilities Act of 1990 to require a plaintiff to provide a defendant with an opportunity to correct a violation of such title voluntarily before the plaintiff may commence a civil action, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

3        **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “Reasonable ADA Com-  
5        pliance Act of 2017”.

6        **SEC. 2. FINDINGS.**

7        The Congress finds as follows:

1           (1) The ADA has been one of the most signifi-  
2           cant and effective civil rights laws passed by Con-  
3           gress.

4           (2) The ADA requires that State and local gov-  
5           ernmental entities accommodate qualified individuals  
6           with disabilities.

7           (3) The ADA requires a place of public accom-  
8           modation to take reasonable steps to ensure that the  
9           goods and services it provides are accessible to indi-  
10          viduals with disabilities.

11 **SEC. 3. OPPORTUNITY TO CORRECT ALLEGED VIOLATION**  
12                           **AS CONDITION ON COMMENCING CIVIL AC-**  
13                           **TION.**

14          Section 308(a) of the Americans with Disabilities Act  
15          of 1990 (42 U.S.C. 12188(a)) is amended by adding at  
16          the end the following:

17                   “(3) OPPORTUNITY TO CORRECT ALLEGED VIO-  
18          LATION.—

19                   “(A) IN GENERAL.—A State or Federal  
20          court shall not have jurisdiction in a civil action  
21          that a plaintiff commences under paragraph  
22          (1), or under a State law that conditions a vio-  
23          lation of any of its provisions on a violation of  
24          this title, unless—

1 “(i) before filing a complaint alleging  
2 a violation of this title or such a State law,  
3 the plaintiff provides the defendant with a  
4 written notice of the alleged violation by  
5 registered mail;

6 “(ii) the written notice identifies the  
7 facts that constitute the alleged violation,  
8 including the location where and the date  
9 on which the alleged violation occurred;

10 “(iii) a remedial period of 120 days  
11 elapses after the date on which the plain-  
12 tiff provides the written notice;

13 “(iv) the written notice informs the  
14 defendant that the plaintiff is barred from  
15 filing the complaint until the end of the re-  
16 medial period; and

17 “(v) the complaint states that, as of  
18 the date on which the complaint is filed,  
19 the defendant has not corrected the alleged  
20 violation.

21 “(B) EXTENSION OF REMEDIAL PERIOD.—  
22 The court may extend the remedial period by  
23 not more than 30 days if the defendant applies  
24 for such an extension.”.

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