
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1158 Session of
2006

INTRODUCED BY RHOADES, FERLO, TARTAGLIONE, BROWNE, PIPPY,
BOSCOLA, FONTANA, O'PAKE, COSTA, LOGAN, PICCOLA, LEMMOND,
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STACK, REGOLA, ROBBINS, GREENLEAF AND WASHINGTON,
MARCH 28, 2006

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, OCTOBER 3, 2006

AN ACT

1 Providing for a tax credit to encourage property owners to
2 include visitability design features on their properties.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Residential
7 Visitability Design Tax Credit Act.

8 Section 2. Construction.

9 This act shall be construed to further authorize local taxing
10 authorities to provide special tax provisions for the benefit of
11 persons who have disabilities or other infirmities and to
12 establish minimum uniform design standards as authorized under
13 section 2(b)(ii) of Article VIII of the Constitution of
14 Pennsylvania.

15 Section 3. Definitions.

1 The following words and phrases when used in this act shall
2 have the meanings given to them in this section unless the
3 context clearly indicates otherwise:

4 "Acceptable slope." A variable grade measured by rise over
5 distance.

6 "Circulation path." An exterior or interior way of passage
7 from one place to another for pedestrians.

8 "Dwelling." A structure used as a place of habitation by a
9 natural person. The term shall include new residential
10 construction, existing residential construction or any
11 commercial or industrial building that is converted for
12 residential use.

13 "Eligible property owner." A person, WITH SIGNIFICANT
14 MOBILITY IMPAIRMENT OR WHO LIVES WITH A DEPENDENT WITH
15 SIGNIFICANT MOBILITY IMPAIRMENT, WHO IS responsible for the
16 payment of taxes on a dwelling.

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17 "Local taxing authority." A county, city, borough,
18 incorporated town, township, school district or home rule
19 municipality having authority to levy real property taxes.

20 "No-step entry." An entry to a housing unit that has no
21 steps or other barrier to people who have significant mobility
22 impairment.

23 "Pedestrian site arrival point." A place where pedestrians
24 may enter a dwelling site from a public right-of-way. The term
25 typically includes sidewalks, driveways, streets, alleys and
26 paths.

27 "Powder room." A toileting room having, at a minimum, a
28 water closet and a lavatory.

29 "Significant mobility impairment." The disability of a
30 person who needs assistive mobility technology in the form of a

1 wheelchair, walker, crutches or a similar device in order to
2 move along a circulation path.

3 "Visitability design." The presence of architectural design
4 features which enhance access and usability for visitors and
5 residents who have significant mobility impairment and which
6 minimize the cost of full accessibility modifications, if
7 necessary, at a later time.

8 Section 4. Tax credit authorized.

9 (a) Authorization.--The governing body of a local taxing
10 authority which levies a tax on residential property is
11 authorized to and may, by ordinance or resolution, provide a
12 residential visitability design tax credit against a real
13 property tax levied on such property. The credit may be offered
14 to residential owners at the sole discretion of the local taxing
15 authority, so long as the uniform design standards contained in
16 this act are provided within the eligible residential units.

17 (b) Applicability.--The tax credit authorized under
18 subsection (a) shall be limited to any new or renovated dwelling
19 that contains visitability design features which will enhance
20 the usability of the dwelling for persons with significant
21 mobility impairment and which minimize the cost of full
22 accessibility modifications, if necessary, at a later time.

23 (c) Amount.--The amount of the tax credit shall be
24 determined by the governing body and shall not exceed \$2,500, or
25 the total amount of the increased amount of property taxes owed
26 during the first five years from the time the tax credit is
27 approved, whichever is less.

28 (d) Administration.--The governing body shall determine the
29 form and manner in which any eligible property owner shall apply
30 for the credit and may adopt rules and regulations for the

1 approval and disapproval of applications.

2 Section 5. Design standards.

3 (a) General standards.--The architectural design of a
4 visitable home shall comply with all of the following
5 requirements:

6 (1) The path from either a vehicle parking area or a
7 pedestrian entrance to the lot to the no-step entrance shall
8 be firm, stable and slip resistant.

9 (i) The grade of the path shall not exceed the
10 following acceptable slopes: 1:8 for slope length of five
11 feet or less with a maximum rise of 7.5 inches; 1:10 for
12 slope length 12 feet or less with a maximum rise of 14.4
13 inches; and 1:12 for slope length more than 12 feet.

14 (ii) Notwithstanding subparagraph (i), if the
15 average slope of the property line along and contiguous
16 to the public right-of-way exceeds a slope of 1:12, the
17 slope of the exterior circulation path may be greater, if
18 necessary, to provide access to the no-step entry, but it
19 may not exceed the average slope of the property line.

20 (2) The residence shall provide at least one no-step
21 entrance approachable by a firm, stable and slip-resistant
22 path with an acceptable slope. The no-step entrance shall
23 have a threshold of no greater than three-fourths of an inch.
24 The no-step entrance to the residence may be located on any
25 exterior side of the house or an entrance through the
26 integral garage to the visitable level of the residence.

27 (3) All no-step entry doors must have a minimum clear
28 open width of at least 32 inches and be equipped with lever
29 handle hardware.

30 (4) Interior circulation paths on the visitable level of

1 the dwelling must be at least 36 inches in width.

2 (5) All interior doorways on the visitable level of the
3 dwelling, excluding closets and doorways to floors below the
4 visitable level, shall have a minimum clear open width of 32
5 inches.

6 (6) Each visitable dwelling shall have a minimum of one
7 powder room or bathroom on the visitable-level floor. The
8 powder room shall have a 30-inch by 48-inch minimum clear
9 floor space contiguous to the water closet and the lavatory.
10 The clear space under the lavatory may be included in these
11 measurements, and clear spaces contiguous to the water closet
12 and lavatory may overlap. Plumbing fixtures and entry room
13 doors accessing the visitable powder room must be equipped
14 with lever-style hardware.

15 (7) (i) All bathrooms and powder rooms throughout the
16 residential unit shall have reinforcement of at least two
17 inches by eight inches of blocking between the studs
18 placed inside the walls for easy installation of grab
19 bars if needed. Reinforcement shall be capable of
20 supporting grab bars that resist shear and bending forces
21 of 250 pounds or greater. Blocking should be centered at
22 34 inches from and parallel to the finished floor.

23 (ii) Notwithstanding subparagraph (i), in renovated
24 homes, only the walls in powder rooms or bathrooms on the
25 visitable floor and those on floors that have the stud
26 walls exposed as part of the renovation process need to
27 comply with this paragraph.

28 (8) (i) Light switches may not be higher than 48 inches
29 above the finished floor of the residential unit. If
30 there are two controls for the same light, only one need

1 be in compliance with these standards.

2 (ii) Notwithstanding subparagraph (i), in renovated
3 homes only the switches on the visitable floor need to
4 comply with this paragraph unless the electrical
5 renovations extend beyond the visitable floor.

6 (b) Modifications.--The design standards contained in this
7 section may not be modified or made mandatory, except as
8 provided by the act of November 10, 1999 (P.L.491, No.45), known
9 as the Pennsylvania Construction Code Act.

10 Section 6. Effective date.

11 This act shall take effect immediately.