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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 772

02/07/2019 Authored by Mahoney, Hamilton, Gunther and Koegel
The bill was read for the first time and referred to the Committee on Commerce

1.1 A bill for an act
1.2 relating to construction codes; modifying accessibility requirements for public
1.3 buildings; amending Minnesota Statutes 2018, section 326B.106, subdivision 9.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2018, section 326B.106, subdivision 9, is amended to read:

1.6 Subd. 9. Accessibility. (a) Public buildings. The code must provide for making require
1.7 new public buildings constructed or remodeled after July 1, 1963, and existing public
1.8 buildings when remodeled, to be accessible to and usable by persons with disabilities;
1.9 although this does not require the remodeling of public buildings solely to provide
1.10 accessibility and usability to persons with disabilities when remodeling would not otherwise
1.11 be undertaken.

1.12 (b) Leased space. No agency of the state may lease space for agency operations in a
1.13 non-state-owned building unless the building satisfies the requirements of the State Building
1.14 Code for accessibility by persons with disabilities, or is eligible to display the state symbol
1.15 of accessibility. This limitation applies to leases of 30 days or more for space of at least
1.16 1,000 square feet.

1.17 (c) Meetings or conferences. Meetings or conferences for the public or for state
1.18 employees which are sponsored in whole or in part by a state agency must be held in
1.19 buildings that meet the State Building Code requirements relating to accessibility for persons
1.20 with disabilities. This subdivision does not apply to any classes, seminars, or training
1.21 programs offered by the Minnesota State Colleges and Universities or the University of
1.22 Minnesota. Meetings or conferences intended for specific individuals none of whom need
1.23 the accessibility features for persons with disabilities specified in the State Building Code

2.1 need not comply with this subdivision unless a person with a disability gives reasonable
2.2 advance notice of an intent to attend the meeting or conference. When sign language
2.3 interpreters will be provided, meetings or conference sites must be chosen which allow
2.4 participants who are deaf or hard-of-hearing to see the sign language interpreters clearly.

2.5 (d) **Exemptions.** The commissioner may grant an exemption from the requirements of
2.6 paragraphs (b) and (c) in advance if an agency has demonstrated that reasonable efforts
2.7 were made to secure facilities which complied with those requirements and if the selected
2.8 facilities are the best available for access for persons with disabilities. Exemptions shall be
2.9 granted using criteria developed by the commissioner in consultation with the Council on
2.10 Disability.

2.11 (e) **Symbol indicating access.** The wheelchair symbol adopted by Rehabilitation
2.12 International's Eleventh World Congress is the state symbol indicating buildings, facilities,
2.13 and grounds which are accessible to and usable by persons with disabilities. In the interests
2.14 of uniformity, this symbol is the sole symbol for display in or on all public or private
2.15 buildings, facilities, and grounds which qualify for its use. The secretary of state shall obtain
2.16 the symbol and keep it on file. No building, facility, or grounds may display the symbol
2.17 unless it is in compliance with the rules adopted by the commissioner under subdivision 1.
2.18 Before any rules are proposed for adoption under this paragraph, the commissioner shall
2.19 consult with the Council on Disability. Rules adopted under this paragraph must be enforced
2.20 in the same way as other accessibility rules of the State Building Code.