

Fact Sheet AB 2873

Author: Thurmond, Tony

Bill: AB 2873, Certified Accessibility Specialists (CASp)

In Brief: AB 2873 attempts to limit egregious examples of lawsuit abuses by increasing education and compliance with ADA laws. To accomplish this, the bill collects a \$4 fee on business licenses and renewals, so that the increase dollars can be used by local governments for the CASp-certification of all local building inspectors. The bill also expands CASp standards to include additional areas of housing accessibility that are currently not tested.

Background: The CASp program was created by SB 262 (Kuehl 2003) in order to provide the training needed to identify building violations of the American with Disabilities Act (ADA) and other related accessibility standards, namely state protections provided to disabled persons—which are comparatively higher than those provided under the ADA. The intent of its creation was to develop a program that creates a ready group of technicians who identify accessibility violations before they can prevent access or harm an establishment.

In SB 1186 (Steinberg 2008), the CASp program created public CASp by levying a \$1 dollar fee on business licenses and renewals, 70 percent of which stays with local jurisdictions. These public CASp would be retained to provide consultation to the local agency, permit applicants, and members of the public on compliance with state construction-related accessibility standards. Local agencies are required to have one building inspector be CASp-certified so that they conduct permitting and plan check services. These services are to ensure that all places of public accommodation comply with state construction-related accessibility standards with respect to new construction. As California grows, and as construction increases, the funding of the CASp program needs to meet the need of accessibility. Public CASp play a crucial role in preventing accessibility violations as they provide permitting and plan check services for new construction, as well as agencies. Insufficient funding prevents local governments from expanding CASp certification to other building inspectors. Equally important, CASp certification does not reflect changes in building code standards that have occurred since the inception of the program. Namely those relating to federally-subsidized housing and other Department of Justice directives on accessibility. With an interest undermines the goals that established the CASp program gaps in accessibility, buildings and rehabilitation of buildings, which undergo building inspection, to forgo.

Solution: To increase compliance and prevent violations, AB 2873 provides that all local building inspectors be CASp certified. Funding for the mandate is provided by a \$4 fee on business licenses and renewals, of which 90% will stay with local governments. The bill also requires instruction on new building standards currently not included in CASp certification.

Support:

Disability Rights California (sponsor)

For More Information:

Rodolfo E. Rivera Aquino, Office of Asm. Tony Thurmond

916 319 2015

rodolfo.riveraaquino@asm.ca.gov