

FILED FEB 7 1974

Passed Senate, Date 2-18-74 (418) Passed House, Date _____
Vote: Ayes 47 Nays 0 Vote: Ayes _____ Nays _____
Approved _____

Motion to reconsider filed 2/19, prevailed 3/11 (706)
Passed 3-11-74
47-0

A BILL FOR

1 An Act relating to the construction of private and public
2 buildings and facilities which are intended for use by
3 the general public.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section one hundred four A point one (104A.1),
2 Code 1973, is amended to read as follows:

3 104A.1 INTENT OF CHAPTER. It is the intent of this chapter
4 that ~~state-and-political-subdivisions-follow~~ standards and
5 specifications are followed in the construction of public
6 and private buildings and facilities which are intended for
7 use by the general public to ensure that ~~such~~ these buildings
8 and facilities are accessible to and functional for the
9 physically handicapped.

10 Sec. 2. Section one hundred four A point two (104A.2),
11 Code 1973, is amended to read as follows:

12 104A.2 APPLICABILITY. The standards and specifications
13 set forth in this chapter shall apply to all public and private
14 buildings and facilities, temporary and permanent, used by
15 the general public ~~which-are-constructed-in-whole-or-in-part~~
16 ~~by-the-use-of-state-funds-or-the-funds-of-any-political~~
17 ~~subdivision-of-the-state-from-and-after-July-4, 1965~~ including
18 apartment buildings consisting of four or more units.

19 Sec. 3. Section one hundred four A point three (104A.3),
20 Code 1973, is amended by adding the following new subsections:

21 NEW SUBSECTION. In each rest room, at least one toilet
22 stall which has a width of no less than thirty-two inches
23 and a grab bar over the toilet for employment by wheelchair
24 users.

25 NEW SUBSECTION. In each place in the building where there
26 are drinking fountains and public telephones, at least one
27 drinking fountain and one public telephone at a height not
28 to exceed forty inches.

29 Sec. 4. Section one hundred four A point six (104A.6),
30 Code 1973, is amended to read as follows:

31 104A.6 CONFORMING STANDARDS. In addition to complying
32 with the standards and specifications set forth in sections
33 104A.3 and 104A.4, the authority responsible for the construc-
34 tion of any building or facility covered by section 104A.2
35 shall ~~insofar-as-feasible-in-the-opinion-of-the-contracting~~

1 authority conform with the ~~standards and specifications~~
 2 ~~approved by American Standards Association, Inc. on October~~
 3 ~~31, 1961, known as "American Standard Specifications for~~
 4 ~~Making Buildings and Facilities Accessible to and Usable by~~
 5 ~~the Physically Handicapped, A-117.1-1961"~~ rules and
 6 regulations promulgated by the state building code commissioner
 7 as provided in section one hundred three A point seven (103A.7)
 8 of the Code.

9 Sec. 5. Section one hundred three A point seven (103A.7),
 10 unnumbered paragraph two (2), paragraph five (5), Code 1973,
 11 is amended to read as follows:

12 5. The accessibility and use by physically handicapped
 13 and elderly persons, of buildings, structures, and facilities
 14 which are constructed ~~in whole or part with public funds~~ and
 15 are intended for use by the general public.

16 Sec. 6. The standards and specifications extending the
 17 provisions of chapter one hundred four A (104A) of the Code
 18 to private buildings and facilities which are intended for
 19 use by the general public and the additional standards to
 20 chapter one hundred four A (104A) of the Code provided by
 21 this Act, shall apply to all public and private buildings
 22 intended for use by the general public, the construction of
 23 which commences on or after January 1, 1975 or the construction
 24 of which is continuing on January 1, 1975, unless the state
 25 building code commissioner shall determine that the
 26 construction has reached a state in which compliance will
 27 result in a substantial increase in cost or delay in
 28 construction.

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EXPLANATION

30 The bill expands chapter 104A by providing that all build-
 31 ings, both public and private, intended for use by the general
 32 public which are constructed after January 1, 1975, or which
 33 may on that date be in a state of construction such that
 34 compliance with this Act is feasible, shall provide facilities
 35 for the handicapped in order that they may have convenient

1 access to such buildings. Chapter 104A presently requires
2 only that public buildings and buildings constructed through
3 the use of public funds meet the standards of chapter 104A.
4 The bill does provide additional standards which must be
5 met in sections 3 and 5 of the bill.

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HOUSE AMENDMENT TO SENATE FILE 1125

1 Amend Senate File 1125 as amended, passed and reprinted
2 by the Senate as follows:

3 1. Page 2A, by striking line 15 and inserting in lieu
4 thereof the following:

5 "the general public which are constructed in whole or in
6 part by the use of state funds or the funds of any political
7 subdivision of the state from and after July 4, 1965. The
8 specific occupancies and extent".

9 2. Page 2A, by striking lines 20 through 24, inclusive,
10 and inserting in lieu thereof the following:

11 "the Code, in every multiple-dwelling-unit building con-
12 taining five or more individual dwelling units the requirements
13 of this chapter which apply to apartments shall be met by at
14 least one dwelling unit or by at least ten percent of the
15 dwelling units, whichever is the greater number, on the ground
16 floor level and on each of the other floor levels in the build-
17 ing which are accessible to the physically handicapped."

18 3. Page 2A, by striking lines 27 through 32, inclusive,
19 and inserting in lieu thereof the following:

20 "NEW SUBSECTION. At each floor level which is accessible
21 to the physically handicapped there shall be available to per-
22 sons of each sex at least one public toilet or bathroom which
23 is equipped with a door at least thirty-two inches wide
24 that swings outward. There shall be within each such public
25 toilet or bathroom at least one water closet in front

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1 of which there is a clear space not less than".

Received from the House
May 2, 1974

Senate concurred 5/3

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LSB 3147
zz/cw/1

March 11, 1974

SENATE FILE 1125

See Human Resources 2/12, Pass 3/14

By COMMITTEE ON HUMAN RESOURCES

SENATE AMENDMENTS
SHOWN IN BOLD FACE

(AS PASSED BY THE SENATE)

Passed Senate, Date *5-2-74 (1949)* Pased House, Date *1-20-74 (2241)*

Vote: Ayes *44* Nays *0* Vote: Ayes *91* Nays *0*

Approved *5-29-74*

A BILL FOR

- 1 An Act relating to the construction of private and public
- 2 buildings and facilities which are intended for use by
- 3 the general public.
- 4 *Be It Enacted by the General Assembly of the State of Iowa:*

H-2967

- 1 Amend Senate File 1125, as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 2A, lines 21 and 22, by striking the words
- 4 "closest to grade level" and inserting in lieu thereof
- 5 the words "on the ground floor level only".
- 6 2. Page 2A, lines 27 and 28, by striking the words
- 7 ", at levels which are accessible to the physically
- 8 handicapped" and inserting in lieu thereof the words
- 9 "on the ground floor level there".
- 10 3. Page 2A, line 29, by striking the word "to".
- 11 4. Page 2A, line 30, by striking the word "by".
- 12 5. Page 2B, lines 38 and 39, by striking the words
- 13 "At levels which are accessible to the physically
- 14 handicapped" and inserting in lieu thereof the words
- 15 "On the ground floor level".

H-2967 Filed *Withdrawn 4/30*
April 23, 1974

By SCHROEDER of Pottawattamie
HOLDEN of Scott

1 Section 1. Section one hundred four A point one (104A.1),
2 Code 1973, is amended to read as follows:

3 104A.1 INTENT OF CHAPTER. It is the intent of this chapter
4 that [state and political subdivisions follow] standards and
5 specifications *are followed* in the construction of public
6 *and private* buildings and facilities *which are intended for*
7 *use by the general public* to ensure that [such] *these* buildings
8 and facilities are accessible to and functional for the
9 physically handicapped.

10 Sec. 2. Section one hundred four A point two (104A.2),
11 Code 1973, is amended to read as follows:

12 104A.2 APPLICABILITY. The standards and specifications
13 set forth in this chapter shall apply to all *public and private*
14 buildings and facilities, temporary and permanent, used by
15 the *general public. The specific occupancies and extent*
16 *of accessibility shall be in accordance with the conforming*
17 *standards set forth in section one hundred four A point six*
18 *(104A.6) of the Code. Notwithstanding the standards set*
19 *forth in section one hundred four A point six (104A.6) of*
20 *the Code all apartment buildings of four or more units shall*
21 *meet the requirements of this chapter for the apartments closest*
22 *to grade level.* [which are constructed in whole or in part
23 by the use of state funds or the funds of any political
24 subdivision of the state from and after July 4, 1965]

25 Sec. 3. Section one hundred four A point three (104A.3),
26 Code 1973, is amended by adding the following new subsections:

27 **NEW SUBSECTION.** In each public rest room, at levels which
28 are accessible to the physically handicapped shall be provided
29 to at least one water closet in each public toilet or bathroom
30 by providing doors, openings and passageways at least thirty-two
31 inches wide leading to such water closet, and by providing a
32 clear space in front of such water closet of not less than
33 thirty-two inches wide by thirty-two inches deep, and unobstructed
34 by door swing, grab bars or other projections. Grab bars shall
35 be provided within easy reach (within approximately eighteen

36 inches) of such water closet at the side and back, or on each
37 side of the compartment.

38 *NEW SUBSECTION.* At levels which are accessible to the
39 physically handicapped where there are drinking fountains and
40 public telephones, at least one drinking fountain and one public
41 telephone shall be supplied at such height to be accessible to
42 the handicapped.

43 Sec. 4. Section one hundred four A point six (104A.6),
44 Code 1973, is amended to read as follows:

45 104A.6 CONFORMING STANDARDS. In addition to complying
46 with the standards and specifications set forth in sections
47 104A.3 and 104A.4, the authority responsible for the construc-
48 tion of any building or facility covered by section 104A.2
49 shall [insofar as feasible in the opinion of the contracting

1 authority] conform with [the standards and specifications
2 approved by American Standards Association, Inc. on October
3 31, 1961, known as "American Standard Specifications for
4 Making Buildings and Facilities Accessible to and Usable by
5 the Physically Handicapped, A 117.1 1961"] *rules and*
6 *regulations promulgated by the state building code commissioner*
7 *as provided in section one hundred three A point seven (103A.7)*
8 *of the Code.*

9 Sec. 5. Section one hundred three A point seven (103A.7),
10 unnumbered paragraph two (2), paragraph five (5), Code 1973,
11 is amended to read as follows:

12 5. The accessibility and use by physically handicapped
13 and elderly persons, of buildings, structures, and facilities
14 which are constructed [in whole or part with public funds] *and*
15 *are intended for use by the general public.*

16 Sec. 6. The standards and specifications extending the
17 provisions of chapter one hundred four A (104A) of the Code
18 to private buildings and facilities which are intended for
19 use by the general public and the additional standards to
20 chapter one hundred four A (104A) of the Code provided by
21 this Act, shall apply to all public and private buildings
22 intended for use by the general public, the construction of
23 which commences on or after January 1, 1975 or the construction
24 of which is continuing on January 1, 1975, unless the state
25 building code commissioner shall determine that the
26 construction has reached a state in which compliance will
27 result in a substantial increase in cost or delay in
28 construction.

29 EXPLANATION

30 The bill expands chapter 104A by providing that all build-
31 ings, both public and private, intended for use by the general
32 public which are constructed after January 1, 1975, or which
33 may on that date be in a state of construction such that
34 compliance with this Act is feasible, shall provide facilities
35 for the handicapped in order that they may have convenient

1 access to such buildings. Chapter 104A presently requires
2 only that public buildings and buildings constructed through
3 the use of public funds meet the standards of chapter 104A.
4 The bill does provide additional standards which must be
5 met in sections 3 and 5 of the bill.

S-2338

1 Amend Senate File 1125 as follows:

2 1. Page 2, line 15, by inserting after the word
3 "public" the following: ". The specific
4 occupancies and extent of accessibility shall be
5 in accordance with the conforming standards set
6 forth in section one hundred four A point six
7 (104A.6) of the Code. Notwithstanding the stan-
8 dards set forth in section one hundred four A
9 point six (104A.6) of the Code all apartment
10 buildings of four or more units shall meet the
11 requirements of this chapter for the apartments
12 closest to grade level."

13 2. Page 2, line 17, by striking the word
14 "including" and by striking all of line 18.

15 3. Page 2, by striking lines 21 through 28,
16 inclusive and inserting in lieu thereof the follow-
17 ing:

18 "NEW SUBSECTION. In each public rest room, at
19 levels which are accessible to the physically
20 handicapped shall be provided to at least one
21 water closet in each public toilet or bathroom
22 by providing doors, openings and passageway at
23 least thirty-two inches wide leading to such
24 water closet, and by providing a clear space in
25 front of such water closet of not less than thirty-

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1 two inches wide by thirty-two inches deep, and
2 unobstructed by door swing, grab bars or other pro-
3 jections. Grab bars shall be provided within easy
4 reach (within approximately eighteen inches) of
5 such water closet at the side and back, or on
6 each side of the compartment.

7 NEW SUBSECTION. At levels which are accessible
8 to the physically handicapped where there are
9 drinking fountains and public telephones, at
10 least one drinking fountain and one public telephone
11 shall be supplied at such height to be accessible
12 to the handicapped."

S-2338 Filed - *adopted as amended* By COLEMAN
March 6, 1974 *by 2378 3/11. Motion to reconsider filed and prevailed 3/11. Amendment adopted 3/11 (709)*

S-2378

1 Amend the Coleman amendment S-2338 to Senate File
2 1125 as follows:

3 1. Page 1, line 15, by striking the numeral "21"
4 and inserting in lieu thereof "20".

5 2. Page 1, by striking lines 18 through 25 and
6 page 2 by striking lines 1 through 12 and inserting
7 in lieu thereof the following:

8 "Code 1973, is amended by adding the following new
9 subsection:

10 NEW SUBSECTION. At all levels of the building
11 or facility which are accessible to individuals
12 with physical handicaps, facilities shall be
13 accessible to and functional for such individuals
14 in at least one public restroom for each sex."

S-2378 Filed - *adopted 3/11 (707)* By COLEMAN and GLUBA
March 8, 1974 *Motion to reconsider filed, prevailed, amendment withdrawn 3/11 (709)*

H--3028

1 Amend Senate File 1125 as amended, passed and re-
2 printed by the Senate as follows:

3 1. Page 2A, by striking line 15 and inserting in
4 lieu thereof the following:

5 "~~the general public which are constructed in whole~~
6 ~~or in part by the use of state funds or the funds of~~
7 ~~any political subdivision of the state from and after~~
8 ~~July 4, 1965. The specific occupancies and extent".~~

9 2. Page 2A, by striking lines 20 through 24, inclu-
10 sive, and inserting in lieu thereof the following:

11 "the Code, in every multiple-dwelling-unit building
12 containing five or more individual dwelling units the
13 requirements of this chapter which apply to apartments
14 shall be met by at least one dwelling unit or by at
15 least ten percent of the dwelling units, whichever is
16 the greater number, on the ground floor level and on
17 each of the other floor levels in the building which
18 are accessible to the physically handicapped."

19 3. Page 2A, by striking lines 27 through 32,
20 inclusive, and inserting in lieu thereof the following:

21 "NEW SUBSECTION. At each floor level which is
22 accessible to the physically handicapped there shall
23 be available to persons of each sex at least one pub-
24 lic toilet or bathroom which is equipped with a door
25 at least thirty-two inches wide that swings outward.
26 There shall be within each such public toilet or bath-
27 room at least one water closet in front of which there
28 is a clear space not less than".

H--3028 Filed *adopted 4/30*
April 26, 1974

By SCHROEDER of Pottawattamie
HOLDEN of Scott
STROMER of Hancock
READINGER of Polk

EXPLANATION OF AMENDMENT

Sections 1 and 3 of the amendment are corrective. Section 2 requires that standards for accessibility to the physically handicapped be met in all multi-unit dwellings of five units or more by at least one apartment or at least ten percent of all apartments, whichever is more, on the ground floor and by the same number of apartments on each of the other floors which is accessible to physically handicapped persons. In many cases, such accessibility is provided by elevators.