

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 17-0261.01 Kate Meyer x4348

HOUSE BILL 17-1067

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HOUSE SPONSORSHIP

**Thurlow**, Arndt

SENATE SPONSORSHIP

**Kerr**, Moreno, Tate

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**House Committees**

Local Government

**Senate Committees**

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A BILL FOR AN ACT

101 CONCERNING UPDATING REFERENCES TO A NATIONAL STANDARD  
102 SETTING FORTH TECHNICAL CRITERIA FOR ACCESSIBLE  
103 HOUSING.

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

**Statutory Revision Committee.** The bill amends references to an out-of-date version of a standard, promulgated by the American national standards institute, that governs construction of accessible housing.

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Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 9-5-101, **amend** the  
3 introductory portion, (2), (3), (10), (11), (12), (13), and (14) as follows:

4 **9-5-101. Definitions.** As used in this ~~article~~ ARTICLE 5, unless the  
5 context otherwise requires:

6 (2) "Accessible route" means an interior or exterior circulation  
7 path that complies ~~with the provisions contained in "ANSI A117.1-1998"~~  
8 WITH ANSI A117.1.

9 (3) ~~"ANSI A117.1-1998" means the 1998 version of the~~  
10 ~~"American National Standard for Buildings and Facilities Providing~~  
11 ~~Accessibility and Usability for Physically Handicapped People"~~ "ANSI  
12 A117.1" MEANS THE "ACCESSIBLE AND USABLE BUILDINGS AND  
13 FACILITIES" STANDARD, OR ANY SUCCESSOR STANDARD, promulgated AND  
14 AMENDED FROM TIME TO TIME by the American national standards  
15 institute.

16 (10) "Type A dwelling unit" means a dwelling unit designed in  
17 accordance ~~with the provisions of ANSI A117.1-1998~~ WITH ANSI  
18 A117.1, section 1002, OR ANY SUCCESSOR SECTION WITHIN ANSI A117.1.

19 (11) "Type A multistory dwelling unit" means a multiple story  
20 dwelling unit with a ground story level designed in accordance ~~with the~~  
21 ~~provisions of ANSI A117.1-1998~~ WITH ANSI A117.1, section 1002, OR  
22 ANY SUCCESSOR SECTION WITHIN ANSI A117.1, and, if provided,  
23 accessible laundry facilities on the ground story level.

24 (12) "Type B dwelling unit" means a dwelling unit with a ground  
25 floor level designed in accordance ~~with the provisions of ANSI~~  
26 ~~A117.1-1998~~ WITH ANSI A117.1, section 1003, OR ANY SUCCESSOR  
27 SECTION WITHIN ANSI A117.1.

1 (13) "Type B multistory dwelling unit" means a multiple-story  
2 dwelling unit with a ground story level that is designed in accordance  
3 ~~with the provisions of ANSI A117.1-1998~~ WITH ANSI A117.1, section  
4 1003, OR ANY SUCCESSOR SECTION WITHIN ANSI A117.1, and, if  
5 provided, accessible laundry facilities on the ground story level.

6 (14) "Type B visitable ground floor" means a multiple-story  
7 dwelling unit with an accessible entrance and toilet facility designed in  
8 accordance ~~with the provisions of ANSI A117.1-1998~~ WITH ANSI  
9 A117.1, section 1003, OR ANY SUCCESSOR SECTION WITHIN ANSIA117.1.

10 **SECTION 2.** In Colorado Revised Statutes, 9-5-102, **amend** (2)  
11 as follows:

12 **9-5-102. Disabilities covered - purpose. (2) Design criteria.**  
13 Design criteria ~~shall~~ MUST comply with ~~the 1998 version of the~~  
14 ~~"American National Standard for Buildings and Facilities Providing~~  
15 ~~Accessibility and Usability for Physically Handicapped People",~~  
16 ~~promulgated by the American national standard institute, commonly cited~~  
17 ~~as "ANSI A117.1-1998"~~ ANSI A117.1.

18 **SECTION 3.** In Colorado Revised Statutes, 9-5-103, **amend** (3)  
19 introductory portion and (3)(a) as follows:

20 **9-5-103. Applicability of standards - enforcement. (3)** Any  
21 building or facility that would have been subject to ~~the provisions of this~~  
22 ~~article~~ THIS ARTICLE 5 but was under construction prior to July 1, 1976,  
23 ~~shall~~ MUST comply with the following:

24 (a) If the walls or defining boundaries of an element or space are  
25 altered, then the altered element or space shall comply with the applicable  
26 provisions of section 9-5-105, unless such alteration is technically  
27 infeasible. If full compliance with this article is technically infeasible,

1 compliance shall be implemented up to the point of technical infeasibility.  
2 No alteration shall be undertaken that negatively impacts accessibility of  
3 a building or facility pursuant to ~~ANSI A117.1-1998~~ TO ANSI A117.1.  
4 This ~~paragraph (a)~~ SUBSECTION (3)(a) shall not be construed to require the  
5 moving of any existing walls not otherwise planned to be moved.

6 **SECTION 4. Act subject to petition - effective date -**  
7 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
8 the expiration of the ninety-day period after final adjournment of the  
9 general assembly (August 9, 2017, if adjournment sine die is on May 10,  
10 2017); except that, if a referendum petition is filed pursuant to section 1  
11 (3) of article V of the state constitution against this act or an item, section,  
12 or part of this act within such period, then the act, item, section, or part  
13 will not take effect unless approved by the people at the general election  
14 to be held in November 2018 and, in such case, will take effect on the  
15 date of the official declaration of the vote thereon by the governor.

16 (2) This act applies to buildings and facilities constructed or  
17 altered on or after the applicable effective date of this act.