

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 355*

Short Title: State Building Code Changes-AB.

(Public)

Sponsors: Representatives Dockham and Hurley (Primary Sponsors).

Referred to: State Government.

March 1, 2001

A BILL TO BE ENTITLED

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2 AN ACT TO REPEAL THE FISCAL NOTE REQUIREMENT FOR CHANGES IN
3 THE STATE BUILDING CODE; TO UPDATE REFERENCES TO
4 ORGANIZATIONS WHOSE STANDARDS MAY BE USED IN ADOPTING
5 CODE PROVISIONS; AND TO GIVE THE BUILDING CODE COUNCIL
6 EXPLICIT AUTHORITY TO USE STANDARDS OF INTERNATIONAL
7 AGENCIES.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** G.S. 143-138(a) reads as rewritten:

10 "(a) Preparation and Adoption. – The Building Code Council is hereby
11 ~~empowered to~~ may prepare and adopt, in accordance with ~~the provisions of~~ this Article,
12 a North Carolina State Building Code. ~~Prior to~~ Before the adoption of ~~this the~~ Code, or
13 any part ~~thereof, of the Code,~~ the Council shall hold at least one public hearing. A
14 notice of ~~such the~~ public hearing shall be given once a week for two successive calendar
15 weeks in a newspaper published in ~~Raleigh, said notice to be published the first time not~~
16 ~~less Raleigh.~~ The first publication of the notice shall not occur fewer than 15 days prior
17 to before the date ~~fixed for said of the~~ hearing. The Council may hold such other public
18 hearings and give such other notice ~~as it may deem the Council considers~~ necessary.

19 ~~The Council shall request the Office of State Budget, Planning, and Management to~~
20 ~~prepare a fiscal note for a proposed Code change that has a substantial economic~~
21 ~~impact, as defined in G.S. 150B-21.4(b1), or that increases the cost of residential~~
22 ~~housing by eighty dollars (\$80.00) or more per housing unit. The Council shall not take~~
23 ~~final action on a proposed Code change that has a substantial economic impact or that~~
24 ~~increases the cost of residential housing by eighty dollars (\$80.00) or more per housing~~
25 ~~unit until at least 60 days after the fiscal note has been prepared. The change can~~
26 ~~become effective only in accordance with G.S. 143-138(d)."~~

27 **SECTION 2.** G.S. 143-138(c) reads as rewritten:

1 "(c) Standards to Be Followed in Adopting the Code. – All regulations contained
2 in the North Carolina State Building Code shall have a reasonable and substantial
3 connection with the public health, safety, morals, or general welfare, and their
4 provisions shall be construed reasonably to those ends. Requirements of the Code shall
5 conform to good engineering practice. The Council may use as guidance, but is not
6 required to adopt, the requirements of the ~~National Building Code of the American~~
7 ~~Insurance Association, formerly the National Board of Fire Underwriters, the Southern~~
8 ~~International Building Code of the International Code Council, the Standard Building~~
9 ~~Code of the Southern Building Code Congress, Congress International, Inc., the~~
10 ~~Uniform Building Code of the Pacific Coast Building Officials Conference,~~
11 ~~International Conference of Building Officials, the Basic National Building Code of the~~
12 ~~Building Officials Conference of America, Inc., and Code Administrators, Inc., the~~
13 ~~National Electric Code, the Life Safety Code Code, the National Fuel Gas Code, and the~~
14 ~~Fire Prevention Code of the National Fire Protection Association, the American~~
15 ~~Standard Safety Code for Elevators, Dumbwaiters, Elevators and Escalators, and the~~
16 ~~Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers,~~
17 ~~Standards of the American Insurance Association for the Installation of Gas Piping and~~
18 ~~Gas Appliances in Buildings, and standards promulgated by the United States of~~
19 ~~America American National Standards Institute, formerly the American Standards~~
20 ~~Association, Underwriters' Laboratories, Inc., and similar national or international~~
21 agencies engaged in research concerning strength of materials, safe design, and other
22 factors bearing upon health and safety."

23 **SECTION 3.** This act is effective when it becomes law.