

STATE OF NEW YORK

8772

2025-2026 Regular Sessions

IN ASSEMBLY

June 2, 2025

Introduced by M. of A. SANTABARBARA -- read once and referred to the
Committee on People with Disabilities

AN ACT establishing the disability access accountability commission

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. Short title. This act shall be known and may be cited as
2 the "disability access accountability commission act".
3 § 2. Disability access accountability commission. The disability
4 access accountability commission (DAAC) is hereby established as an
5 independent commission to monitor and enforce compliance with state and
6 federal disability access laws across public and private sectors in New
7 York.
8 1. For the purposes of this act, "commission" shall mean the disabili-
9 ty access accountability commission (DAAC), established by subdivision
10 two of this section.
11 2. The commission shall consist of fourteen members, including:
12 (a) the commissioner of the office for people with developmental disa-
13 bilities, or such commissioner's designee;
14 (b) the commissioner of the department of health, or such commission-
15 er's designee;
16 (c) the temporary president of the senate shall appoint six members,
17 including:
18 (i) a member of the standing committee on disabilities;
19 (ii) a member of a committee related to disability accommodations,
20 other than the standing committee on disabilities, such as the standing
21 committees on children and families, education, health, investigations
22 and government operations, mental health, or social services;
23 (iii) a qualified expert whose primary occupation involves working
24 with people with disabilities, such as a physician, psychologist, or
25 medical researcher;

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 (iv) two persons representing those directly impacted by disabilities,
2 including:

3 (A) a person with lived experience of disabilities; and

4 (B) a person who is the primary caretaker, such as a parent/guardian,
5 adult child, sibling, or spouse, of someone with a disability; or

6 (C) an established disability access advocate; and

7 (v) a representative of the private sector or organization that works
8 with the private sector to improve disability access in public accommo-
9 dations such as mass transit, hospitality, and housing.

10 (d) the speaker of the assembly shall appoint six members, including:

11 (i) a member of the standing committee on people with disabilities;

12 (ii) a member of a committee related to disability accommodations,
13 other than the standing committee on disabilities, such as the standing
14 committees on children and families, education, health, investigations
15 and government operations, mental health, or social services;

16 (iii) a qualified expert whose primary occupation involves working
17 with people with disabilities, such as a physician, psychologist, or
18 medical researcher;

19 (iv) two persons representing those directly impacted by disabilities,
20 including:

21 (A) a person with lived experience of disabilities; and

22 (B) a person who is the primary caretaker, such as a parent/guardian,
23 adult child, sibling, or spouse, of someone with a disability; or

24 (C) an established disability access advocate; and

25 (v) a representative of the private sector or organization that works
26 with the private sector to improve disability access in public accommo-
27 dations such as mass transit, hospitality, and housing.

28 3. The members of the commission shall serve at the pleasure of the
29 official making the appointment of such member. Appointing parties shall
30 take care to create a diversity of experiences to the fullest extent
31 practicable.

32 4. The commission shall, within thirty days following the appointment
33 of all its members, elect a chairperson from among such members.

34 § 3. Duties of the commission. 1. The commission shall agree on a
35 meeting schedule of no less than once per quarter. Such meetings shall
36 be held in a manner most convenient to its members.

37 2. (a) Within thirty days of electing a chairperson, pursuant to
38 subdivision four of section two of this act, the commission shall estab-
39 lish an internet portal through which users can submit a digital
40 complaint form about public accommodations not being accessible or
41 accessibility features, such as ramps, needing repair. A chairperson
42 need not yet be elected for work on such portal to commence. The commis-
43 sion shall design a complaint form to collect all necessary information
44 regarding the location, nature, and purpose of the request, and whether
45 such request is made regarding a business, such as a store or restau-
46 rant, or a place of residence or accommodation, such as a public or
47 privately owned apartment building or hotel. There shall be options for
48 the user to add a description and photos of the non-compliance.

49 (b) Such complaint form shall be short, all typeface shall be in an
50 easily legible font and size, and the portal shall be available in both
51 English and Spanish and accessible to those who are visually impaired.

52 (c) Such complaint form shall not require the personal information of
53 the user but shall send confirmation of the complaint's receipt to an
54 e-mail address or telephone number, if provided. Such e-mail addresses
55 or telephone numbers shall only be used for communications regarding the
56 complaint submitted.

1 (d) The commission may implement a procedure to increase the urgency
2 of certain requests, such as access to one's home being impaired by
3 damage or disfunction of ramps or elevators.

4 3. The commission shall investigate complaints submitted through the
5 portal established in subdivision two of this section in a timely
6 manner.

7 4. The commission shall conduct audits of public spaces and services
8 to ensure compliance with local, state, and federal disability access
9 laws.

10 § 4. Authorities of the commission. 1. The commission is hereby
11 authorized to:

12 (a) conduct audits of public spaces to ensure compliance with local,
13 state, and federal disability access laws;

14 (b) impose penalties for non-compliance, including mandates for reme-
15 diation and fines, where appropriate;

16 (c) conduct studies, inquiries, surveys, or analyses it may deem rele-
17 vant for the accomplishment of its purposes in cooperation or by agree-
18 ment with any other public or private agency; and

19 (d) conduct public or private hearings within the state.

20 2. Only structures and public accommodations which are subject to
21 local, state, or federal accessibility laws and are not subject to an
22 exemption are under the jurisdiction of the commission. The commission
23 shall not attempt to enforce compliance on privately owned homes of
24 which the complainant or person needing accommodation is the owner,
25 guest of the owner, or not otherwise entitled to accommodation, historic
26 sites which are unable to be altered, or other exempt structures. Any
27 dispute as to whether a structure is required to be accessible shall be
28 raised through the appropriate channel under the Americans with disabili-
29 ties act by the parties involved, not the commission.

30 § 5. Compensation. Members of the commission shall receive no compen-
31 sation for their services but shall be allowed their actual and neces-
32 sary expenses incurred in the performance of their duties hereunder. To
33 the maximum extent feasible, the commission shall be entitled to request
34 and receive and shall utilize and be provided with such facilities,
35 resources, and data of any department, division, board, bureau, commis-
36 sion, or agency of the state or any political subdivision thereof as it
37 deems necessary or desirable to carry out properly its powers and duties
38 hereunder.

39 § 6. Reporting. The commission shall make a report of its findings,
40 actions, and progress, including any recommendations for legislative
41 action as it may deem necessary and appropriate, to the governor, the
42 temporary president of the senate, the speaker of the assembly, the
43 chairperson of the senate committee on disabilities, and the chairperson
44 of the assembly committee on people with disabilities yearly, at mini-
45 mum, beginning one year after this act shall have become a law.

46 § 7. This act shall take effect immediately.