

**HOUSE . . . . . No. 1105**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Jonathan Hecht and Patricia D. Jehlen***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying resolve:

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.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>	<i>1/13/2015</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>	<i>1/15/2015</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>2/3/2015</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>	<i>1/21/2015</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>2/3/2015</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>	<i>2/2/2015</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/27/2015</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>	<i>1/26/2015</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>1/21/2015</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>	<i>1/29/2015</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>1/30/2015</i>
<i>Walter F. Timilty</i>	<i>7th Norfolk</i>	<i>1/28/2015</i>
<i>Timothy J. Toomey, Jr.</i>	<i>26th Middlesex</i>	<i>1/21/2015</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	<i>1/22/2015</i>

**HOUSE . . . . . No. 1105**

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By Representative Hecht of Watertown and Senator Jehlen, a joint petition (accompanied by resolve, House, No. 1105) of Jonathan Hecht and others for an investigation by a special commission (including members of the General Court) relative to the need for accessible homes for the elderly, returning veterans with disabilities and families that include persons with disabilities. Housing.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
\_\_\_\_\_

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.

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

9           The commission shall review studies that assess the need and the ability to expand such  
10 basic accessibility features in homes to ensure there will be growing opportunities for people  
11 with mobility limitations to have relationships of quality with their families and friends, to

12 maximize their ability to be fully integrated into the communities in which they live, and by  
13 fostering their independence, to help them find purpose and the ability to contribute to  
14 community needs in a meaningful way. The commission shall consider the extent to which  
15 accomplishing this requires an investment in building a housing supply that is responsive not  
16 only to people's present needs, but also their needs as they age and the needs of future  
17 generations.

18 In this light, the commission shall conduct its review and evaluate the need for increasing  
19 the number of visitable homes in the commonwealth (a) by identifying studies with demographic  
20 analyses that consider the proportion of present and future households having a member with a  
21 mobility limitation, (b) by examining existing housing, and the design and rate of new housing  
22 being built in the commonwealth now and in the future that would allow a person with a mobility  
23 limitation to visit, or otherwise be accommodated temporarily, or over a longer period of time,  
24 (c) by considering the total number of family members who would likely occupy a single  
25 housing unit over its functionally useful life, and the likelihood that during this time, someone  
26 with a mobility limitation will live there and would be better accommodated if the home has  
27 features related to Visitability home access, and (d) by reviewing other studies and conducting  
28 such other analyses as the commission in its discretion believes are relevant to its determination  
29 of the need to expand the number of visitable homes in the commonwealth.

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

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

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

46           The Special commission shall consist of 3 members of the senate, 1 of whom shall be  
47 appointed co-chair of the commission; 3 members of the house of representatives, 1 of whom  
48 shall be appointed co-chair of the commission; the Secretary of the Executive Office of Elder  
49 Affairs, or a designee; the Secretary of the Department of Veterans' Services, or a designee; the  
50 Director of the Office on Disability, or a designee; the Secretary of Housing and Economic  
51 Development, or a designee; the Executive Director of the Architectural Access Board, or a  
52 designee; the Administrator of the Board of Building Regulations and Standards, or a designee;  
53 the Executive Director of the Massachusetts Municipal Association, or a designee; the Executive  
54 Director of the Disability Law Center of Massachusetts, or a designee; the Executive Director of  
55 the Boston Center for Independent Living, or a designee; the state director of AARP  
56 Massachusetts, or a designee; the Executive Director of Citizens' Housing and Planning

57 Association, or a designee; the President of the Home Builders Association of Massachusetts, or  
58 a designee; the President of the Massachusetts Association of Community Development  
59 Corporations, or a designee; and an architect appointed by the governor who has considerable  
60 experience in single-family home accessibility issues related to Visitability, or Basic Home  
61 Design.

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

65 The Special commission shall be empowered to hold regular public meetings, fact-  
66 finding hearings and other public forums as it considers necessary. Members shall not receive  
67 compensation for their services.

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