

SB40 ENGROSSED



1 EJVBC9-2
2 By Senator Elliott
3 RFD: County and Municipal Government
4 First Read: 07-Mar-23
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A BILL
TO BE ENTITLED
AN ACT

Relating to county and local government; to provide prohibitions on the adoption or enforcement of certain building codes requiring the installation of certain latent, non-operable features in a residential structure.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For the purposes of this act, the following terms have the following meanings:

(1) LATENT FEATURE. Any technology, appliance, electrical circuit, wiring, plumbing, gas tubing, framing, or other item, installed in or connected to a residential structure, that will not be placed in a state of active operation or that will not be utilized by the homeowner at the time of the residential structure's completion. The term only includes features that do not contribute to the life safety or structural aspects of the building code being enforced.

(2) RESIDENTIAL STRUCTURE. A residence on a single lot, including a site-built home, a condominium, duplex, apartment, or any other single-unit or multi-unit residential building.

(b) The governing body of any municipality or county, or any agency thereof, may not directly or indirectly adopt or



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29 enforce any ordinance, rule, bylaw, order, or state or local
30 building code provision requiring the installation of any
31 latent feature in any residential structure.

32 Section 2. This act shall become effective on the first
33 day of the third month following its passage and approval by
34 the Governor, or its otherwise becoming law.



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37 Senate

38 Read for the first time and referred07-Mar-23
39 to the Senate committee on County
40 and Municipal Government
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42 Read for the second time and placed21-Mar-23
43 on the calendar:
44 1 amendment
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46 Read for the third time and passed04-Apr-23
47 as amended
48 Yeas 29
49 Nays 0
50 Abstains 0

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53 Patrick Harris,
54 Secretary.
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