

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 17-0261.01 Kate Meyer x4348

HOUSE BILL 17-1067

HOUSE SPONSORSHIP

Thurlow, Arndt

SENATE SPONSORSHIP

Kerr, Moreno, Tate

House Committees
Local Government

Senate Committees
Local Government

A BILL FOR AN ACT

101 **CONCERNING UPDATING REFERENCES TO A NATIONAL STANDARD**
102 **SETTING FORTH TECHNICAL CRITERIA FOR ACCESSIBLE**
103 **HOUSING.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. The bill amends references to an out-of-date version of a standard, promulgated by the American national standards institute, that governs construction of accessible housing.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
2nd Reading Unamended
February 24, 2017

HOUSE
3rd Reading Unamended
January 31, 2017

HOUSE
Amended 2nd Reading
January 30, 2017

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 9-5-101, **amend** the
3 introductory portion, (2), (10), (11), (12), (13), and (14); **repeal** (3); and
4 **add** (5.5) as follows:

5 **9-5-101. Definitions.** As used in this ~~article~~ ARTICLE 5, unless the
6 context otherwise requires:

7 (2) "Accessible route" means an interior or exterior circulation
8 path that complies ~~with the provisions contained in "ANSI A117.1-1998"~~
9 WITH ICC/ANSI A117.1.

10 (3) ~~"ANSI A117.1-1998" means the 1998 version of the~~
11 ~~"American National Standard for Buildings and Facilities Providing~~
12 ~~Accessibility and Usability for Physically Handicapped People".~~

13 (5.5) "ICC/ANSI A117.1" MEANS THE "ACCESSIBLE AND USABLE
14 BUILDINGS AND FACILITIES" STANDARD, OR ANY SUCCESSOR STANDARD,
15 PROMULGATED AND AMENDED FROM TIME TO TIME BY THE
16 INTERNATIONAL CODE COUNCIL.

17 (10) "Type A dwelling unit" means a dwelling unit designed in
18 accordance ~~with the provisions of ANSI A117.1-1998~~ WITH ICC/ANSI
19 A117.1, section 1002, OR ANY SUCCESSOR SECTION WITHIN ICC/ANSI
20 A117.1.

21 (11) "Type A multistory dwelling unit" means a multiple story
22 dwelling unit with a ground story level designed in accordance ~~with the~~
23 ~~provisions of ANSI A117.1-1998~~ WITH ICC/ANSI A117.1, section 1002,
24 OR ANY SUCCESSOR SECTION WITHIN ICC/ANSI A117.1, and, if provided,
25 accessible laundry facilities on the ground story level.

26 (12) "Type B dwelling unit" means a dwelling unit with a ground
27 floor level designed in accordance ~~with the provisions of ANSI~~

1 ~~A117.1-1998~~ WITH ICC/ANSI A117.1, section 1003, OR ANY SUCCESSOR
2 SECTION WITHIN ICC/ANSI A117.1.

3 (13) "Type B multistory dwelling unit" means a multiple-story
4 dwelling unit with a ground story level that is designed in accordance
5 ~~with the provisions of ANSI A117.1-1998~~ WITH ICC/ANSI A117.1,
6 section 1003, OR ANY SUCCESSOR SECTION WITHIN ICC/ANSI A117.1,
7 and, if provided, accessible laundry facilities on the ground story level.

8 (14) "Type B visitable ground floor" means a multiple-story
9 dwelling unit with an accessible entrance and toilet facility designed in
10 accordance ~~with the provisions of ANSI A117.1-1998~~ WITH ICC/ANSI
11 A117.1, section 1003, OR ANY SUCCESSOR SECTION WITHIN ICC/ANSI
12 A117.1.

13 **SECTION 2.** In Colorado Revised Statutes, 9-5-102, **amend** (2)
14 as follows:

15 **9-5-102. Disabilities covered - purpose. (2) Design criteria.**
16 Design criteria ~~shall~~ MUST comply with ~~the 1998 version of the~~
17 ~~"American National Standard for Buildings and Facilities Providing~~
18 ~~Accessibility and Usability for Physically Handicapped People",~~
19 ~~promulgated by the American national standard institute, commonly cited~~
20 ~~as "ANSI A117.1-1998"~~ ICC/ANSI A117.1.

21 **SECTION 3.** In Colorado Revised Statutes, 9-5-103, **amend** (3)
22 introductory portion and (3)(a) as follows:

23 **9-5-103. Applicability of standards - enforcement. (3)** Any
24 building or facility that would have been subject to ~~the provisions of this~~
25 ~~article~~ THIS ARTICLE 5 but was under construction prior to July 1, 1976,
26 ~~shall~~ MUST comply with the following:

27 (a) If the walls or defining boundaries of an element or space are

1 altered, then the altered element or space shall comply with the applicable
2 provisions of section 9-5-105, unless such alteration is technically
3 infeasible. If full compliance with this article is technically infeasible,
4 compliance shall be implemented up to the point of technical infeasibility.
5 No alteration shall be undertaken that negatively impacts accessibility of
6 a building or facility pursuant to ~~ANSI A117.1-1998~~ TO ICC/ANSI
7 A117.1. This ~~paragraph (a)~~ SUBSECTION (3)(a) shall not be construed to
8 require the moving of any existing walls not otherwise planned to be
9 moved.

10 **SECTION 4.** In Colorado Revised Statutes, 24-34-502.2, **amend**
11 **(3)** as follows:

12 **24-34-502.2. Unfair or discriminatory housing practices**
13 **against individuals with disabilities prohibited.** (3) Compliance with
14 the appropriate requirements of the ~~American national standard for~~
15 ~~buildings and facilities providing accessibility and usability for~~
16 ~~individuals with physical disabilities~~ "ACCESSIBLE AND USABLE
17 BUILDINGS AND FACILITIES" STANDARD, OR ANY SUCCESSOR STANDARD,
18 PROMULGATED AND AMENDED FROM TIME TO TIME BY THE
19 INTERNATIONAL CODE COUNCIL (commonly cited as ~~ANSI A117.1~~
20 ICC/ANSI A117.1) suffices to satisfy the requirements of ~~paragraph (c)~~
21 ~~of subsection (2)~~ SUBSECTION (2)(c) of this section.

22 **SECTION 5.** In Colorado Revised Statutes, 42-4-1208, **amend**
23 **(2)(e)(II)(B)** as follows:

24 **42-4-1208. Reserved parking for persons with disabilities -**
25 **applicability - rules.** (2) **Use of plate or placard.** (e) (II) (B) The
26 technical standards for accessible parking spaces should meet or exceed
27 section 502, OR ANY SUCCESSOR SECTION, of the ~~2009~~ version of ANSI

1 ~~A117.1~~ "ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES"
2 STANDARD, or any succeeding standard, ~~published~~ PROMULGATED AND
3 AMENDED FROM TIME TO TIME by the international code council
4 (COMMONLY CITED AS ICC/ANSI A117.1).

5 **SECTION 6. Act subject to petition - effective date -**
6 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
7 the expiration of the ninety-day period after final adjournment of the
8 general assembly (August 9, 2017, if adjournment sine die is on May 10,
9 2017); except that, if a referendum petition is filed pursuant to section 1
10 (3) of article V of the state constitution against this act or an item, section,
11 or part of this act within such period, then the act, item, section, or part
12 will not take effect unless approved by the people at the general election
13 to be held in November 2018 and, in such case, will take effect on the
14 date of the official declaration of the vote thereon by the governor.

15 (2) This act applies to buildings and facilities constructed or
16 altered on or after the applicable effective date of this act.