SENATE DOCKET, NO. FILED ON: 6/4/2013

SENATE . . . . . No. 1787

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

Resolve providing for an investigation and study by a special commission relative to the need for accessible homes for the elderly, returning veterans with disabilities and families that include persons with disabilities.

Resolved, that a special commission is hereby established for the purpose of making an investigation and study relative to the need for accessible homes for the elderly, returning veterans with disabilities, and households that include persons with disabilities. This commission shall review and evaluate options that will result in expanded opportunities for elderly persons, disabled veterans and households who have a child or an adult with mobility limitations to have reasonable access to the homes of their families, their friends and their neighbors in the commonwealth through the application of building standards known as Basic Home Design, or Visitability.

The commission shall review studies that assess the need and the ability to expand such basic accessibility features in homes to ensure there will be growing opportunities for people with mobility limitations to have relationships of quality with their families and friends, to maximize their ability to be fully integrated into the communities in which they live, and by fostering their independence, to help them find purpose and the ability to contribute to community needs in a meaningful way. The commission shall consider the extent to which accomplishing this requires an investment in building a housing supply that is responsive not only to people's present needs, but also their needs as they age and the needs of future generations.

In this light, the commission shall conduct its review and evaluate the need for increasing the number of visitable homes in the commonwealth (a) by identifying studies with demographic analyses that consider the proportion of present and future households having a member with a mobility limitation, (b) by examining existing housing, and the design and rate of new housing being built in the commonwealth now and in the future that would allow a person with a mobility limitation to visit, or otherwise be accommodated temporarily, or over a longer period of time, (c) by considering the total number of family members who would likely occupy a single

housing unit over its functionally useful life, and the likelihood that during this time, someone with a mobility limitation will live there and would be better accommodated if the home has features related to Visitability home access, and (d) by reviewing other studies and conducting such other analyses as the commission in its discretion believes are relevant to its determination of the need to expand the number of visitable homes in the commonwealth.

The commission shall examine strategies to increase public awareness of (a) the need for visitable homes, (b) the options that would be effective in expanding the number of such homes that are available to meet this need in communities across the commonwealth, and (c) the costs and benefits of a successful program that accomplishes these ends.

The commission shall review the policies that underlay existing publicly financed and funded housing development programs in state government and in local jurisdictions in the commonwealth and determine the extent to which there are policies that have been adopted or are under consideration involving Visitability as a minimum accessibility standard, and consider the reasonable options for extending the coverage of such policies to all new housing produced in the commonwealth.

The commission shall consider such changes in public policy, regulation and legislation that are necessary to meet the need for visitable homes in the commonwealth by the year 2040, or such other year as the commission may determine to be more appropriate during its review. It shall formulate its recommendations taking into account the best practices and experiences in other states and jurisdictions, including a comparison of the effectiveness of incentives versus adoption of building code standards that are central to Visitability, or Basic Home Design.

The Special commission shall consist of 3 members of the senate, 1 of whom shall be appointed co-chair of the commission; 3 members of the house of representatives, 1 of whom shall be appointed co-chair of the commission; the Secretary of the Executive Office of Elder Affairs, or a designee; the Secretary of the Department of Veterans' Services, or a designee; the Director of the Office on Disability, or a designee; the Secretary of Housing and Economic Development, or a designee; the Executive Director of the Architectural Access Board, or a designee; the Administrator of the Board of Building Regulations and Standards, or a designee; the Executive Director of the Massachusetts Municipal Association, or a designee; the Executive Director of the Disability Law Center of Massachusetts, or a designee; the Executive Director of the Boston Center for Independent Living, or a designee; the state director of AARP Massachusetts, or a designee; the Executive Director of Citizens' Housing and Planning Association, or a designee; the President of the Home Builders Association of Massachusetts, or a designee; the President of the Massachusetts Association of Community Development Corporations, or a designee; and an architect appointed by the governor who has considerable experience in single-family home accessibility issues related to Visitability, or Basic Home Design.

All appointments shall be made not later than 60 days after the effective date of this resolve. The chairpersons shall meet with the commission not later than 90 days after the effective date of this resolve, and shall meet not less than bi-monthly thereafter.

The Special commission shall be empowered to hold regular public meetings, fact-finding hearings and other public forums as it considers necessary. Members shall not receive compensation for their services but may receive reimbursement for the reasonable expenses incurred in carrying out their responsibilities as members of the commission

The commission shall issue its final report and recommendations within 180 days after first convening. The commission shall report on its recommendations, including recommendations for legislation, if any, to the senate president, the speaker of the house, and the governor, and shall file the same with the clerks of the senate and the house of representatives, who shall forward the same to the all commission members.