

SB40 INTRODUCED



1 EYBC9-1
2 By Senator Elliott
3 RFD: County and Municipal Government
4 First Read: 07-Mar-23
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SYNOPSIS: Under existing law, municipal and county governing bodies may adopt and enforce local building codes governing the construction of residential structures.

This bill would provide that a municipal or county governing body, or any agency thereof, may not directly or indirectly adopt or enforce any ordinance, rule, bylaw, order, or local building code provision that would require, in the construction of a residential structure, certain latent features, including wiring, plumbing, gas tubing, or framing, which features would not be operational at the time of completion.

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



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29 following terms have the following meanings:

30 (1) LATENT FEATURE. Any technology, appliance,
31 electrical circuit, wiring, plumbing, gas tubing, framing, or
32 other item, installed in or connected to a residential
33 structure, that will not be placed in a state of active
34 operation or that will not be utilized by the homeowner at the
35 time of the residential structure's completion.

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

39 (b) The governing body of any municipality or county,
40 or any agency thereof, may not directly or indirectly adopt or
41 enforce any ordinance, rule, bylaw, order, or state or local
42 building code provision requiring the installation of any
43 latent feature in any residential structure.

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