

## **Section-by-Section Analysis of H.R. 620**

The following discussion describes the bill as reported by the Committee.

Section 1. Short title. Section 1 sets forth the short title of the bill as the ``ADA Education and Reform Act of 2017.''

Sec. 2. Compliance Through Education. Section 2 directs the Disability Rights Section of the Justice Department to use existing funds to provide educational and training grants for professionals, such as Certified Access Specialists, to provide guidance for compliance with the public accommodations portion of the ADA. The intent of this section is to assist states in providing guidance to property owners to facilitate ADA compliance, but could also include the development of a form demand letter for individuals with disabilities that complies with the requirements of this bill. The section does not appropriate funds or require the appropriation of new funds.

Sec. 3. Notice and Cure Period. Section 3 provides before a lawsuit can be commenced up to 180 days after receiving notice of a violation for property owners to remediate ADA public access violations. Under this section, litigation is delayed if, within 60 days of notice of an alleged violation, the property owner provides a written description of how the owner will remove any barrier to access that violates the ADA. This will allow property owners, after being put on specific notice as to possible ADA violations, to remove, at their own expense, barriers to accessing public accommodations. The property owner then has an additional 120 days to remove barriers or make substantial progress in doing so.

Sec. 4. Effective Date. Section 4 provides that the changes made by the Act will be effective 30 days after the date of enactment.

Sec. 5. Mediation for Section 302(b)(2) ADA Actions Related to Structural Barriers. Section 4 directs the federal courts, in consultation with property owners and representatives of the disability rights community, to develop a model program to promote alternative dispute resolution mechanisms to resolve ADA violations for public accommodations. The goal of the model program is to promote access quickly and efficiently without the need for costly litigation.