

CALIFORNIA COMMISSION ON DISABILITY ACCESS LEGISLATIVE COMMITTEE

Hybrid Meeting Minutes
June 8, 2022

1. Call to Order

Chair Scott Lillibridge welcomed everyone and called the meeting of the Legislative Committee of the California Commission on Disability Access (CCDA) to order at approximately 1:30 p.m. at the CCDA Headquarters, 400 R Street, Suite 312, Sacramento, CA 95811.

Chair Lillibridge reviewed the meeting protocols.

Roll Call

Staff Member Ridge called the roll and announced a quorum was not achieved.

Commissioners Present:

Scott Lillibridge, Chair

Jacqueline Jackson

Commissioners Absent:

Michael Paravagna

Other Commissioners Present:

Hector Ramirez

Staff Present:

Theresa Brown, Data and Research Analyst

Stephanie Groce, Disability Access Technician

Phil McPhaul, Operations Manager
Abigail Ridge, Administrative and Legislative Analyst

Presley Strother, Marketing and Outreach Analyst

Also Present:

Janita Griffin-Coleman

Corrina Roy, Legislative Consultant, Office of Legislative Affairs, California Department of General Services (DGS)

2. Approval of Meeting Minutes (February 9, 2022) – Action

Chair Lillibridge tabled this Agenda Item to the next meeting.

3. Comments from the Public on Issues Not on this Agenda

No members of the public addressed the Committee.

4. Legislative Bill Tracking – Update and Discussion

**California Commission on Disability Access
Legislative Committee
June 8, 2022, Hybrid Meeting Minutes**

Corrina Roy, Legislative Consultant, Office of Legislative Affairs, DGS, summarized the CCDA Legislative Status Report on the bills staff is tracking, which was included in the meeting materials.

a. Assembly Bill 1604: The Upward Mobility Act of 2022: Boards and Commissions: Civil Service: Classifications.

This bill has passed the Assembly and is now in the Senate awaiting assignment to a policy committee.

b. Assembly Bill 1733: State Bodies: Open Meetings.

This bill has had no movement since it was introduced and appears to be stalled.

c. Assembly Bill 2164: Disability Access: Certified Access Specialist Program: Funding.

This bill has been amended and no longer directly affects the DGS, the Division of the State Architect (DSA), or CCDA.

d. Assembly Bill 2829: Certified Access Specialist Inspection Grant Program.

This bill was not included in the report.

e. Assembly Bill 2917: State Law: Disability Access.

This bill has passed into the second House and is set for hearing in the Senate Judiciary Committee on June 9th.

f. Assembly Bill 2962: (Committee on Judiciary) Disability Access: Construction-Related Accessibility Violations.

This bill was amended on May 4th to now require the CCDA to develop an educational toolkit for businesses to use to understand construction-related accessibility violations in parking lots and exterior paths of travel. The bill requires these toolkits to be completed by July 1, 2023. It is set to be heard in the Judiciary Committee on June 21st.

5. CCDA Legislative One Sheet – Update and Discussion

a. Current Status

Staff Member McPhaul stated the CCDA One-Page Informational to the Legislature document, which was included in the meeting materials, is at the DGS Office of Legislative Affairs for review.

6. Attorney Non-Compliance and Statutes – Update and Discussion

a. Attorney Compliance with California Civil Code Section 55.32

• Current Requirements

Staff Member Brown reviewed the current mandates in statute for attorneys to file pre-litigation letters and construction-related physical access complaints to the CCDA and

**California Commission on Disability Access
Legislative Committee
June 8, 2022, Hybrid Meeting Minutes**

for the CCDA to provide a status report to the Legislature not less than biannually. The CCDA is also required to develop and disseminate educational materials and information to promote and facilitate disability access. The CCDA is required to work with other state agencies, including the DSA and the Department of Rehabilitation (DOR) to develop those educational materials and to provide information to help businesses better understand their obligations to provide disability access in the facilitation of compliance with construction-related accessibility standards.

Staff Member Brown stated the CCDA is required to develop and make available on the its website information regarding Americans with Disabilities Act (ADA) toolkits and educational modules and to assist businesses in understanding the law as far as facilitating compliance with the top-ten alleged construction-related violations. Upon completion of this requirement, the CCDA is also required to develop and make available on the website other toolkits and educational modules that educate businesses on accessibility requirements and to facilitate compliance.

Discussion

Commissioner Jackson asked annual data is kept on the number of complaints and the number of downloads or individuals who request access information.

Staff Member Brown stated the CCDA is obligated to provide collected data on case resolution reports, demand letters, and pre-litigation letters through the Annual Report to the Legislature.

Chair Lillibridge clarified that the CCDA can only report to the Legislature on the information submitted to the CCDA Legal Portal by attorneys. One of the goals of the CCDA is to better inform the Legislature about California's top-ten violations through the Annual Report. The Civil Code section does not have the power needed to encourage attorneys to report their case filings to the CCDA.

Staff Member Brown agreed and noted that the information reported to the Legislature does not represent all cases in California due to noncompliance with Civil Code Section 55.32 in submitting their cases into the CCDA Legal Portal database.

Commissioner Ramirez asked about Assembly Bill (AB) 990 and the lack of power or authority for many disability-related laws. He asked if the CCDA if tracking AB 990.

Ms. Roy stated AB 990 did not make it out of the Assembly Appropriations Committee and is now dead. It failed the deadline and did not make it to the second House. The CCDA is not tracking it.

b. Educational Tools to Assist Attorney Compliance with Statutes

- **Introduce CCDA to Legal Community**
- **CCDA Portal Database Introduction Letters: Disability Access Associations and Advocacy Groups**
- **California State Bar and Legal Associations**
- **CCDA Portal Enhancements**

**California Commission on Disability Access
Legislative Committee
June 8, 2022, Hybrid Meeting Minutes**

Staff Member Brown stated staff has drafted several letters to introduce to the legal community, California State Bar and legal associations, and disability access associations and advocacy groups to increase compliance to Civil Code Section 55.32. In addition, the portal database is being updated with specific field descriptions that will help attorneys make more accurate selections as they are submitting their case resolutions, case files, and pre-litigation letters.

7. Assembly Bill 2917: State Law: Disability Access – Update and Discussion

a. Additional Construction-Related Accessibility Violations

• Inclusion of Website Violations

Staff Member Brown stated, in addition to obligations related to Civil Code Section 55.32, AB 2917 requires the CCDA to include information regarding inaccessible internet websites to be reported from attorneys and also to include that data in the CCDA Annual Report to the Legislature. AB 2917 also requires that the CCDA work with other agencies including the DSA and the DOR to develop educational materials, toolkits, and information for businesses to better understand their obligation to provide disability access and facilitate compliance with construction-related accessibility standards and accessibility standards for internet websites.

Staff Member Brown stated AB 2917 also requires the CCDA to provide post-educational materials on the website and to provide enhancements to the CCDA Legal Portal, such as improving the descriptions of alleged violations including website violations. She stated staff is currently in discussion with the DOR preparing for a future partnership in order to comply with AB 2917, should it pass.

Discussion

Chair Lillibridge asked how the borderless internet relates to a potential California law.

Ms. Roy stated it is possible to file a federal complaint in California, even if the defendant headquarters is outside of California.

b. Potential Educational Tools

- Current Statutes**
- California Department of Rehabilitation**

Staff Member McPhaul stated the toolkits being created for the Disability Access Education and Revolving Fund include website access issues.

8. Future Agenda Items – Discussion

Janita Griffin-Coleman suggested a discussion about resources to be posted on the website for communication-friendly cellphones and touchscreens.

Chair Lillibridge suggested inviting a subject matter expert to present at a full Commission meeting on communication-friendly devices for improved access.

**California Commission on Disability Access
Legislative Committee
June 8, 2022, Hybrid Meeting Minutes**

9. Adjourn

Chair Lillibridge stated the next Legislative Committee is scheduled for September 7, 2022. He adjourned the meeting at approximately 2:30 p.m.