

H. B. 4357

(By Delegates Campbell, Hartman, Eldridge, Guthrie, Sponaugle, Ashley, Skaff, Walker, Moye and Stephens)

[Introduced January 28, 2014; referred to the Committee on the Judiciary then Finance.]

**FISCAL
NOTE**

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §29-3-5e, relating to requiring the construction of new public buildings and when an entrance of an existing public building is renovated to be compliant with the federal Americans With Disabilities Act by having automatic doors; and defining a term.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §29-3-5e, to read as follows:

ARTICLE 3. FIRE PREVENTION AND CONTROL ACT.

§29-3-5e. Promulgation of rules for public buildings; construction; renovation; automatic doors.

(a) The State Fire Commission shall propose rules for legislative approval in accordance with article three, chapter twenty-nine-a of this code to ensure the construction of new public

1 buildings and public buildings whose entrances are renovated
2 throughout this state are handicap accessible by the use of
3 automatic doors.

4 (b) The rules shall comply with the standards set forth in the
5 federal Americans With Disabilities Act, including, but not limited
6 to:

7 (1) Door openings must provide at least a thirty-two inch
8 clearance for the user;

9 (2) Designed so that no more than five pounds of force is
10 required to open or close the door and must take at least three
11 seconds to open and not more than fifteen pounds of force to stop
12 by the user; and

13 (3) An appropriate amount of maneuvering space be allowed on
14 each side of the door.

15 (c) For the purposes of this section the term "public
16 building" means a building or structure of any nature owned, leased
17 or occupied by this state, a political subdivision of this state or
18 a county board of education.

NOTE: The purpose of this bill is to require the construction of new public buildings and when an entrance to an existing public building is renovated to be compliant with the federal Americans With Disabilities Act by having automatic doors. The bill defines the term "public building."

This section is new; therefore, it has been completely underscored.