

SENATE NO. 745



AN ACT REQUIRING THAT ALL NEWLY BUILT AND CONSTRUCTED HOUSES AND OR NEWLY RENOVATED HOUSES BE MADE ADAPTABLE TO WHEELCHAIR ACCESSIBILITY AT THE TIME OF PURCHASE BY A BUYER OR AT THE TIME OF RENOVATION BY THE OWNER

*Be it enacted by the Senate and House of Representatives in General Court assembled,
And by the authority of the same, as follows:*

1 SECTION 1. Whereas, I, Brian J. Coppola of Methuen, Massachusetts, Residing in the county
2 of Essex do hereby petition that the Massachusetts Legislature, otherwise known as the General
3 Court do hereby enact, adopt and pass the following into law.; and
4 Whereas, In Memory of my beloved sister Diane A. Dunn, who died of Terminal Lung Cancer
5 on July 25, 2006 and in Honor of my beloved Nephew, Daniel Chasse;
6 Section 2. Be it enacted that any and all new homes, which are built for sale or for a particular
7 buyer or family unit, must contain in its construction at least one flat entrance to accommodate
8 the use of a wheelchair, power chair, scooter or any other device that aids someone who has or
9 may have mobility problems, such as limited walking capability, paralysis, or any other
10 deficiencies that may require the use of said mobility aids, should there ever be a time that one
11 of the occupants of the newly constructed house or abode may need.

12 Be it further enacted that any and all newly constructed house or home must have at least two of
13 its bedrooms on the first floor and all of the main areas of said newly constructed house or home
14 located on the first floor. Such common areas shall include but not be limited to kitchen,
15 bathrooms, family or living rooms, laundry and cleaning areas.

16 Be it further enacted that any and all additional accommodations needed by an occupant or
17 dweller, who may have a disability or impairment that limits his/her mobility should such
18 occasion occur, shall have such accommodations supported out of pocket or with the assistance
19 of state or federal funding programs. Should said person with mobility problems or impairments
20 be deemed low income, as defined by the federal guidelines of the poverty level or receive
21 public assistance such as SSI,(Supplemental Security Income), SSDI, and or Medicaid and
22 Medicare or both or all of the afore mentioned public assistance programs, and a loan is
23 required to make the required accommodations, such lenders providing said loan to make such
24 modifications and that receive any funding from the Commonwealth of Massachusetts shall
25 only charge payback of the principal amount of the loan, when a modification to a home is
26 needed to accommodate a disabled dweller, who is receiving said public assistance such as SSI,
27 (Supplemental Security Income), SSDI and or Medicare, Medicaid or both or all of the afore
28 mentioned public assistance.

29 Be it further enacted that the same shall hold true for any and all renovated residential buildings
30 in the Commonwealth of Massachusetts, unless doing so would place an undue hardship on the
31 owner or that of the lending institution, who would be lending the funds to have constructed
32 renovations done to one's home. Renovations shall include but not be limited to additions,
33 major remodeling or that of rebuilding entrances to the house, such as at the time that a new
34 porch or patio is being built. Be it further enacted that historical preservation of the home shall

35 be exempted from this requirement, unless there is to be undertaken a major renovation that
36 would include but not be limited to an addition, rebuilding of the stairway of one of the
37 entrances or a major overhaul of such residence.

38 Be it further enacted that should modifications to a home or resident need to be made due to the
39 fact that one of or any or all of the occupants or dwellers are mobility impaired or require the
40 use of a wheelchair, power chair, scooter or any other device that aids someone in their
41 independent mobility, said funding shall be made either by loan with no interest rate if by the
42 Commonwealth of Massachusetts, or by a small interest rate not to exceed five percent (5%) of
43 the principal, if funding is provided by a private lending institution that receives state funding or
44 does any business with the Commonwealth of Massachusetts State government as an entity.

45 Be it further enacted that said modifications that are being made to a resident for the purpose of
46 accommodating a handicapped person and or their caregiver shall be exempt from any and all
47 property taxes so applied in the Commonwealth of Massachusetts, and or the municipality
48 where said disabled person lives and resides, as such accommodation modifications shall be
49 deemed as a necessity renovation and or modification to one's dwelling under the provisions of
50 this law.