

118TH CONGRESS  
2D SESSION

# H. R. 7668

To amend the Americans with Disabilities Act of 1990 to provide for a remediation period before the commencement of a civil action.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2024

Mr. LAWLER (for himself and Mr. CORREA) introduced the following bill;  
which was referred to the Committee on the Judiciary

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## A BILL

To amend the Americans with Disabilities Act of 1990 to provide for a remediation period before the commencement of a civil action.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “ADA 30 Days to Com-  
5 ply Act”.

6 **SEC. 2. NOTICE AND CURE PERIOD.**

7 Paragraph (1) of section 308(a) of the Americans  
8 with Disabilities Act of 1990 (42 U.S.C. 12188(a)(1)) is  
9 amended to read as follows:

1           “(1) AVAILABILITY OF REMEDIES AND PROCE-  
2           DURES.—

3           “(A) IN GENERAL.—Subject to subpara-  
4           graph (B), the remedies and procedures set  
5           forth in section 204(a) of the Civil Rights Act  
6           of 1964 (42 U.S.C. 2000a–3(a)) are the rem-  
7           edies and procedures this title provides to any  
8           person who is being subjected to discrimination  
9           on the basis of disability in violation of this title  
10          or who has reasonable grounds for believing  
11          that such person is about to be subjected to dis-  
12          crimination in violation of section 303. Nothing  
13          in this section shall require a person with a dis-  
14          ability to engage in a futile gesture if such per-  
15          son has actual notice that a person or organiza-  
16          tion covered by this title does not intend to  
17          comply with its provisions.

18          “(B) BARRIERS TO ACCESS TO EXISTING  
19          PUBLIC ACCOMMODATIONS.—A civil action  
20          under section 302 or 303 based on the failure  
21          to remove an architectural barrier to access into  
22          an existing public accommodation may not be  
23          commenced by a person aggrieved by such fail-  
24          ure unless—

1           “(i) that person has provided to the  
2           owner or operator of the accommodation a  
3           written notice specific enough to allow such  
4           owner or operator to identify the barrier;  
5           and

6           “(ii)(I) during the period beginning on  
7           the date the notice is received and ending  
8           30 days after that date, the owner or oper-  
9           ator fails to provide to that person a writ-  
10          ten description outlining improvements  
11          that will be made to remove the barrier; or

12          “(II) if the owner or operator provides  
13          the written description under subclause (I),  
14          the owner or operator fails to remove the  
15          barrier or, in the case of a barrier, the re-  
16          moval of which requires additional time as  
17          a result of circumstances beyond the con-  
18          trol of the owner or operator, fails to make  
19          substantial progress in removing the bar-  
20          rier during the period beginning on the  
21          date the description is provided and ending  
22          30 days after that date.

23          “(C) SPECIFICATION OF DETAILS OF AL-  
24          LEGED VIOLATION.—The written notice re-  
25          quired under subparagraph (B) must also speci-

1           fy in detail the circumstances under which an  
2           individual was actually denied access to a public  
3           accommodation, including the address of prop-  
4           erty, whether a request for assistance in remov-  
5           ing an architectural barrier to access was made,  
6           and whether the barrier to access was a perma-  
7           nent or temporary barrier.

8           “(D) NOTICE SPECIFIC ENOUGH.—For  
9           purposes of this paragraph, the term ‘notice  
10          specific enough’ means notice that allows such  
11          owner or operator to identify the barrier to ac-  
12          cess in question.”.

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