CCDA | California Commission on Disability Access

What is the Fund's Purpose?

The DAER Fund accomplished three important objectives:

Increase disability access and compliance with construction-related accessibility requirements at businesses and facilities that are open to the public, through locally-developed programs.

Assists local jurisdictions with hiring or retaining CASps to consult with the local agency, permit applicants, and members of the public on construction-related accessibility compliance, and to perform permitting and plan check services.

Provides outreach and educational resources for facility owners and business owners to facilitate compliance with the Americans with Disabilities Act (ADA), Unruh Civil Rights Act (Civil Code section 51), and the California Building Code, as they relate to providing full and equal access for persons with disabilities to places of public accommodation.

Scan to learn more about the DAER Fund

2026 Edition

Disability Access and Education Revolving (DAER) Fund

Quick Reference Guide

The DAER Fund is managed by the Division of State Architect (DSA), and established by the California Legislature for the purpose of increasing disability access and compliance with construction-related accessibility standards. The DAER Fund is authorized by Senate Bill 1186 (2012) which established the collection of a $1 fee on each business license issued by a city or county, and Assembly Bill 1379 (2017) that increased the fee from $1 to $4, in addition to providing an option for collection of the fee on the issuance of a building permit if the local entity does not issue business licenses.

What is a Certified Access Specialist (CASp)?

SB 262 (2003) authorized DSA to create the CASp program. A CASp is an individual who has been tested and certified by DSA as a specialist in state and federal construction-related accessibility standards.

The California Legislature through the Construction-related Accessibility Standards Compliance Act (Civil Code section 55.51) established a process where business owners can voluntarily hire a CASp to inspect their buildings to ensure compliance with applicable construction-related accessibility standards. By hiring a CASp to perform an inspection of their facility, a facility owner or business owner can ensure and maintain compliance with applicable construction-related accessibility standards and receive legal benefits if sued.

What are the Authorized Expenditures of Local Funds?

Fees collected are directed towards the "Accessibility Compliance Fund," established by the city or county, previously known as the, "CASp Certification and Training Fund" prior to the passing of AB2164. The Accessibility Compliance Fund reserves up to 5% of local funds to cover essential administrative costs.

Civil Code 55.53 (d)(2) requires a local agency to employ or retain a sufficient number of staff with CASp certification to conduct permitting and plan check services to review for compliance to construction-related accessibility standards. At least one half of the staff with CASp certification shall be building inspectors. Through this state law, the responsibility for review of permit submittals by a CASp is placed on the jurisdiction and not on the permit applicant.

Of the remaining local fund dollars the highest priority for the funds shall be for increased CASp training and certification within the local jurisdiction. Any remaining local funds shall be used for programs that facilitate local business compliance with construction-related accessibility requirements and may include providing financial assistance to small businesses for construction of physical accessibility improvements.

Do Cities Retain Any Portion of the Fund?

90% of the fees collected are retained by the city or county in a local fund. The remaining 10% of the fees collected are sent to and managed by DSA for the DAER Fund. Assembly Bill 2164 (2022, Lee), maintains the $4 fee (with a 90/10 division between city/county and state) indefinitely.

Resources

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VIRTUAL AND IN-PERSON INFORMATIONAL SESSIONS ARE AVAILABLE. PLEASE CONTACT CCDA@DGS.CA.GOV.

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