The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Angela L. De Jean.

DIGEST

SB 265 Original 2018 Regular Session Morrell

Present law provides that any new or altered public building or facility or private building or facility shall be made accessible pursuant to ADA Standards subject only to the limitations or exceptions provided for therein.

Present law provides that any altered public building or facility or private building or facility shall not be made to comply with certain sections of the ADA Standards relative to path of travel.

Present law provides that any dwelling unit in a facility which incorporates four or more dwelling units shall be made accessible in accordance with the ADA Standards and rules promulgated by the fire marshal pursuant to the APA.

Proposed law retains present law.

Proposed law also provides that any courthouse shall be made accessible pursuant to ADA Standards subject only to the limitations or exceptions provided for in present law. Proposed law further provides that any multistory courthouse shall have at least one-half of all of its elevators in proper working service at all times and shall be made accessible in accordance with the ADA Standards and rules promulgated by the fire marshal pursuant to the APA.

Proposed law provides that any multistory courthouse shall be authorized to take each elevator out of service for repairs and maintenance no more than two weeks per calendar year.

Proposed law provides that failure to comply with proposed law shall be considered a "defacto admission of fault" under the ADA Standards.

Proposed law provides that any person who violates or fails to comply with the provisions of proposed law shall be subject to a fine of $5,000 per day which shall be paid by the authority responsible for maintenance of the elevator.

Effective August 1, 2018.

(Adds R.S. 40:1734(C))