

1 SB248  
2 135472-1  
3 By Senator Whatley  
4 RFD: Governmental Affairs  
5 First Read: 08-FEB-12

2  
3  
4  
5  
6  
7  
8 SYNOPSIS: The Alabama Energy and Residential Codes  
9 Board oversees the adoption and implementation of  
10 the Alabama Energy and Residential Codes.

11 This bill would add one member representing  
12 the property and casualty insurance industry to the  
13 board.

14  
15 A BILL  
16 TO BE ENTITLED  
17 AN ACT  
18

19 To amend Section 41-23-82 of the Code of Alabama  
20 1975, relating to the Alabama Energy and Residential Codes  
21 Board; to add an additional member representing the property  
22 and casualty insurance industry.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. Section 41-23-82 of the Code of Alabama  
25 1975, is amended to read as follows:

26 "§41-23-82.

1           "(a) The Alabama Energy and Residential Codes Board  
2 is established.

3           "(b) The board shall consist of ~~15~~ the following  
4 members appointed by the Governor and two additional members,  
5 ~~numbered 16 and 17~~, appointed by the Chair of the Permanent  
6 Joint Legislative Committee on Energy Policy. The members  
7 appointed by the Governor shall be legal residents of the  
8 state, and shall be selected on the basis of their  
9 representation of the following organizations, industries,  
10 entities, and professions as follows:

11           "(1) One member shall represent the Home Builders  
12 Association.

13           "(2) One member shall represent the Board of General  
14 Contractors.

15           "(3) One member shall represent the State Board of  
16 Heating, Air Conditioning, and Refrigeration.

17           "(4) One member shall represent the private,  
18 investor-owned, electric utility industry.

19           "(5) One member shall represent the rural electric  
20 cooperative industry.

21           "(6) One member shall represent the natural gas  
22 industry.

23           "(7) One member shall be a licensed professional  
24 engineer.

25           "(8) One member shall represent municipalities.

26           "(9) One member shall represent county governments.

1           "(10) One member shall represent the Alabama  
2 Council, American Institute of Architects.

3           "(11) One member shall represent the Alabama  
4 Liquefied Petroleum Gas Board.

5           "(12) One member shall represent the International  
6 Code Council (ICC) Alabama Chapter, Code Officials Association  
7 of Alabama.

8           "(13) One member shall represent the Home Builders  
9 Licensure Board.

10          "(14) One member shall represent the Alabama Joint  
11 Fire Council.

12          "(15) ~~One member~~ Two members shall represent the  
13 Property and Casualty Insurance Industry.

14          "(16) One member shall be a Senate member of the  
15 Permanent Joint Legislative Committee on Energy Policy  
16 selected by the chair of the committee.

17          "(17) One member shall be a House of Representatives  
18 member of the Permanent Joint Legislative Committee on Energy  
19 Policy selected by the chair of the committee.

20          "(c) Each member appointed by the Governor shall be  
21 selected from a list of three candidates provided to the  
22 Governor by the division from each entity listed above. Board  
23 appointees shall be selected on the basis of their interest in  
24 problems concerning residential energy resources, consumption,  
25 and conservation, and without regard to political affiliation.  
26 Appointments shall be of such a nature as to aid the work of

1 the board and to inspire the highest degree of coordination  
2 and cooperation. All members of the board shall be deemed  
3 members at-large charged with the responsibility of serving  
4 the best interests of the board, the division, the units of  
5 local government, and the state. No member shall act as the  
6 representative of any particular region, United States  
7 congressional district in Alabama, or state Senate or  
8 legislative district in Alabama.

9 "(d) The board shall exercise authority with respect  
10 to all matters pertaining to the acceptance, adoption, and  
11 implementation of the Alabama Energy and Residential Codes by  
12 the State of Alabama. Decisions of the board shall be  
13 administered by the chief of the division with the assistance  
14 of such other officers and department employees as are deemed  
15 necessary to carry out the purpose, functions, duties, and  
16 activities of the board.

17 "(e) The membership of the board shall be inclusive  
18 and should reflect the racial, gender, geographic,  
19 urban/rural, and economic diversity of the state.

20 "(f) This article shall not apply to the erection or  
21 construction of a farm structure. The term farm structure, for  
22 the purposes of this act, means a structure that is  
23 constructed on a farm, other than a residence or a structure  
24 attached to it, for use on the farm including, but not limited  
25 to, barns, sheds, and poultry houses. A farm structure does

1 not include a structure originally qualifying as a farm  
2 structure but later converted to another use."

3 Section 2. This act shall become effective  
4 immediately following its passage and approval by the  
5 Governor, or its otherwise becoming law.