

Regular Session, 2008
HOUSE BILL NO. 198
BY REPRESENTATIVE ARNOLD

ACT No. 485

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AN ACT

To amend and reenact R.S. 40:1730.22(C), 1730.26(2), and 1730.28(A)(introductory paragraph) and (C), relative to the adoption of the state uniform construction code; to provide for the adoption of an amendment to the state uniform construction code after a showing that the amendment provides a reasonable degree of affordability; to require the review and evaluation of each new edition of the International Residential Code upon its release; to require the update of the state uniform construction code within two years of the release of the latest edition; to require the evaluation, adoption, and amendment of only the latest editions of the codes and standards comprising the state uniform construction code; to require the evaluation and adoption of the latest edition of the International Residential Code; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1730.22(C), 1730.26(2), and 1730.28(A)(introductory paragraph) and (C) are hereby amended and reenacted to read as follows:

§1730.22. Louisiana State Uniform Construction Code Council; membership; function of council; meeting requirements; immunity

* * *

C. The primary function of the council is to review and adopt the state uniform construction code, provide for training and education of code officials, and accept all requests for amendments of the code, except the Louisiana State Plumbing Code [Part XIV (Plumbing) of the State Sanitary Code]. Specifically, the council shall establish the requirements and process for the certification and continuing education of code enforcement officers, code enforcement inspectors, and building

1 officials and determine if any amendments to the state uniform construction code are
 2 justified. If the council determines that an amendment is justified, it may enact such
 3 an amendment after a finding on the record that the modification provides a
 4 reasonable degree of public health, safety, affordability, and welfare. The council
 5 shall adopt rules in accordance with the Administrative Procedure Act in order to
 6 implement the provisions of this Part.

7 * * *

8 §1730.26. Adoption and promulgation of certain building codes and standards as
 9 state uniform construction code; procedures

10 The council shall review, adopt, modify, and promulgate the building codes
 11 referenced in R.S. 40:1730.28 of this Part, provided that:

12 * * *

13 (2) ~~The state uniform construction code shall be updated every three years~~
 14 council shall review, evaluate, and update the state uniform construction code within
 15 two years of the release of the latest edition of the appropriate code as provided for
 16 in R.S. 40:1730.28.

17 * * *

18 §1730.28. Mandatory adoption of certain nationally recognized codes and standards
 19 as the state uniform construction code; adoption by reference

20 A. Except as provided in Subsection C of this Section, the council shall
 21 evaluate, adopt, and amend only the latest editions of the following as the state
 22 uniform construction code:

23 * * *

24 C. For purposes of Paragraph (A)(3) of this Section, the 2006 edition of the
 25 International Residential Code is hereby adopted and amended to include Section
 26 R301.2.1.1 of the 2003 edition of the International Residential Code in lieu of
 27 Section R301.2.1.1 of the 2006 edition. The code adopted and amended above in
 28 this Subsection shall remain in effect until the 2009 edition of the International
 29 Residential Code is published, at which time such edition of the code shall be
 30 adopted by the council as provided in Subparagraph (A)(3)(a) of this Section.

1 Thereafter, the council shall evaluate and adopt the latest edition of the International
2 Residential Code as provided in Subparagraph (A)(3)(a) of this Section.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____