

# STATE OF NEW YORK

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4169

2023-2024 Regular Sessions

## IN ASSEMBLY

February 10, 2023

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Introduced by M. of A. RA -- read once and referred to the Committee on Aging

AN ACT to amend the executive law, in relation to establishing the senior housing accessibility study group; and to repeal such provisions upon the expiration thereof

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

1 Section 1. The executive law is amended by adding a new section 373-b  
2 to read as follows:

3 § 373-b. Senior housing accessibility study group. 1. There shall be  
4 established a senior housing accessibility study group. Such study group  
5 shall consist of the director of the division of building standards and  
6 codes, or his or her designee, who shall also serve as the chair of the  
7 group, the commissioner of health, or his or her designee, the director  
8 of the office for the aging, or his or her designee, the commissioner of  
9 the division of homes and community renewal, or his or her designee, and  
10 three members to be appointed by the governor, one of whom shall repre-  
11 sent and have experience with the housing construction industry, one of  
12 whom shall represent and have experience as an advocate for the disabled  
13 community, and one of whom shall be an architect licensed in the state  
14 of New York. The members of the study group shall receive no compen-  
15 sation for their services, but shall be allowed their actual and neces-  
16 sary expenses incurred in the performance of their duties pursuant to  
17 this section. Such study group may conduct any hearings or take any  
18 written testimony as it deems necessary and shall take all other steps  
19 necessary to provide a thorough analysis of all issues related to senior  
20 housing accessibility.

21 2. The senior housing accessibility study group shall examine, evalu-  
22 ate, and make recommendations for amending the New York state uniform  
23 fire prevention and building code to improve and enhance accessibility  
24 requirements for all newly constructed or substantially reconstructed

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

LBD08880-01-3

1 senior housing developments. Such enhancements may include, but shall  
2 not be limited to:

3 (a) installing ramps for all first-floor entrances at the front, rear,  
4 or side of each building;

5 (b) requiring that all second-floor units have staircases sufficient  
6 to allow the installation of chair glides, if necessary, for resident or  
7 owner use;

8 (c) requiring that all residential full bathrooms should fulfill all  
9 requirements for accessibility pursuant to the federal Americans with  
10 Disabilities Act (ADA);

11 (d) requiring that all recreation facilities are made fully compliant  
12 with ADA specifications and are accessible to all residents. This shall  
13 include swimming pools with compliant ramp grading and rails, accessible  
14 gates, and contrasting striping for those with limited vision;

15 (e) require the installation of ADA compliant door actuators for entry  
16 and exit doors and bathrooms in clubhouses and recreation centers;

17 (f) require that all public United States postal service mailboxes and  
18 locations shall be fully accessible, with curb cut ramps ensuring the  
19 shortest path of travel from all units, and appropriate landings to  
20 allow for turnaround space; and

21 (g) require that all resident parking spaces shall have a minimum of a  
22 thirty-inch access aisle to ensure ease of function access to a person's  
23 vehicle. This requirement shall be in addition to all visitor and acces-  
24 sible parking spaces required by the New York state uniform fire  
25 prevention and building code for accessibility.

26 3. The senior housing accessibility study group shall issue its final  
27 recommendations in accordance with this section no later than thirty  
28 days prior to the expiration of this section. Such study group shall  
29 issue such report to the governor, the speaker of the assembly, the  
30 minority leader of the assembly, the temporary president of the senate,  
31 and the minority leader of the senate.

32 § 2. This act shall take effect immediately and shall expire and be  
33 deemed repealed one year after it shall have become a law.