# GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2001

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#### **SENATE BILL 633\***

Insurance and Consumer Protection Committee Substitute Adopted 4/24/01

Short Title: Building Code Pilot Program.

Sponsors:

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Referred to:

March 22, 2001

#### A BILL TO BE ENTITLED

## 2 AN ACT TO ESTABLISH A BUILDING CODE PILOT PROGRAM FOR 3 REHABILITATING EXISTING BUILDINGS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** There is established a pilot program to utilize building code standards that are based on the Maryland Building Rehabilitation Code, the New Jersey 6 Building Rehabilitation Code, or a combination of the two codes ("pilot building code") 7 for the purpose of promoting affordable housing. The pilot shall be administered by the 8 9 Department of Insurance. The county, in consultation with the Department, shall 10 develop and implement local building code standards to be effective for a period of four 11 years, from January 1, 2002, to January 1, 2006, at which time the pilot program shall 12 expire.

13 Notwithstanding any other provision of law, during the four-year period of 14 the pilot program, the pilot building code shall be enforced as if it were statutorily mandated and approved by the State Building Code Council. The county and its 15 16 officers, directors, and employees enforcing that pilot building code shall not be liable 17 to any person on the basis that the pilot building code used and enforced is not consistent with the statewide building code in effect from January 1, 2002, to January 1, 18 2006. In addition, buildings or projects built in compliance with the pilot building code 19 20 shall not be required to be retrofitted to come into compliance with the applicable 21 statewide building code once the pilot program expires.

SECTION 2. The Department of Insurance shall submit an interim report on the effectiveness of the pilot program to the General Assembly on or before December 1, 2004, and shall submit a final report to the General Assembly on or before April 1, 2006. The final report shall include recommendations as to whether the pilot program should be extended or made permanent and any legislative recommendations, including whether the building code standards authorized by this act should be incorporated in the General Statutes as part of the statewide building code.

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(Public)

### GENERAL ASSEMBLY OF NORTH CAROLINA

1 **SECTION 3.** The Legislative Research Commission may conduct a 2 comprehensive study of the building code pilot program and the concept of the building 3 code pilot program. The Commission may address all issues that the Commission 4 considers relevant to the study including, but not limited to, whether the building code 5 pilot program should be expanded or be made applicable statewide.

6 If the Legislative Research Commission undertakes the study, it shall report
7 its findings and recommendations, including any recommended legislation, to the 2002
8 Regular Session of the 2001 General Assembly.

9 **SECTION 4.** This act shall not be construed to obligate the General 10 Assembly to appropriate funds to implement the provisions of this act. The Department 11 shall implement this act with funds available to the Department.

12 **SECTION 5.** This act is effective when it becomes law and only applies to 13 counties with populations of 650,000 or more according to the most recent decennial 14 federal census.