

Senate Bill 247

By: Senators Orrock of the 36th, Douglas of the 17th, Moody of the 56th, Jones of the 10th, Hill of the 32nd and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 1 of Chapter 2 of Title 8 of the Official Code of Georgia
2 Annotated, relating to general provisions relative to standards and requirements for
3 construction of buildings and other structures generally, so as to enact the "New Home
4 Access Act"; to provide for legislative findings; to require new at-grade residential structures
5 to include certain accessibility features; to provide for exceptions; to provide for
6 applicability; to provide for a penalty; to provide for statutory construction; to provide for
7 related matters; to repeal conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 This Act shall be known and may be cited as the "New Home Access Act."

11 **SECTION 2.**

12 The General Assembly finds that it is in the best interests of the people of this state to live
13 in a home in a community where they can be included as productive citizens. It has been
14 determined that:

- 15 (1) Twenty percent of the population is estimated to have a disability of some degree;
16 (2) Georgia has one of the ten fastest growing populations of elderly people in the country;
17 (3) It is more cost effective and provides a better quality of life for people to remain in
18 their homes as long as possible;
19 (4) In order for people with disabilities and seniors to live successfully in the community
20 and age in place, they need homes that are accessible;
21 (5) It is projected that at least one in four new houses will, over the lifetime of the house,
22 have a resident with a severe, long-term mobility impairment;
23 (6) The increased integration of people with disabilities into their communities and the
24 need to accommodate seniors in their homes creates a demand for new homes built with
25 accessible features; and

26 (7) Georgia's voluntary basic access program for new home construction has not produced
27 the volume of accessible homes to meet these needs.

28 **SECTION 3.**

29 Part 1 of Article 1 of Chapter 2 of Title 8 of the Official Code of Georgia Annotated, relating
30 to general provisions relative to standards and requirements for construction of buildings and
31 other structures generally, is amended by adding a new Code section to read as follows:

32 "8-2-4.

33 (a) As used in this Code section, the term "new at-grade residential structure" means a
34 single-family house, duplex, or triplex that is built on a concrete slab for use as a dwelling
35 place. The term shall not include a structure that is being renovated or repaired.

36 (b) A new at-grade residential structure in this state shall have the following features:

37 (1) At least one exterior door is 36 inches wide, does not have a step or threshold that
38 exceeds one-half inch in height, and can be accessed from the driveway, walkway, or
39 garage floor with a grade no steeper than 1:12 from the public street, public sidewalk, or
40 driveway that serves the structure. The exterior door may be in the front, side, or back
41 of the structure or in the garage;

42 (2) Each interior door on the ground floor has a clear opening width of at least 32 inches
43 unless the door provides access only to a closet of less than 15 square feet in area. Clear
44 opening width of swinging doorways shall be measured between the face of the door and
45 stop, with the door open at a 90 degree angle;

46 (3) Each hallway on the ground floor has a width of at least 36 inches, is level, and has
47 ramped or beveled changes at each door threshold;

48 (4) The bathroom wall of each bathroom on the second floor is reinforced for potential
49 installation of grab bars beside each toilet, bathtub, and shower, such reinforced area
50 measuring at least 42 inches long and six inches high, with a center line 33 to 36 inches
51 above the floor;

52 (5) Each electrical panel, electrical breaker box, light switch, or thermostat is not higher
53 than 48 inches above the floor;

54 (6) Each electrical plug or other receptacle is at least 15 inches above the floor; and

55 (7) The main electrical breaker box is located inside the building on the ground floor.

56 (c) Counties and municipalities are authorized and directed to provide by ordinance for an
57 exemption to the requirements of subsection (b) of this Code section, relative to new
58 construction, if the cost of grading and other improvements to the terrain which are
59 required to meet the requirements of this Code section are unreasonably expensive.

60 (d) The ordinances adopted by counties and municipalities pursuant to subsection (c) of
61 this Code section shall provide procedures and requirements for builders to apply for the

62 exemption authorized by said subsection.

63 (e) This Code section shall not apply to a structure if the contract for the construction of
64 such structure was entered into prior to July 1, 2009.

65 (f) Any person who constructs a residential building in violation of this Code section shall
66 be guilty of a misdemeanor.

67 (g) The provisions of this Code section shall not be construed to prohibit counties or
68 municipalities from adopting and enforcing local ordinances which provide accessibility
69 requirements which are more stringent than the requirements of this Code section."

70 **SECTION 4.**

71 All laws and parts of laws in conflict with this Act are repealed.