

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1235 Session of
2001

INTRODUCED BY BARLEY, ALLEN, M. BAKER, BUNT, CAPPELLI, CLARK,
CLYMER, L. I. COHEN, CORRIGAN, DALEY, DERMODY, FLICK,
FORCIER, FRANKEL, GODSHALL, HENNESSEY, HERSHEY, JAMES,
KENNEY, LAUGHLIN, PIPPY, ROBINSON, ROHRER, SCHULER, STERN,
E. Z. TAYLOR, THOMAS, WALKO AND YOUNGBLOOD, MARCH 29, 2001

AS REPORTED FROM COMMITTEE ON LABOR RELATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, MAY 1, 2001

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 exemptions.

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

9 Section 1. Section 901 of the act of November 10, 1999
10 (P.L.491, No.45), known as the Pennsylvania Construction Code
11 Act, is amended to read:

12 Section 901. Exemptions.

13 (a) Manufactured housing.--This act shall not apply to
14 manufactured housing which bears a label, as required by and
15 referred to in the act of November 17, 1982 (P.L.676, No.192),
16 known as the Manufactured Housing Construction and Safety
17 Standards Authorization Act, which certifies that it conforms to
18 Federal construction and safety standards adopted under the

1 Housing and Community Development Act of 1974 (Public Law 93-
2 383, 88 Stat. 633), nor shall it apply to industrialized
3 housing, as defined in the act of May 11, 1972 (P.L.286, No.70),
4 known as the Industrialized Housing Act.

5 (b) Religious beliefs.--

6 (1) An applicant for a construction permit for a
7 ~~dwelling unit, school, church or place of assembly by a~~ <—
8 DWELLING UNIT UTILIZED BY A MEMBER OF A recognized religious <—
9 sect may file an application with the A code administrator to <—
10 be exempted from any AN ELECTRICAL provision of the Uniform <—
11 Construction Code which conflicts with his THE APPLICANT'S <—
12 religious beliefs. The application shall state the manner in
13 which the provision of the Uniform Construction Code <—
14 ~~conflicts with his~~ PROVISION CONFLICTS WITH THE APPLICANT'S <—
15 religious beliefs and shall include an affidavit by the
16 ~~applicant stating that he is a member of a recognized~~ <—
17 ~~religious sect or division thereof and that he adheres to the~~
18 ~~established tenets or teachings of the sects or divisions.~~

19 ~~(2) The code administrator shall grant the application~~
20 ~~for exemption if the applicant is a member of a recognized~~
21 ~~religious sect or division thereof, which has established~~
22 ~~tenets or teachings conflicting with the provisions of this~~
23 ~~act.~~ APPLICANT STATING THAT: <—

24 (I) THE APPLICANT IS A MEMBER OF A RECOGNIZED
25 RELIGIOUS SECT;

26 (II) THE RELIGIOUS SECT HAS ESTABLISHED TENETS OR
27 TEACHINGS WHICH CONFLICT WITH AN ELECTRICAL PROVISION OF
28 THE UNIFORM CONSTRUCTION CODE;

29 (III) THE APPLICANT ADHERES TO THE ESTABLISHED
30 TENETS OR TEACHINGS OF THE SECT; AND

1 (IV) THE DWELLING UNIT WILL BE USED SOLELY AS A
2 RESIDENCE FOR THE APPLICANT AND THE APPLICANT'S
3 HOUSEHOLD.

4 (2) A CODE ADMINISTRATOR SHALL GRANT AN APPLICATION FOR
5 AN EXEMPTION IF MADE IN ACCORDANCE WITH PARAGRAPH (1).

6 (3) IF AN APPLICANT RECEIVES AN EXEMPTION FOR A DWELLING
7 UNIT UNDER THIS SUBSECTION AND THE APPLICANT SUBSEQUENTLY
8 SELLS OR LEASES THE DWELLING UNIT, THE APPLICANT SHALL BRING
9 THE DWELLING UNIT INTO COMPLIANCE WITH THE PROVISION OF THE
10 UNIFORM CONSTRUCTION CODE FROM WHICH IT WAS EXEMPTED UNDER
11 THIS SUBSECTION PRIOR TO THE DWELLING UNIT BEING SOLD OR
12 LEASED UNLESS THE PROSPECTIVE SUBSEQUENT OWNER OR LESSEE
13 FILES AN AFFIDAVIT IN COMPLIANCE WITH PARAGRAPH (1)(I)
14 THROUGH (IV).

15 Section 2. This act shall take effect 90 days following
16 publication in the Pennsylvania Bulletin of the final adoption
17 of regulations required by the act of November 10, 1999
18 (P.L.491, No.45).