

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1249 Session of
2010

INTRODUCED BY TARTAGLIONE, CORMAN, STOUT, STACK, FONTANA, COSTA,
LOGAN, FARNESE AND WOZNIAK, FEBRUARY 26, 2010

REFERRED TO LABOR AND INDUSTRY, FEBRUARY 26, 2010

AN ACT

1 Amending the act of November 10, 1999 (P.L.491, No.45), entitled
2 "An act establishing a uniform construction code; imposing
3 powers and duties on municipalities and the Department of
4 Labor and Industry; providing for enforcement; imposing
5 penalties; and making repeals," further providing for
6 definitions and for applicability to certain buildings.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 103 of the act of November 10, 1999
10 (P.L.491, No.45), known as the Pennsylvania Construction Code
11 Act, is amended by adding definitions to read:

12 Section 103. Definitions.

13 The following words and phrases when used in this act shall
14 have the meanings given to them in this section unless the
15 context clearly indicates otherwise:

16 * * *

17 "State-affiliated entity." A Commonwealth authority or a
18 Commonwealth entity. The term includes the Pennsylvania Turnpike
19 Commission, the Pennsylvania Housing Finance Agency, the
20 Pennsylvania Municipal Retirement System, the Pennsylvania

Infrastructure Investment Authority, the State Public School Building Authority, the Pennsylvania Higher Educational Facilities Authority and the Pennsylvania State System of Higher Education.

"State-owned building." A building owned by or to be constructed for Commonwealth entities consisting of the General Assembly, the Unified Judicial System, the Pennsylvania Higher Education Assistance Agency, an executive agency, an independent agency, a State-affiliated entity or a State-related institution.

"State-related institution." The Pennsylvania State University, the University of Pittsburgh, Lincoln University or Temple University.

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Section 2. Section 902(b) (4) of the act, amended December 22, 2005 {P.L.478, No.95}, is amended to read:
Section 902. Applicability to certain buildings.

* * *

(b) Uncertified buildings under department's jurisdiction.--
Subject to subsection (d), all of the following apply to a building subject to the jurisdiction of the department:

* * *

(4) A building owner may file an application for a variance from this subsection concerning accessibility with the advisory board under section 106. A building owner may file an application for a variance from this subsection concerning other standards. The application must be filed with the Industrial Board if any of the following apply:

(i) The building is located in a municipality where the department has jurisdiction.

(ii) The building is a State-owned building. [As used in this subparagraph, the term "State-owned building" means a building owned or constructed for Commonwealth entities consisting of the General Assembly, the Unified Judicial System, the Pennsylvania Higher Education Assistance Agency, an executive agency, an independent agency and a State-affiliated entity or State-related institution, as defined in 62 Pa.C.S. § 103 (relating to definitions).]

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Section 3. This act shall take effect immediately.