

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 2488

FISCAL
NOTE

2015 Carryover

(BY DELEGATES CAMPBELL, ELDRIDGE, HOUSEHOLDER,
RODIGHERO, MARCUM AND ELLINGTON)

[Introduced January 13, 2016; referred to the
Committee on the Judiciary then Finance.]

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

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
 2 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.

1 (a) The State Fire Commission shall propose rules for legislative approval in accordance
 2 with article three, chapter twenty-nine-a of this code to ensure the construction of new public
 3 buildings and public buildings whose entrances are renovated throughout this state are handicap
 4 accessible by the use of automatic doors.

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

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

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

11 (3) An appropriate amount of maneuvering space must be allowed on each side of the
 12 door.

13 (c) For the purposes of this section the term "public building" means a building or structure

- 14 of any nature owned, leased or occupied by this state, a political subdivision of this state or a
15 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" and authorizes rule-making.

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