

Senator MacGregor offered the following resolution:

Senate Resolution No. 69.

A resolution to urge the U.S. Congress to enact legislation that provides small business owners an opportunity to remedy alleged violations under the Americans with Disabilities Act.

Whereas, The Americans with Disabilities Act (ADA) was enacted in 1990 to improve access and equality for disabled Americans. After over 25 years in effect, the integrity of the ADA is in question because of the onslaught of lawsuits against small businesses due to minor and correctable infractions; and

Whereas, Small businesses provide goods and services that are vital to our economy, and it is important that every effort is made to ensure disabled Americans have access to those goods and services. When there are minor and easily correctable ADA infractions, small businesses are increasingly being faced with lawsuits by individuals; and

Whereas, The threat or actual occurrence of a lawsuit places small businesses in the dilemma of choosing whether to settle the suit or face the potentially exorbitant cost of litigation in terms of both time and money. Additionally, plaintiffs who abuse the ADA system often file multiple cases, many with businesses and properties; and

Whereas, The ADA Education and Reform Act of 2017 (H.R. 620) proposes to provide business owners an opportunity to remedy alleged ADA violations before facing the cost of legal fees. The act would provide business owners a 120-day window within which to make the public accommodation corrections that they were cited for under the ADA. It restores the ADA to its original purpose of enabling access and accommodation to disabled Americans; now, therefore, be it

Resolved by the Senate, That we urge the U.S. Congress to enact legislation that provides small business owners an opportunity to remedy alleged violations under the Americans with Disabilities Act; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.