

MAR 3 2005
STATE GOVERNMENT

HOUSE FILE 567
BY MASCHER, HEDDENS, and SMITH

(COMPANION TO 2105SS
BY BOLKCOM)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring that public housing constructed using public
2 funds incorporate minimum universal design standards relating
3 to accessibility.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HF-567

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1 Section 1. NEW SECTION. 104A.3 MINIMUM UNIVERSAL DESIGN
2 STANDARDS -- ACCESSIBILITY.

3 1. FINDINGS. The general assembly finds and declares it
4 is the policy of this state to encourage the design and
5 construction of affordable homes and apartments that people of
6 all ages and abilities can independently access, enter, and
7 visit. Incorporating universal design features into new
8 construction dramatically reduces the need to make and pay for
9 home modifications that address accessibility and use
10 restrictions related to aging and temporary or long-term
11 injury, illness, or disability.

12 2. DEFINITIONS. For purposes of this section, unless the
13 context otherwise requires:

14 a. "New construction" means housing that is being
15 constructed on-site and did not previously exist in
16 residential or nonresidential form. "New construction" does
17 not include the alteration, renovation, or remodeling of an
18 existing structure.

19 b. "Publicly financed housing" includes any single-family
20 home, townhouse, duplex, and any other building with three or
21 fewer dwelling units constructed in whole or in part using
22 public funding or assistance provided by or through the state
23 or any political subdivision of the state.

24 3. STANDARDS.

25 a. All new construction of publicly financed housing shall
26 incorporate minimum universal design standards in its design
27 and construction.

28 b. The state building code commissioner shall, after
29 consultation with the Iowa finance authority, the Iowa
30 department of economic development, the Iowa civil rights
31 commission, the department of elder affairs, representatives
32 of the homebuilding industry, and advocates for persons with
33 disabilities, adopt rules, pursuant to chapter 17A, to
34 establish minimum universal design standards. The rules shall
35 address, at a minimum, the following subjects:

1 (1) Accessible entrances, doorways, and hallways. At
2 least one entrance shall be accessible and on an accessible
3 route into and through the dwelling.

4 (2) Accessible and adaptable bathrooms. At least one
5 bathroom shall be accessible and adaptable.

6 (3) Accessible electrical, light, and environmental
7 controls.

8 (4) Provisions to allow elements of the minimum universal
9 design standards to be waived for a specific project if strict
10 compliance is determined to be prohibitively costly or
11 technically infeasible. The state agency or political
12 subdivision administering or providing the public funds shall
13 make such determinations and shall report such determinations
14 to the building code commissioner.

15 4. ENFORCEMENT. The entity by or through which the public
16 funding or assistance for publicly financed housing is
17 administered shall enforce the requirements of this section.
18 This section shall not be construed to require the department
19 of public safety to engage in enforcement activities.

20 5. APPLICABILITY. The requirements of this section shall
21 apply to any publicly financed housing constructed in whole or
22 in part with public funds, for which a building permit is
23 requested on or after July 1, 2006.

24 EXPLANATION

25 This bill requires the state building code commissioner to
26 adopt rules to adopt by rule minimum universal design
27 standards, relating to accessibility, applicable to publicly
28 financed housing constructed in whole or in part with public
29 funds. Publicly financed housing is defined as any single-
30 family home, townhouse, duplex, and any other building with
31 three or fewer dwelling units constructed with public funds.

32 The bill provides that the design standards shall apply to
33 new construction of publicly financed housing for which a
34 building permit is requested on or after July 1, 2006. The
35 bill requires the state building code commissioner to consult

1 with the Iowa finance authority, the Iowa department of
2 economic development, the Iowa civil rights commission, the
3 department of elder affairs, representatives of the
4 homebuilding industry, and advocates for persons with
5 disabilities prior to adopting rules. The bill further
6 provides that the universal design standards shall address
7 accessible entrances, doorways, hallways, bathrooms, and
8 environmental controls, and shall include a waiver provision.
9 The bill provides that enforcement of the bill shall be by the
10 public entity providing the public funds for the housing.

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