

SENATE AMENDMENTS TO SENATE BILL 444

By COMMITTEE ON HOUSING AND DEVELOPMENT

May 7

On page 1 of the printed bill, line 2, after “ORS” insert “447.220, 456.508 and”.

Delete lines 7 through 18 and insert:

“SECTION 2. The Director of the Department of Consumer and Business Services shall adopt rules to implement in the structural code a requirement that at least 10 percent of the dwelling units or sleeping units in newly constructed Group R-2 buildings, or at least one dwelling unit or sleeping unit in a newly constructed building with more than 15 dwelling units or sleeping units, must be Type A dwelling units or sleeping units, as described in the current version of American National Standards Institute standard A117.1.

“SECTION 3. ORS 447.220 is amended to read:

“447.220. [It is] The purpose of ORS 447.210 to 447.280 is to make affected buildings, including but not limited to commercial facilities, public accommodations, private entities, private membership clubs and churches, in the state accessible to and usable by persons with disabilities, as provided in the Americans with Disabilities Act, and to make covered multifamily dwellings in the state accessible to and usable by all persons with disabilities, as provided in the Fair Housing Act. In requiring that buildings and facilities be usable by persons with disabilities, [it is not the intention of] the Legislative Assembly **does not intend to require that items of personal convenience such as rest rooms, telephones and drinking fountains be provided for members of the public who have disabilities if [they] **the items of personal convenience** are not otherwise provided for members of the public who do not have disabilities. [However, pursuant to] **Under** the Americans with Disabilities Act **and the Fair Housing Act**, the Director of the Department of Consumer and Business Services may, **however**, provide greater protection to individuals with disabilities by adopting more stringent standards than prescribed by the Americans with Disabilities Act **or, for the purpose of making covered multifamily dwellings and other types of dwellings in this state accessible to and usable by all persons with disabilities, the Fair Housing Act.****

“SECTION 4. ORS 456.508 is amended to read:

“456.508. As used in ORS 456.510 and 456.513:

“(1) ‘Accessible’ means that housing complies with federal accessibility guidelines implementing the Fair Housing Amendments Act of 1988, 42 U.S.C. 3601 et seq., or the Uniform Federal Accessibility Standards, both as amended and in effect on [January 1, 2004] the effective date of this 2025 Act.

“(2) ‘Common living space’ means a living room, family room, dining room or kitchen.

“(3) ‘Contiguous units’ means units that are on the same tax lot or on contiguous tax lots that have a common boundary[.], including tax lots that are separated by a public road [are contiguous tax lots for purposes of this subsection].

“(4)(a) ‘New’ means that the housing being constructed did not previously exist in residential

1 or nonresidential form.

2 “(b) ‘New’ does not include the acquisition, alteration, renovation or remodeling of an existing
3 structure.

4 “(5) ‘Powder room’ means a room containing at least a toilet and sink.

5 “(6) ‘Rental housing’ means a dwelling unit designed for nonowner occupancy under a tenancy
6 typically lasting six months or longer.

7 “(7) ‘Subsidized development’ means housing that receives one or more of the following devel-
8 opment subsidies from the Housing and Community Services Department:

9 “(a) The federal low-income housing tax credit under 26 U.S.C. 42(a), if no part of the eligible
10 basis prior to the application of 26 U.S.C. 42(i)(2)(B) was financed with an obligation described in
11 26 U.S.C. 42(h)(4)(A), all as amended and in effect on [January 1, 2004] **the effective date of this**
12 **2025 Act;**

13 “(b) An agriculture workforce housing tax credit, as described in ORS 315.164;

14 “(c) A loan that qualifies the lending institution for a subsidized housing loan tax credit, as de-
15 scribed in ORS 317.097;

16 “(d) Funding under the federal HOME Investment Partnerships Act, 42 U.S.C. 12721 to 12839,
17 as amended and in effect on [January 1, 2004] **the effective date of this 2025 Act;**

18 “(e) Moneys from the Oregon Housing Fund created under ORS 458.620; or

19 “(f) Moneys from other grant or tax incentive programs administered by the Housing and Com-
20 munity Services Department under ORS 456.559.

21 “(8) ‘Visitable’ means capable of being approached, entered and used by individuals with mobility
22 impairments, including but not limited to individuals using wheelchairs.”.

23 In line 19, delete “3” and insert “5”.

24 On page 2, delete line 13 and insert:

25 “(A) Enabling, in a manner that is consistent with the Uniform Federal Accessibility Standards,
26 mobility for individuals who use wheelchairs or other mobility devices in the greater of:”.

27 In line 18, after “Enabling” insert “, in a manner that is consistent with the Uniform Federal
28 Accessibility Standards,”.

29 After line 22, insert:

30 “(d) If the Uniform Federal Accessibility Standards apply to a dwelling unit, common area or
31 powder room within a subsidized development and are more stringent than standards that apply to
32 the unit, area or room under paragraphs (a) to (c) of this subsection, the subsidized development
33 must comply with the Uniform Federal Accessibility Standards.”.

34 Delete lines 27 through 37 and insert:

35 **“SECTION 6. (1) Section 2 of this 2025 Act and the amendments to ORS 447.220, 456.508**
36 **and 456.510 by sections 3 to 5 of this 2025 Act become operative on January 1, 2026.**

37 **“(2) The Director of the Department of Consumer and Business Services and the Housing**
38 **and Community Services Department may adopt rules and take any other action before the**
39 **operative date specified in subsection (1) of this section that is necessary to enable the di-**
40 **rector and the department, on and after the operative date specified in subsection (1) of this**
41 **section, to undertake and exercise all of the duties, powers and functions conferred on the**
42 **director and the department by section 2 of this 2025 Act and the amendments to ORS**
43 **447.220, 456.508 and 456.510 by sections 3 to 5 of this 2025 Act.**

44 **“SECTION 7. This 2025 Act takes effect on the 91st day after the date on which the 2025**
45 **regular session of the Eighty-third Legislative Assembly adjourns sine die.”.**

