An Act Relative to the Architectural Access Board
H.2029/S.1441

Access is a civil right. In 1990, the Americans with Disabilities Act enshrined the right to equal access in federal law. However, a discrepancy between the ADA and Massachusetts building code creates barriers to access for people with disabilities in housing and employment.

<table>
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<tr>
<th>Housing:</th>
<th>Employment:</th>
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<tbody>
<tr>
<td>• Massachusetts code does not require any building originally constructed before 1991 to include units adaptable to a wheelchair user’s needs.</td>
<td>• Massachusetts code does not require employee areas be accessible, even in new or extensively renovated buildings.</td>
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<td>• This includes former commercial buildings like mills that are refurbished into housing.</td>
<td>• Making and keeping employee areas inaccessible creates structural barriers to employment, and enables discriminatory hiring practices.</td>
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<td>• People with disabilities are more than twice as likely to be homeless as non-disabled people.</td>
<td>• The unemployment rate for people with disabilities is twice that of non-disabled people.</td>
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<td>• Adaptability allows people to age in place, increases the housing options for people with disabilities and elders, and decreases costly institutionalization in skilled nursing facilities. It costs very little if done up front.</td>
<td>• This contributes to higher rates of poverty and homelessness, segregates people with disabilities into certain sectors, and prevents people with disabilities from fully participating in our communities.</td>
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Align Massachusetts code with the Federal ADA.

This will:

• Create more job opportunities for people with disabilities.
• Create more housing for people with disabilities and more security for an aging population.
• Simplify the code-book, empowering architects and developers to create accessible designs, and reducing ADA lawsuits by guaranteeing all access issues are worked out in the blue-print stage.

This will not:

• Force all existing businesses or pre-1991 housing to become accessible immediately.
• Hurt small businesses or require unreasonable access modifications. The AAB has a very reasonable variance process that allows businesses and property owners to apply for an exemption to state access requirements that are physically impossible, cost-prohibitive, or otherwise unreasonable. In 2017, 93% of variance applications were granted. Most of those denied were denied because the property owner did not complete the variance process.

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Sponsoring Organizations

Acton Commission on Disabilities
Ad Lib. Inc
Boston Center for Independent Living
Boston Disability Commission
Cambridge Commission for Persons with Disabilities
Cape Organization for the Rights of the Disabled
Center for Living and Working
City of Revere Commission on Disabilities
Disability Policy Consortium
Disability Resource Center
Easter Seals Massachusetts
Greater Boston Chapter, United Spinal Association
Independence Associates
Jewish Community Relations Council of Massachusetts
Massachusetts Coalition for the Homeless
MetroWest Center for Independent Living
National Multiple Sclerosis Society, Greater New England Chapter
Newton Commission on Disability
Northeast Independent Living Program
Southeast Center for Independent Living
Stavros

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