

BY: Commerce and Government Matters Committee

AMENDMENTS TO HOUSE BILL NO. 59

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, strike “5(a) and (b)” and substitute “5(a), (b), and (d)(2)(i)”; in the same line, after “14,” insert “15(g),”; in the same line, strike “20(t)” and substitute “20(k) and (t), 21(c)”; and in the same line, after “22(a)” insert “and (b)(1)”.

AMENDMENT NO. 2

On page 1, after line 28, insert:

“(d) (2) (i) When structural changes, modifications, or the provision of special equipment is necessary to accommodate [a handicapped person] AN INDIVIDUAL WITH A DISABILITY, the accommodation shall be “reasonable”.”.

On page 2, after line 28, insert:

“15.

(g) The term [“physical or mental handicap”] “DISABILITY” means any physical disability, infirmity, malformation or disfigurement which is caused by bodily injury, birth defect or illness including epilepsy, and which shall include, but not be limited to, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impairment, deafness or hearing impairment, muteness or speech impediment or physical reliance on a seeing eye dog, wheelchair, or other remedial appliance or device; and any mental impairment or deficiency as, but not limited to, retardation or such other which may have necessitated remedial or special education and related services.”.

On page 5, after line 8, insert:

(Over)

“(k) (1) [“Handicap”] “DISABILITY” means for an individual:
(i) A [physical or mental impairment] DISABILITY that substantially
limits 1 or more of an individual's major life activities;

(ii) A record of having a [physical or mental impairment] DISABILITY
that substantially limits 1 or more of an individual's major life activities; or

(iii) Being regarded as having a [physical or mental impairment]
DISABILITY that substantially limits 1 or more of an individual's major life activities.

(2) [“Handicap”] “DISABILITY” does not include current illegal use of or
addiction to:

(i) A controlled dangerous substance defined under Article 27, § 277 of
this Code; or

(ii) A controlled substance defined under § 102 of the Federal Controlled
Substances Act (21 U.S.C. 802).”;

and after line 11, insert:

“21.

(c) This subtitle may not be construed to invalidate or limit any law of a political
subdivision of the State that requires dwellings to be designed and constructed in a manner that
affords [a handicapped] AN individual WITH A DISABILITY greater access than is required by §
22(b) of this subtitle.”.

On page 6, after line 22, insert:

“(b) (1) On or after July 1, 1991, a covered multifamily dwelling for first occupancy
shall be designed and constructed so that:

(i) The public use and common use portions of such dwellings are readily
accessible to and usable to [handicapped persons] INDIVIDUALS WITH DISABILITIES;

(ii) All the doors designed to allow passage into and within all premises
within the dwelling are sufficiently wide to allow passage by [handicapped persons] INDIVIDUALS

WITH DISABILITIES in wheelchairs; and

(iii) All premises within the dwellings contain the following features of adaptive design:

1. An accessible route into and through the dwelling;
2. Light switches, electrical outlets, thermostats, and other environmental controls in accessible locations;
3. Reinforcements in bathroom walls to allow later installation of grab bars; and
4. Usable kitchens and bathrooms so that an individual in a wheelchair can maneuver about the space.”.