

**Introduced by Senators Corbett, Calderon, Harman, Runner, and Steinberg**

February 23, 2007

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An act to amend Section 54.3 of the Civil Code, relating to disabled persons.

LEGISLATIVE COUNSEL'S DIGEST

SB 747, as introduced, Corbett. Disabled persons: equal access rights.

Under existing law, individuals with certain disabilities are entitled to equal access rights to various facilities, and individuals licensed to train dogs as guide dogs, signal dogs, or service dogs may take the dogs, for purposes of training, into specified places where disabled individuals are required to be given access. Under existing law, a person who denies or interferes with admittance to, or enjoyment of, public facilities or otherwise interferes with the rights of an individual with a disability, is liable for each offense for the actual damages and any amount determined by a jury, or the court sitting without a jury, up to a maximum of 3 times the amount of actual damages, but in no case less than \$1,000.

This bill would make technical, nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 54.3 of the Civil Code is amended to  
2 read:

1 54.3. (a) ~~Any~~ A person or persons, firm or corporation who  
2 denies or interferes with admittance to or enjoyment of the public  
3 facilities as specified in Sections 54 and 54.1 or otherwise interferes  
4 with the rights of an individual with a disability ~~under~~ pursuant  
5 to Sections 54, 54.1 and 54.2 is liable for each offense for the  
6 actual damages and any amount as may be determined by a jury,  
7 or the court sitting without a jury, up to a maximum of three times  
8 the amount of actual damages but in no case less than one thousand  
9 dollars (\$1,000), ~~and in addition to~~ attorney's fees as may be  
10 determined by the court ~~in addition thereto~~, suffered by ~~any a~~  
11 person denied any of the rights provided in Sections 54, 54.1, and  
12 54.2. "Interfere," for purposes of this section, includes, but is not  
13 limited to, preventing or causing the prevention of a guide dog,  
14 signal dog, or service dog from carrying out its functions in  
15 assisting a disabled person.

16 (b) ~~Any~~ A person who claims to be aggrieved by an alleged  
17 unlawful practice in violation of Section 54, 54.1, or 54.2 may also  
18 file a verified complaint with the Department of Fair Employment  
19 and Housing pursuant to Section 12948 of the Government Code.  
20 The remedies in this section are nonexclusive and are in addition  
21 to any other remedy provided by law, including, but not limited  
22 to, ~~any an~~ action for injunctive or other equitable relief available  
23 to the aggrieved party or brought in the name of the people of this  
24 state or of the United States.

25 (c) A person may not be held liable for damages pursuant to  
26 both this section and Section 52 for the same act or failure to act.