

**Introduced by Senator Jackson**February 22, 2013

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An act to add Chapter 6.25 (commencing with Section 50655.1) to Part 2 of Division 31 of the Health and Safety Code, relating to housing.

## LEGISLATIVE COUNSEL'S DIGEST

SB 550, as introduced, Jackson. Accessible housing.

Existing law establishes various programs under the Department of Housing and Community Development, including the California Housing Rehabilitation Program for the development of low-income and multifamily rental housing in the state. Existing law creates the Multifamily Housing Program under the department to provide a standardized set of program rules and features applicable to all housing types based on the existing California Housing Rehabilitation Program. Among other things, the program provides financial assistance to fund projects for, among other things, the development and construction of new, and rehabilitation or acquisition and rehabilitation of, existing, transitional, or rental housing developments, and establishes a project selection process for loans for these projects. Existing law also requires the department to establish a program for the purpose of housing assistance for the physically or developmentally disabled, or mentally disordered.

This bill would create the Accessible Multifamily Housing Act of 2013, which would require new and substantially rehabilitated assisted multifamily housing projects, as defined, for which building permits are issued on and after July 1, 2014, to be designed and constructed to be readily accessible to and usable by individuals with mobility, vision, and hearing impairments, as specified.

By imposing additional enforcement duties on local officials, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares as follows:

2 (a) There exists within the urban and rural areas of the state a  
3 significant number of people with disabilities who lack accessible,  
4 decent, safe, and sanitary housing. The lack of affordable,  
5 accessible housing is a significant problem for adults and children,  
6 contributing to chronic homelessness and unnecessary  
7 institutionalization.

8 (b) California housing and building codes and standards do not  
9 currently provide for sufficient accessibility for people who need  
10 accessible features in their homes, including people who use  
11 mobility devices or who have sensory disabilities.

12 (c) Ensuring that state accessibility requirements for assisted  
13 multifamily housing projects meet or exceed the accessibility  
14 standards required for federally assisted multifamily housing  
15 projects will reduce confusion, will provide for a more  
16 comprehensive approach to accessibility, and will result in the  
17 provision of much needed additional accessible units.

18 SEC. 2. Chapter 6.25 (commencing with Section 50655.1) is  
19 added to Part 2 of Division 31 of the Health and Safety Code, to  
20 read:

21  
22 CHAPTER 6.25. ACCESSIBLE MULTIFAMILY HOUSING ACT OF  
23 2013  
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25 50655.1. (a) This chapter shall be known, and may be cited,  
26 as the Accessible Multifamily Housing Act of 2013.

1 (b) (1) New and substantially rehabilitated assisted multifamily  
2 housing projects shall be designed and constructed to be readily  
3 accessible to, and usable by, individuals with disabilities. Subject  
4 to paragraph (2), a minimum of 10 percent of the total dwelling  
5 units, or at least one unit in the assisted multifamily housing  
6 project, whichever is greater, shall be made accessible for persons  
7 with mobility impairments. An additional 4 percent of the units,  
8 but no fewer than one unit, in the project shall be accessible for  
9 persons with hearing or vision impairments.

10 (2) The California Housing Finance Agency, the Department  
11 of Housing and Community Development, or other state or local  
12 government agency may prescribe a higher percentage or number  
13 than that prescribed in paragraph (1), upon a determination that a  
14 higher percentage is necessary for a particular program, project,  
15 or area, based on census data or other available current data or in  
16 response to evidence of a need for a higher percentage or number  
17 received in any other manner.

18 (c) This chapter shall apply to all assisted multifamily housing  
19 projects for which building permits are issued on and after July 1,  
20 2014.

21 50655.2. The following terms have the following meanings  
22 for purposes of this chapter:

23 (a) “Accessible” means that a multifamily housing unit is on an  
24 accessible route and is adaptable and otherwise in compliance with  
25 the standards set forth in Section 8.32 (a), (b), and (c) of Title 24  
26 of the Code of Federal Regulations.

27 (b) “Assistance” means the provision of any land or in-kind  
28 contributions, as well as any financial assistance, including  
29 proceeds of any bond or indenture, loan or grant or bond insurance  
30 or guarantees, loans, grants, rental assistance, operational  
31 assistance, development assistance, downpayment assistance,  
32 rehabilitation assistance, or housing tax credits.

33 (c) “Assisted multifamily housing project” means any newly  
34 developed or substantially rehabilitated multifamily housing  
35 receiving assistance from state or local public agencies, including  
36 from the California Housing Finance Agency, the Department of  
37 Housing and Community Development, the California Tax Credit  
38 Allocation Committee, local redevelopment agencies and their  
39 successors, cities, counties, and city and counties, and public  
40 housing authorities.

1     SEC. 3. If the Commission on State Mandates determines that  
2 this act contains costs mandated by the state, reimbursement to  
3 local agencies and school districts for those costs shall be made  
4 pursuant to Part 7 (commencing with Section 17500) of Division  
5 4 of Title 2 of the Government Code.

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