



CASI Central | Summer 2016 | Volume 3  
Legislative Report *by Ida A. Clair*

## **LEGISLATIVE REPORT:**

### **AB 2093 Steinorth - Disability access**

Introduced: 02.17.16  
06.15.16 Passed Judiciary, ordered to third reading 6.27.16  
Urgency measure

The bill requires a commercial property owner to state on every lease form or rental agreement executed after January 1, 2017, whether the property has been inspected by a CASp. If it has been inspected by a CASp, requires the property owner to provide a copy of the report indicating that it meets applicable standards or a copy of the report indicating that the report is to remain confidential except as necessary to make repairs and corrections.

If the premises have not been issued a disability access inspection certificate, the bill would require a statement on the lease form or rental agreement stating that, upon request of the lessee or tenant, the property owner may not prohibit a CASp inspection of the subject premises and that the parties must mutually agree on the arrangements for the time and manner of the inspection, the payment of the associated fee, and the cost of making repairs, as specified.

The bill would establish a presumption that making repairs or modifications necessary to correct violations of construction-related accessibility standards that are noted in a CASp report is the responsibility of the commercial property owner or lessor unless otherwise agreed upon by the parties to the lease or rental agreement. The bill would grant a prospective lessee or tenant the opportunity to review any CASp report prior to execution of the lease or rental agreement, and if the report is not provided at least 48 hours prior to execution of a lease or rental agreement, the bill would grant a prospective lessee or tenant the right to rescind the lease or agreement, based upon information in the report, for 72 hours after execution.

### **SB 269 Roth - Disability access**

05.10.16 Signed by Governor, Chaptered

### **AB-54 Olsen - Disability access: construction-related accessibility claims: demand letters**

Introduced: 05.06.15 Senate Committee on Appropriations

Specifies information required for demand letters sent to the California Commission on Disability Access in a standard format as specified by the CCDA.

### **SB-1406 Mendoza - Construction-related accessibility: public education entities**

Introduced: 02.19.16  
Amended in Assembly: 06.23.16



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This bill would also require an attorney who sends or serves a complaint alleging a construction-related accessibility claim, as defined, against a public education entity to send a copy of the complaint and submit the notification of judgment, settlement, or dismissal to the commission, as described above.

**AB-2873 Thurmond - Certified Access Specialists**

Introduced: 02.19.16

Amended: 05.31.16 Senate Committee on Appropriations

Commencing January 1, 2020, all building inspectors employed or retained by a local agency who conduct permitting and plan check services to review for compliance with state construction-related accessibility standards by a place of public accommodation with respect to new construction or renovations, including, but not limited to, projects relating to tenant improvements that may impact access, be CASps.

Eliminates the provision in existing law that if a local agency employs or retains two or more certified access specialists, at least half of them are required to be building inspectors who are certified access specialists.

This bill would increase that state fee to \$4 from January 1, 2017, through December 31, 2019. The bill would increase the percentage of the fee retained by a local agency to 90% and the remaining 10% would be deposited into the Disability Access and Education Revolving Fund. By increasing revenue to a continuously appropriated fund, this bill would make an appropriation. The bill would make an appropriation by authorizing local government entities to retain an increased percentage of the increased fee. The bill would require that the moneys retained by a local agency be placed in a special fund established by the local agency, to be known as the "CASp Certification and Training Fund." The bill would require that fees collected in a CASp Certification and Training Fund be used for increased certified access specialist training and certification in the local jurisdiction.