

CCDA Legislative Status Report on Friday, May 23, 2025

Senate Bill 84 (Niello R) Disability access: construction-related accessibility claims: notice of violation and opportunity to correct.

Current Text: Amended: 04/02/2025 [html](#) [pdf](#)

Status: 05/16/2025 – Sets for hearing May 23.

Is Urgency: No

Is Fiscal: No

Location: 05/05/2025 – Senate. Committee on Appropriations. Suspense File.

Calendar:

05/23/2025 – Upon adjournment of Session - 1021 O Street, Room 2200 Senate Appropriations Suspense, Caballero, Anna, Chair.

Summary (Bill Text):

Existing law prohibits discrimination on the basis of various specified personal characteristics, including disability. Existing law imposes minimum statutory damages for construction-related accessibility claims if the violation of a construction-related accessibility standard denied the plaintiff full and equal access to the place of public accommodation on a particular occasion, as specified. Existing law imposes various limits on a defendant's liability for statutory damages under specified sets of conditions, including if the defendant, among other things, corrects the construction-related violations within a specified time.

This bill would prohibit a construction-related accessibility claim for statutory damages from being initiated in a legal proceeding against a defendant who employs 50 or fewer individuals, as specified, unless the defendant has been served with a letter specifying each alleged violation, and the alleged violations have not been corrected within 120 days of service of the letter. The bill would provide that a defendant is not liable for statutory damages, plaintiff's attorney's fees, or costs for an alleged violation that is corrected within 120 days of service of a letter alleging the violation. The bill would also prohibit a plaintiff from avoiding the notice and opportunity to correct provisions and the liability limitations by claiming they are seeking general discrimination damages based on a violation of the Americans with Disabilities Act of 1990 if the underlying claim is based on a defendant's failure to comply with physical accessibility standards under California law to comply with physical accessibility standards under California law other existing laws.

(Based on text date 04/02/2025)

Senate Bill 470 (Laird D) Bagley-Keene Open Meeting Act: teleconferencing.**Current Text:** : Amended: 04/10/2025 [html](#) [pdf](#)**Status:** 04/29/2025 – Read second time. Ordered to third reading.**Is Urgency:** No**Is Fiscal:** Yes**Location:** 04/29/2025 – Senate. Third Reading.**Calendar:**

05/23/2025 – #50 Senate Senate Bills – Third Reading File.

Summary (Bill Text):

Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The act authorizes meetings through teleconference subject to specified requirements, including, among others, that the state body post agendas at all teleconference locations, that each teleconference location be identified in the notice and agenda of the meeting or proceeding, that each teleconference location be accessible to the public, that the agenda provide an opportunity for members of the public to address the state body directly at each teleconference location, and that at least one member of the state body be physically present at the location specified in the notice of the meeting. This bill would instead repeal these provisions on January 1, 2030.

(Based on text date 04/10/2025)

Assembly Bill 649 (Lowenthal D) Disability access: construction-related accessibility claim.

Current Text: Amended: 05/12/2025 [html](#) [pdf](#)

Status: 05/21/2025 – In committee: Set, first hearing. Re-referred to Committee on Appropriations. Suspense file. Joint Rule 62(a), file notice suspended.

Is Urgency: No

Is Fiscal: Yes

Location: 05/21/2025 – Assembly. Committee on Appropriations. Suspense File.

Calendar:

05/23/2025 – Upon adjournment of Session - 1021 O Street, Room 1100 Assembly Appropriations, Wicks, Buffy, Chair.

Summary (Bill Text):

Existing law prohibits discrimination on the basis of various specified personal characteristics, including disability. Existing law imposes minimum statutory damages for construction-related accessibility claims if the violation of a construction-related accessibility standard denied the plaintiff full and equal access to the place of public accommodation on a particular occasion, as specified. Existing law provides that a plaintiff demonstrates that the plaintiff was deterred from accessing a place of public accommodation on a particular occasion only if both (1) the plaintiff had actual knowledge of a violation, as specified, and (2) the violation would have actually denied the plaintiff full and equal access, as specified. Existing law authorizes the assessment of statutory damages under these provisions based on each particular occasion that the plaintiff was denied full and equal access, as specified, not upon the number of violations of construction-related accessibility standards. Existing law prohibits a defendant from being liable for minimum statutory damages in a construction-related accessibility claim, with respect to a violation noted in a report by a certified access specialist (CASp), for a period of 120 days following the date of the inspection if the defendant demonstrates compliance with each of specified requirements. Existing law includes in these specified requirements that the inspection predates the filing of the claim by, or receipt of a demand letter from, the plaintiff, as specified, and that the defendant was not on notice of the alleged violation before the CASp inspection.

This bill would establish, until January 1, 2034, the Small Business Right to Cure Program and would prohibit a defendant who qualifies for the program from being liable for minimum statutory damages for any construction-related accessibility claim for a period of 6 years following a CASp report, as provided.

To qualify for the program, the bill would require the defendant to demonstrate specified conditions, among others, that the defendant has posted, as provided, both the CASp inspection notice and a Notice of Participation in the Small Business Right to Cure Program, as defined. The bill would authorize the State Architect to develop, as specified, a form Notice of Participation in the Small Business Right to Cure Program, and would authorize a business to satisfy any requirement to provide the notice by providing a specified written statement until and unless the State Architect promulgates the form.

The bill would require a public accommodation that participates in the program to make available specified documents for public inspection, including the CASp report that is the basis for the public accommodation asserting that it qualifies for the program. The bill would provide that no provision of the program applies under any of specified conditions, including that the plaintiff or prospective plaintiff alleges an intentional violation of any state or federal disability rights law, a violation related to policies, practices, or procedures, or seeks special damages that arise from physical personal injuries or damage to personal property.

(Based on text date 05/12/2025)

Assembly Bill 780 (Castillo R) Disability access: construction-related accessibility claims: notice of violation and opportunity to correct.

Current Text: Introduced: 02/18/2025 [html](#) [pdf](#)

Status: 05/08/2025 – Failed Deadline pursuant to Rule 61(a)(3). (Last location was Judiciary on 3/17/2025) (May be acted upon Jan 2026).

Is Urgency: No

Is Fiscal: No

Location: 05/08/2024 – Assembly. 2 Year.

Summary (Bill Text):

Existing law prohibits discrimination on the basis of various specified personal characteristics, including disability. Existing law imposes minimum statutory damages for construction-related accessibility claims if the violation of a construction-related accessibility standard denied the plaintiff full and equal access to the place of public accommodation on a particular occasion, as specified. Existing law imposes various limits on a defendant's liability for statutory damages under specified sets of conditions, including if the defendant, among other things, corrects the construction-related violations within a specified time.

This bill would prohibit a construction-related accessibility claim for statutory damages from being initiated in a legal proceeding against a defendant who employs 50 or fewer individuals, as specified, unless the defendant has been served with a letter specifying each alleged violation, and the alleged violations have not been corrected within 120 days of service of the letter. The bill would provide that a defendant is not liable for statutory damages, plaintiff's attorney's fees, or costs for an alleged violation that is corrected within 120 days of service of a letter alleging the violation. The bill would also prohibit a plaintiff from avoiding the notice and opportunity to correct provisions and the liability limitations by claiming they are seeking general discrimination damages based on a violation of the Americans with Disabilities Act of 1990 if the underlying claim is based on a defendant's failure to comply with physical accessibility standards under California law.

(Based on text date 02/18/2025)

Total Measures: 4