
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1023 Session of
2013

INTRODUCED BY McILHINNEY, SOLOBAY, FERLO, DINNIMAN, HUGHES,
FONTANA, STACK, LEACH, TOMLINSON, SMITH AND FARNESE,
JUNE 17, 2013

AS REPORTED FROM COMMITTEE ON LABOR AND INDUSTRY, HOUSE OF
REPRESENTATIVES, AS AMENDED, SEPTEMBER 24, 2014

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 the~~
6 ~~duties of the council, for revised or successor codes and for~~
7 ~~education and training programs.~~

8 AMENDING THE ACT OF NOVEMBER 10, 1999 (P.L.491, NO.45), ENTITLED <--
9 "AN ACT ESTABLISHING A UNIFORM CONSTRUCTION CODE; IMPOSING
10 POWERS AND DUTIES ON MUNICIPALITIES AND THE DEPARTMENT OF
11 LABOR AND INDUSTRY; PROVIDING FOR ENFORCEMENT; IMPOSING
12 PENALTIES; AND MAKING REPEALS," IN PRELIMINARY PROVISIONS,
13 FURTHER PROVIDING FOR UNIFORM CONSTRUCTION CODE REVIEW AND
14 ADVISORY COUNCIL; IN UNIFORM CONSTRUCTION CODE, FURTHER
15 PROVIDING FOR REVISED OR SUCCESSOR CODES; BY MUNICIPALITIES,
16 FURTHER PROVIDING FOR ADMINISTRATION AND ENFORCEMENT; AND, IN
17 TRAINING AND CERTIFICATION OF INSPECTORS, FURTHER PROVIDING
18 FOR EDUCATION AND TRAINING PROGRAMS.

19 The General Assembly of the Commonwealth of Pennsylvania
20 hereby enacts as follows:

21 ~~Section 1. Section 107(b), (b.1), (c), (f), (j) and (l) of <--~~
22 ~~the act of November 10, 1999 (P.L.491, No.45), known as the~~
23 ~~Pennsylvania Construction Code Act, amended or added October 9,~~

1 ~~2008 (P.L.1386, No.106) and April 25, 2011 (P.L.1, No.1), are~~
2 ~~amended to read:~~

3 ~~Section 107. Uniform Construction Code Review and Advisory~~
4 ~~Council.~~

5 ~~* * *~~

6 ~~(b) Duties. The council shall do the following:~~

7 ~~(1) Gather information from municipal officers, building~~
8 ~~code officials, construction code officials, licensed design~~
9 ~~professionals, builders and property owners concerning issues~~
10 ~~with the Uniform Construction Code raised by council members~~
11 ~~or changes proposed by members of the General Assembly.~~

12 ~~(2) Evaluate the information compiled under paragraph~~
13 ~~(1) and make recommendations to the following:~~

14 ~~(i) The Governor.~~

15 ~~(ii) The Secretary of Labor and Industry.~~

16 ~~(iii) The members of any legislative committee~~
17 ~~considering amendments to this act.~~

18 ~~(iv) The President pro tempore of the Senate.~~

19 ~~(v) The Speaker of the House of Representatives.~~

20 ~~(vi) The Code Development Councils of the~~
21 ~~International Code Council.~~

22 ~~(3) With the exception of the provisions of Chapter 11~~
23 ~~and Appendix E of the International Building Code of 2009, or~~
24 ~~its successor codes, or any other accessibility requirements~~
25 ~~which shall be specified in the regulations contained in or~~
26 ~~referenced by the Uniform Construction Code relating to~~
27 ~~persons with physical disabilities, review the [latest~~
28 ~~triennial code revisions issued by the International Code~~
29 ~~Council, beginning with the 2012 codes,] provisions revised~~
30 ~~in published International Code Council updates subsequent to~~

1 ~~the latest Pennsylvania Uniform Construction Code adoption,~~
2 ~~as provided under subsection (b.1).~~

3 ~~(b.1) Code review process.~~

4 ~~(1) Beginning with the [2012 ICC codes, the council~~
5 ~~shall review the latest triennial code revisions upon~~
6 ~~official publication of the codes.] 2015 ICC codes, the~~
7 ~~council shall review the provisions revised in published~~
8 ~~International Code Council updates subsequent to the latest~~
9 ~~Pennsylvania Uniform Construction Code adoption upon official~~
10 ~~publication of the codes.~~

11 ~~(2) During the review process, the council shall hold at~~
12 ~~least three public hearings. One of the public hearings shall~~
13 ~~be held in Harrisburg, one shall be held in the eastern~~
14 ~~region of this Commonwealth and one shall be held in the~~
15 ~~western region of this Commonwealth.~~

16 ~~(3) The council shall submit a report to the secretary~~
17 ~~within the [12 month] 24 month period following official~~
18 ~~publication of the latest triennial code revisions under~~
19 ~~paragraph (1) with provisions of the codes that are specified~~
20 ~~for adoption[.] and which provisions are specified for~~
21 ~~modification. Modification shall be limited to the subject~~
22 ~~matter of the provisions of the latest triennial code~~
23 ~~revisions and shall be consistent with the intent and~~
24 ~~purposes of this act. The provisions of the codes that are~~
25 ~~specified for [adoption] rejection shall be separately~~
26 ~~designated in the report.~~

27 ~~(4) The council shall examine triennial code revisions~~
28 ~~and modifications by applying all of the following criteria:~~

29 ~~(i) The impact that the provision may have upon the~~
30 ~~health, safety and welfare of the public.~~

1 ~~(ii) The economic and financial impact of the~~
2 ~~provision.~~

3 ~~(iii) The technical feasibility of the provision.~~

4 ~~(iv) The requirement that the provision, if modified~~
5 ~~by the council, must meet or exceed the Uniform~~
6 ~~Construction Code provision currently in effect.~~

7 ~~(5) Only [triennial code revisions] provisions revised~~
8 ~~in published International Code Council updates subsequent to~~
9 ~~the latest Pennsylvania Uniform Construction Code adoption~~
10 ~~and modifications that are adopted by a two thirds vote of~~
11 ~~council membership shall be included in the report required~~
12 ~~under paragraph (3).~~

13 ~~(c) Composition. The council shall consist of the following~~
14 ~~members appointed by the Governor:~~

15 ~~(1) A general contractor from an association~~
16 ~~representing the residential construction industry who has~~
17 ~~recognized ability and experience in the construction of new~~
18 ~~residential buildings.~~

19 ~~(2) A general contractor from an association~~
20 ~~representing the nonresidential construction industry who has~~
21 ~~recognized ability and experience in the construction of~~
22 ~~nonresidential buildings.~~

23 ~~(3) A Uniform Construction Code certified residential~~
24 ~~building inspector who possesses all five residential~~
25 ~~certifications from an association representing building code~~
26 ~~officials who has experience administering and enforcing~~
27 ~~residential codes.~~

28 ~~(4) A Uniform Construction Code certified building~~
29 ~~inspector who possesses all nonresidential inspection~~
30 ~~certifications, but need not possess a fire inspector~~

1 ~~certification, or a certified plans examiner who also holds~~
2 ~~an accessibility certification from an association~~
3 ~~representing building code officials who has experience~~
4 ~~administering and enforcing nonresidential codes.~~

5 ~~(5) A Uniform Construction Code certified fire inspector~~
6 ~~from an association representing building code officials.~~

7 ~~(6) A Uniform Construction Code certified building code~~
8 ~~official from an association representing building code~~
9 ~~officials with building code official certification.~~

10 ~~(7) A residential contractor from an association~~
11 ~~representing contractors engaged in remodeling residential~~
12 ~~buildings who has recognized ability and experience in~~
13 ~~remodeling residential and nonresidential buildings.~~

14 ~~(8) A licensed architect from an association~~
15 ~~representing architects who has recognized ability and~~
16 ~~experience in the design and construction of nonresidential~~
17 ~~buildings.~~

18 ~~(9) A licensed architect from an association~~
19 ~~representing architects who has recognized ability and~~
20 ~~experience in the design and construction of residential~~
21 ~~buildings.~~

22 ~~(10) A licensed structural engineer from an association~~
23 ~~representing professional engineers who has recognized~~
24 ~~ability and experience in the design and construction of~~
25 ~~buildings.~~

26 ~~(11) A licensed mechanical engineer specializing in HVAC~~
27 ~~systems from an association representing professional~~
28 ~~engineers who has recognized ability and experience in the~~
29 ~~design and construction of buildings.~~

30 ~~(12) A licensed mechanical engineer specializing in~~

1 ~~plumbing and fire protection from an association representing~~
2 ~~professional engineers who has recognized ability and~~
3 ~~experience in the design and construction of buildings.~~

4 ~~(13) A licensed electrical engineer from an association~~
5 ~~representing professional engineers who has recognized~~
6 ~~ability and experience in the design and construction of~~
7 ~~buildings.~~

8 ~~(14) An elected official of a township of the second~~
9 ~~class who has recognized ability and experience in~~
10 ~~construction of buildings.~~

11 ~~(15) An elected borough official who has recognized~~
12 ~~ability and experience in construction of buildings.~~

13 ~~(16) An elected official of a third class city who has~~
14 ~~recognized ability and experience in the construction of~~
15 ~~buildings.~~

16 ~~(17) An individual from an association representing~~
17 ~~manufactured housing who shall be knowledgeable, licensed or~~
18 ~~certified to sell and install manufactured housing.~~

19 ~~(18) An official of a city of the first class who has~~
20 ~~recognized ability and experience in the administration and~~
21 ~~enforcement of this act.~~

22 ~~(19) An individual from an association representing only~~
23 ~~modular housing manufacturers who is knowledgeable, licensed~~
24 ~~or certified under the act of May 11, 1972 (P.L.286, No.70),~~
25 ~~known as the Industrialized Housing Act, to manufacture and~~
26 ~~sell modular homes in Pennsylvania.~~

27 ~~(20) An architect or engineer specializing in building~~
28 ~~energy efficiency.~~

29 ~~At least one of the inspectors appointed to the council shall be~~
30 ~~a municipal employee, and at least one inspector shall be a~~

1 ~~third party private sector inspector.~~

2 * * *

3 ~~(f) Terms. A member of the council shall serve terms of~~
4 ~~[two] three years and until his successor is appointed beginning~~
5 ~~July 1, 2008, except the initial term of members appointed under~~
6 ~~subsection (c) (1), (3), (4), (5), (8), (11), (13) and (14) shall~~
7 ~~be for three years and until their successor is appointed.~~

8 * * *

9 ~~(j) Administrative support. The department shall provide a~~
10 ~~facility for council meetings under this act, stenographic~~
11 ~~services and required notice of the council's meetings. The~~
12 ~~department [may] shall provide staff support to assist the~~
13 ~~council in its duties required by subsection (b.1) (4) and in~~
14 ~~drafting any reports required under this act.~~

15 * * *

16 ~~(l) Compensation and expenses. Members of the council shall~~
17 ~~not receive a salary [or per diem allowance for their service]~~
18 ~~but shall be entitled to reimbursement for reasonable travel,~~
19 ~~hotel and other necessary expenses incurred in performing their~~
20 ~~duties.~~

21 ~~Section 2. Section 304 of the act, amended April 5, 2011~~
22 ~~(P.L.1, No.1), is amended to read:~~

23 ~~Section 304. Revised or successor codes.~~

24 ~~(a) Duties of department.~~

25 ~~(1) Subject to sections 105(c) and (d), 301(a) (3), (4),~~
26 ~~(5), (6) and (7), (c) and (d) and 302, within [three] 12~~
27 ~~months of the receipt of the report under section 107(b.1),~~
28 ~~the department shall promulgate final omitted regulations~~
29 ~~under the act of June 25, 1982 (P.L.633, No.181), known as~~
30 ~~the Regulatory Review Act, to adopt the [triennial code~~

1 ~~revisions] provisions revised in published International Code~~
2 ~~Council updates subsequent to the latest Pennsylvania Uniform~~
3 ~~Construction Code adoption and modifications made in the~~
4 ~~report without change.~~

5 ~~(2) Regulations promulgated under this subsection are~~
6 ~~exempt from:~~

7 ~~(i) section 205 of the act of July 31, 1968~~
8 ~~(P.L.769, No.240), referred to as the Commonwealth~~
9 ~~Documents Law; and~~

10 ~~(ii) sections 204(b) and 301(10) of the act of~~
11 ~~October 15, 1980 (P.L.950, No.164), known as the~~
12 ~~Commonwealth Attorneys Act.~~

13 ~~(3) Notwithstanding paragraphs (1) and (2), the~~
14 ~~department shall promulgate regulations updating~~
15 ~~accessibility standards under Chapter 3 by adopting Chapter~~
16 ~~11 and Appendix E of the International Building Code of 2012,~~
17 ~~or its successor, or any other accessibility requirements~~
18 ~~which shall be specified in the regulations, contained in or~~
19 ~~referenced by the Uniform Construction Code relating to~~
20 ~~persons with disabilities, by December 31 of the year [of]~~
21 ~~following the issuance of the new code.~~

22 ~~(a.1) Continuity. If [a triennial revision is] the~~
23 ~~provisions revised in published International Code Council~~
24 ~~updates subsequent to the latest Pennsylvania Uniform~~
25 ~~Construction Code adoption are not adopted under section~~
26 ~~107(b.1) (5), the relevant provisions of the [prior version of~~
27 ~~the codes] the latest Pennsylvania Uniform Construction Code~~
28 ~~shall remain in effect.~~

29 ~~(c) Prior permits and construction.~~

30 ~~(1) A construction permit issued under valid~~

1 ~~construction regulations prior to the effective date of~~
2 ~~regulations for a subsequent Uniform Construction Code or~~
3 ~~International Fuel Gas Code issued under this act shall~~
4 ~~remain valid, and the construction of any building or~~
5 ~~structure may be completed pursuant to and in accordance with~~
6 ~~the permit.~~

7 ~~(2) If the permit has not been actively prosecuted~~
8 ~~within two years of the effective date of the regulation or~~
9 ~~the period specified by a municipal ordinance, whichever is~~
10 ~~less, the former permitholder shall be required to acquire a~~
11 ~~new permit.~~

12 ~~(3) Where construction of a building or structure~~
13 ~~commenced before the effective date of the regulations for a~~
14 ~~subsequent Uniform Construction Code or International Fuel~~
15 ~~Gas Code issued under this act and a permit was not required~~
16 ~~at that time, construction may be completed without a permit.~~

17 ~~Section 3. Section 703 of the act, amended November 29, 2006~~
18 ~~(P.L.1440, No.157), is amended to read:~~

19 ~~Section 703. Education and training programs.~~

20 ~~(a) Fee. Municipalities administering and enforcing this~~
21 ~~act under section 501(a) and third party agencies providing~~
22 ~~services under section 501(e) shall assess a fee of [\$4] \$5 on~~
23 ~~each construction or building permit issued under the authority~~
24 ~~of this act. The fee shall be in addition to any other fee~~
25 ~~imposed for the permit.~~

26 ~~(b) [Training accounts] Accounts. There is hereby~~
27 ~~established within the State Treasury [two] three restricted~~
28 ~~accounts which shall be known as the Municipal Code Official~~
29 ~~Training Account, the Review and Advisory Council Administration~~
30 ~~Account and the Construction Contractor Training Account.~~

1 ~~(c) Deposit. Moneys collected as authorized under~~
2 ~~subsection (a) shall be transmitted quarterly to the State~~
3 ~~Treasury and shall be [equally] divided and deposited in the~~
4 ~~accounts established in subsection (b) [.] as follows:~~

5 ~~(1) forty percent of the moneys shall be deposited in~~
6 ~~the Municipal Code Official Training Account;~~

7 ~~(2) forty percent of the moneys shall be deposited in~~
8 ~~the Construction Contractor Training Account; and~~

9 ~~(3) twenty percent of the moneys shall be deposited in~~
10 ~~the Review and Advisory Council Administration Account.~~

11 ~~Moneys so deposited under paragraphs (1) and (2) are hereby~~
12 ~~equally appropriated on approval of the Governor to the~~
13 ~~Department of Community and Economic Development for the purpose~~
14 ~~of education and training programs provided by the Pennsylvania~~
15 ~~Construction Codes Academy for municipal code officials and~~
16 ~~individuals employed by third party agencies under contract to a~~
17 ~~municipality and to a Pennsylvania based housing research center~~
18 ~~located at a land grant university for the construction~~
19 ~~industry. To assure the programs meet the needs of the~~
20 ~~construction industry, the education, training and other~~
21 ~~activities provided by such a housing research center shall be~~
22 ~~approved by its industry advisory committee.~~

23 ~~(d) Review and Advisory Council Administration expenses.~~

24 ~~Moneys collected as authorized under subsection (a) and~~
25 ~~deposited in the Review and Advisory Council Administration~~
26 ~~Account shall be transmitted quarterly to the Department of~~
27 ~~Labor and Industry for expenses of the Review and Advisory~~
28 ~~Council as authorized in section 107(1) and for technical~~
29 ~~assistance as provided for in section 107(k) and administrative~~
30 ~~assistance as determined necessary by the council and the~~

1 ~~department.~~

2 ~~Section 4. This act shall take effect in 60 days.~~

3 SECTION 1. SECTIONS 107(B) (3), (B.1), (C), (F), (J), (K) AND <--
4 (L) AND 304(A) (1) AND (3) OF THE ACT OF NOVEMBER 10, 1999
5 (P.L.491, NO.45), KNOWN AS THE PENNSYLVANIA CONSTRUCTION CODE
6 ACT, AMENDED OR ADDED OCTOBER 9, 2008 (P.L.1386, NO.106) AND
7 APRIL 25, 2011 (P.L.1, NO.1), ARE AMENDED TO READ:

8 SECTION 107. UNIFORM CONSTRUCTION CODE REVIEW AND ADVISORY
9 COUNCIL.

10 * * *

11 (B) DUTIES.--THE COUNCIL SHALL DO THE FOLLOWING:

12 * * *

13 (3) WITH THE EXCEPTION OF THE PROVISIONS OF CHAPTER 11
14 AND APPENDIX E OF THE INTERNATIONAL BUILDING CODE OF 2009, OR
15 ITS SUCCESSOR CODES, OR ANY OTHER ACCESSIBILITY REQUIREMENTS
16 WHICH SHALL BE SPECIFIED THROUGH REGULATION, CONTAINED IN OR
17 REFERENCED BY THE UNIFORM CONSTRUCTION CODE RELATING TO
18 PERSONS WITH PHYSICAL DISABILITIES, REVIEW THE LATEST
19 TRIENNIAL CODE REVISIONS ISSUED BY THE INTERNATIONAL CODE
20 COUNCIL, [BEGINNING WITH THE 2012 CODES] AND PROVISIONS OF
21 PREVIOUS TRIENNIAL CODE REVISIONS THAT WERE NOT ADOPTED AS
22 PART OF THE UNIFORM CONSTRUCTION CODE, AS PROVIDED UNDER
23 SUBSECTION (B.1).

24 (B.1) CODE REVIEW PROCESS.--

25 (1) BEGINNING WITH THE [2012] 2015 ICC CODES, THE
26 COUNCIL SHALL REVIEW THE LATEST TRIENNIAL CODE REVISIONS UPON
27 OFFICIAL PUBLICATION OF THE CODES[.] AND PROVISIONS OF ANY
28 PREVIOUS TRIENNIAL CODE REVISIONS THAT WERE NOT ADOPTED AS
29 PART OF THE UNIFORM CONSTRUCTION CODE.

30 (2) DURING THE REVIEW PROCESS, THE COUNCIL SHALL HOLD AT

1 LEAST THREE PUBLIC HEARINGS. ONE OF THE PUBLIC HEARINGS SHALL
2 BE HELD IN HARRISBURG, ONE SHALL BE HELD IN THE EASTERN
3 REGION OF THIS COMMONWEALTH AND ONE SHALL BE HELD IN THE
4 WESTERN REGION OF THIS COMMONWEALTH.

5 (3) THE COUNCIL SHALL SUBMIT A REPORT TO THE SECRETARY
6 WITHIN THE [12-MONTH] 24-MONTH PERIOD FOLLOWING OFFICIAL
7 PUBLICATION OF THE LATEST TRIENNIAL CODE REVISIONS UNDER
8 PARAGRAPH (1) WITH PROVISIONS [OF THE CODES] THAT ARE
9 SPECIFIED FOR ADOPTION[.] AND WITH PROVISIONS THAT ARE
10 SPECIFIED FOR MODIFICATION. MODIFICATION SHALL BE LIMITED TO
11 THE SUBJECT MATTER OF PROVISIONS REVISED IN TRIENNIAL CODE
12 UPDATES AND SHALL BE CONSISTENT WITH THE INTENT AND PURPOSES
13 OF THIS ACT. ANY PROVISION MODIFIED MUST MEET OR EXCEED THE
14 CODE PROVISION IN EFFECT, OR CURRENTLY BEING REVIEWED,
15 WHICHEVER IS LESS STRINGENT. THE PROVISIONS OF THE CODES THAT
16 ARE SPECIFIED FOR ADOPTION SHALL BE SEPARATELY DESIGNATED IN
17 THE REPORT.

18 (4) THE COUNCIL SHALL [EXAMINE TRIENNIAL CODE REVISIONS
19 APPLYING ALL OF] REVIEW PROVISIONS AS REQUIRED UNDER
20 PARAGRAPH (1) REGARDING REJECTION OR MODIFICATION. THE
21 COUNCIL SHALL CONSIDER THE FOLLOWING CRITERIA:

22 (I) THE IMPACT THAT THE PROVISION MAY HAVE UPON THE
23 HEALTH, SAFETY AND WELFARE OF THE PUBLIC.

24 (II) THE ECONOMIC AND FINANCIAL IMPACT OF THE
25 PROVISION.

26 (III) THE TECHNICAL FEASIBILITY OF THE PROVISION.

27 (5) [ONLY TRIENNIAL CODE REVISIONS THAT ARE] PROVISIONS
28 SUBJECT TO REVIEW UNDER PARAGRAPH (1) MAY ONLY BE ADOPTED OR
29 MODIFIED BY A TWO-THIRDS VOTE OF COUNCIL MEMBERSHIP AND SHALL
30 BE [INCLUDED] SPECIFIED FOR ADOPTION OR MODIFICATION IN THE

1 REPORT REQUIRED UNDER PARAGRAPH (3).

2 (C) COMPOSITION.--THE COUNCIL SHALL CONSIST OF THE FOLLOWING
3 MEMBERS APPOINTED BY THE GOVERNOR:

4 (1) A GENERAL CONTRACTOR FROM AN ASSOCIATION
5 REPRESENTING THE RESIDENTIAL CONSTRUCTION INDUSTRY WHO HAS
6 RECOGNIZED ABILITY AND EXPERIENCE IN THE CONSTRUCTION OF NEW
7 RESIDENTIAL BUILDINGS.

8 (2) A GENERAL CONTRACTOR FROM AN ASSOCIATION
9 REPRESENTING THE NONRESIDENTIAL CONSTRUCTION INDUSTRY WHO HAS
10 RECOGNIZED ABILITY AND EXPERIENCE IN THE CONSTRUCTION OF
11 NONRESIDENTIAL BUILDINGS.

12 (3) A UNIFORM CONSTRUCTION CODE-CERTIFIED RESIDENTIAL
13 BUILDING INSPECTOR WHO POSSESSES ALL FIVE RESIDENTIAL
14 CERTIFICATIONS FROM AN ASSOCIATION REPRESENTING BUILDING CODE
15 OFFICIALS WHO HAS EXPERIENCE ADMINISTERING AND ENFORCING
16 RESIDENTIAL CODES.

17 (4) A UNIFORM CONSTRUCTION CODE-CERTIFIED BUILDING
18 INSPECTOR WHO POSSESSES ALL NONRESIDENTIAL INSPECTION
19 CERTIFICATIONS, BUT NEED NOT POSSESS A FIRE INSPECTOR
20 CERTIFICATION, OR A CERTIFIED PLANS EXAMINER WHO ALSO HOLDS
21 AN ACCESSIBILITY CERTIFICATION FROM AN ASSOCIATION
22 REPRESENTING BUILDING CODE OFFICIALS WHO HAS EXPERIENCE
23 ADMINISTERING AND ENFORCING NONRESIDENTIAL CODES.

24 (5) A UNIFORM CONSTRUCTION CODE-CERTIFIED FIRE INSPECTOR
25 FROM AN ASSOCIATION REPRESENTING BUILDING CODE OFFICIALS.

26 (6) A UNIFORM CONSTRUCTION CODE-CERTIFIED BUILDING CODE
27 OFFICIAL FROM AN ASSOCIATION REPRESENTING BUILDING CODE
28 OFFICIALS WITH BUILDING CODE OFFICIAL CERTIFICATION.

29 (7) A RESIDENTIAL CONTRACTOR FROM AN ASSOCIATION
30 REPRESENTING CONTRACTORS ENGAGED IN REMODELING RESIDENTIAL

1 BUILDINGS WHO HAS RECOGNIZED ABILITY AND EXPERIENCE IN
2 REMODELING RESIDENTIAL AND NONRESIDENTIAL BUILDINGS.

3 (8) A LICENSED ARCHITECT FROM AN ASSOCIATION
4 REPRESENTING ARCHITECTS WHO HAS RECOGNIZED ABILITY AND
5 EXPERIENCE IN THE DESIGN AND CONSTRUCTION OF NONRESIDENTIAL
6 BUILDINGS.

7 (9) A LICENSED ARCHITECT FROM AN ASSOCIATION
8 REPRESENTING ARCHITECTS WHO HAS RECOGNIZED ABILITY AND
9 EXPERIENCE IN THE DESIGN AND CONSTRUCTION OF RESIDENTIAL
10 BUILDINGS.

11 (10) A LICENSED STRUCTURAL ENGINEER FROM AN ASSOCIATION
12 REPRESENTING PROFESSIONAL ENGINEERS WHO HAS RECOGNIZED
13 ABILITY AND EXPERIENCE IN THE DESIGN AND CONSTRUCTION OF
14 BUILDINGS.

15 (11) A LICENSED MECHANICAL ENGINEER SPECIALIZING IN HVAC
16 SYSTEMS FROM AN ASSOCIATION REPRESENTING PROFESSIONAL
17 ENGINEERS WHO HAS RECOGNIZED ABILITY AND EXPERIENCE IN THE
18 DESIGN AND CONSTRUCTION OF BUILDINGS.

19 (12) A LICENSED MECHANICAL ENGINEER SPECIALIZING IN
20 PLUMBING AND FIRE PROTECTION FROM AN ASSOCIATION REPRESENTING
21 PROFESSIONAL ENGINEERS WHO HAS RECOGNIZED ABILITY AND
22 EXPERIENCE IN THE DESIGN AND CONSTRUCTION OF BUILDINGS.

23 (13) A LICENSED ELECTRICAL ENGINEER FROM AN ASSOCIATION
24 REPRESENTING PROFESSIONAL ENGINEERS WHO HAS RECOGNIZED
25 ABILITY AND EXPERIENCE IN THE DESIGN AND CONSTRUCTION OF
26 BUILDINGS.

27 (14) AN ELECTED OFFICIAL OF A TOWNSHIP OF THE SECOND
28 CLASS WHO HAS RECOGNIZED ABILITY AND EXPERIENCE IN
29 CONSTRUCTION OF BUILDINGS.

30 (15) AN ELECTED BOROUGH OFFICIAL WHO HAS RECOGNIZED

1 ABILITY AND EXPERIENCE IN CONSTRUCTION OF BUILDINGS.

2 (16) AN ELECTED OFFICIAL OF A THIRD CLASS CITY WHO HAS
3 RECOGNIZED ABILITY AND EXPERIENCE IN THE CONSTRUCTION OF
4 BUILDINGS.

5 (17) AN INDIVIDUAL FROM AN ASSOCIATION REPRESENTING
6 MANUFACTURED HOUSING WHO SHALL BE KNOWLEDGEABLE, LICENSED OR
7 CERTIFIED TO SELL AND INSTALL MANUFACTURED HOUSING.

8 (18) AN OFFICIAL OF A CITY OF THE FIRST CLASS WHO HAS
9 RECOGNIZED ABILITY AND EXPERIENCE IN THE ADMINISTRATION AND
10 ENFORCEMENT OF THIS ACT.

11 (19) AN INDIVIDUAL FROM AN ASSOCIATION REPRESENTING ONLY
12 MODULAR HOUSING MANUFACTURERS WHO IS KNOWLEDGEABLE, LICENSED
13 OR CERTIFIED UNDER THE ACT OF MAY 11, 1972 (P.L.286, NO.70),
14 KNOWN AS THE INDUSTRIALIZED HOUSING ACT, TO MANUFACTURE AND
15 SELL MODULAR HOMES IN PENNSYLVANIA.

16 AT LEAST ONE OF THE INSPECTORS APPOINTED TO THE COUNCIL SHALL BE
17 A MUNICIPAL EMPLOYEE, AND AT LEAST ONE INSPECTOR SHALL BE A
18 THIRD-PARTY PRIVATE SECTOR INSPECTOR. AT LEAST TWO OF THE
19 INDIVIDUALS APPOINTED UNDER PARAGRAPHS (8), (9), (11) AND (13)
20 SHALL HAVE RECOGNIZED ABILITY AND EXPERIENCE IN BUILDING ENERGY
21 EFFICIENCY.

22 * * *

23 (F) TERMS.--A MEMBER OF THE COUNCIL SHALL SERVE TERMS OF TWO
24 YEARS AND UNTIL HIS SUCCESSOR IS APPOINTED BEGINNING JULY 1,
25 2008, EXCEPT THE INITIAL TERM OF MEMBERS APPOINTED UNDER
26 SUBSECTION (C) (1), (3), (4), (5), (8), (11), (13) AND (14) SHALL
27 BE FOR THREE YEARS AND UNTIL THEIR SUCCESSOR IS APPOINTED.
28 BEGINNING WITH APPOINTMENTS MADE ON OR AFTER JANUARY 31, 2015,
29 MEMBERS OF THE COUNCIL SHALL SERVE TERMS OF THREE YEARS AND
30 UNTIL SUCCESSORS ARE APPOINTED. THE CURRENT TERM OF MEMBERS

1 APPOINTED PRIOR TO JANUARY 31, 2015, UNDER SUBSECTION (C) (2),
2 (6), (10), (11), (16) AND (17) SHALL BE EXTENDED TO THREE YEARS.

3 * * *

4 (J) ADMINISTRATIVE SUPPORT.--THE DEPARTMENT SHALL PROVIDE A
5 FACILITY FOR COUNCIL MEETINGS UNDER THIS ACT, STENOGRAPHIC
6 SERVICES AND REQUIRED NOTICE OF THE COUNCIL'S MEETINGS. THE
7 DEPARTMENT MAY PROVIDE STAFF SUPPORT IN DRAFTING [ANY REPORTS
8 REQUIRED], INCLUDING LEGAL COUNSEL, TO ASSIST THE COUNCIL IN ITS
9 DUTIES UNDER THIS ACT.

10 (K) TECHNICAL SUPPORT.--THE COUNCIL MAY SOLICIT AND RETAIN[,
11 WITHOUT COMPENSATION, INDIVIDUALS] PERSONS WHO ARE QUALIFIED BY
12 TRAINING OR EXPERIENCE TO PROVIDE EXPERT INPUT TO THE COUNCIL
13 AND, AT THE DISCRETION OF THE COUNCIL, SUCH [INDIVIDUALS]
14 PERSONS MAY BE REIMBURSED FOR REASONABLE TRAVEL EXPENSES AT A
15 RATE ESTABLISHED BY THE SECRETARY.

16 (L) COMPENSATION AND EXPENSES.--MEMBERS OF THE COUNCIL SHALL
17 NOT RECEIVE A SALARY OR PER DIEM ALLOWANCE FOR THEIR SERVICE BUT
18 MAY BE REIMBURSED FOR REASONABLE TRAVEL, LODGING AND OTHER
19 NECESSARY EXPENSES INCURRED IN PERFORMING THEIR DUTIES.

20 SECTION 304. REVISED OR SUCCESSOR CODES.

21 (A) DUTIES OF DEPARTMENT.--

22 (1) SUBJECT TO SECTIONS 105(C) AND (D), 301(A) (3), (4),
23 (5), (6) AND (7), (C) AND (D) AND 302, WITHIN [THREE] SIX
24 MONTHS OF THE RECEIPT OF THE REPORT UNDER SECTION 107(B.1),
25 THE DEPARTMENT SHALL PROMULGATE FINAL-OMITTED REGULATIONS
26 UNDER THE ACT OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS
27 THE REGULATORY REVIEW ACT, TO ADOPT THE [TRIENNIAL CODE
28 REVISIONS MADE] PROVISIONS INCLUDED IN THE REPORT WITHOUT
29 CHANGE.

30 * * *

1 (3) [NOTWITHSTANDING PARAGRAPHS (1) AND (2), THE] THE
2 DEPARTMENT SHALL PROMULGATE REGULATIONS UPDATING
3 ACCESSIBILITY STANDARDS UNDER CHAPTER 3 BY ADOPTING CHAPTER
4 11 AND APPENDIX E OF THE INTERNATIONAL BUILDING CODE OF 2012,
5 OR ITS SUCCESSOR, [BY DECEMBER 31 OF THE YEAR OF ISSUANCE OF
6 THE NEW CODE.] OR ANY OTHER ACCESSIBILITY REQUIREMENTS WHICH
7 SHALL BE SPECIFIED IN THE REGULATIONS OR CONTAINED IN OR
8 REFERENCED BY THE UNIFORM CONSTRUCTION CODE RELATING TO
9 PERSONS WITH DISABILITIES, WITH THE SAME EFFECTIVE DATE AS
10 REGULATIONS PROMULGATED UNDER PARAGRAPH (1).

11 * * *

12 SECTION 2. SECTION 703(B) AND (C) OF THE ACT, AMENDED
13 NOVEMBER 29, 2006 (P.L.1440, NO.157), ARE AMENDED AND THE
14 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:
15 SECTION 703. EDUCATION AND TRAINING PROGRAMS.

16 * * *

17 (B) [TRAINING ACCOUNTS] ACCOUNTS.--THERE IS HEREBY
18 ESTABLISHED WITHIN THE STATE TREASURY [TWO] THREE RESTRICTED
19 ACCOUNTS WHICH SHALL BE KNOWN AS THE MUNICIPAL CODE OFFICIAL
20 TRAINING ACCOUNT, THE REVIEW AND ADVISORY COUNCIL ADMINISTRATION
21 ACCOUNT AND THE CONSTRUCTION CONTRACTOR TRAINING ACCOUNT.

22 (C) DEPOSIT.--

23 (1) MONEYS COLLECTED AS AUTHORIZED UNDER SUBSECTION (A)
24 SHALL BE TRANSMITTED QUARTERLY TO THE STATE TREASURY AND
25 SHALL BE EQUALLY DIVIDED AND DEPOSITED IN THE ACCOUNTS
26 ESTABLISHED IN SUBSECTION (B) [.] AS FOLLOWS:

27 (I) FORTY-FIVE PERCENT OF THE MONEYS SHALL BE
28 DEPOSITED IN THE MUNICIPAL CODE OFFICIAL TRAINING
29 ACCOUNT;

30 (II) FORTY-FIVE PERCENT OF THE MONEYS SHALL BE

1 DEPOSITED IN THE CONSTRUCTION CONTRACTOR TRAINING

2 ACCOUNT; AND

3 (III) TEN PERCENT OF THE MONEYS SHALL BE DEPOSITED

4 IN THE REVIEW AND ADVISORY COUNCIL ADMINISTRATION

5 ACCOUNT.

6 (2) MONEYS SO DEPOSITED UNDER SUBPARAGRAPHS (I) AND (II)

7 ARE HEREBY EQUALLY APPROPRIATED ON APPROVAL OF THE GOVERNOR

8 TO THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT FOR

9 THE PURPOSE OF EDUCATION AND TRAINING PROGRAMS PROVIDED BY

10 THE PENNSYLVANIA CONSTRUCTION CODES ACADEMY FOR MUNICIPAL

11 CODE OFFICIALS AND INDIVIDUALS EMPLOYED BY THIRD-PARTY

12 AGENCIES UNDER CONTRACT TO A MUNICIPALITY AND TO A

13 PENNSYLVANIA-BASED HOUSING RESEARCH CENTER LOCATED AT A LAND

14 GRANT UNIVERSITY FOR THE CONSTRUCTION INDUSTRY. TO ASSURE THE

15 PROGRAMS MEET THE NEEDS OF THE CONSTRUCTION INDUSTRY, THE

16 EDUCATION, TRAINING AND OTHER ACTIVITIES PROVIDED BY SUCH A

17 HOUSING RESEARCH CENTER SHALL BE APPROVED BY ITS INDUSTRY

18 ADVISORY COMMITTEE.

19 (D) REVIEW AND ADVISORY COUNCIL ADMINISTRATION EXPENSES.--

20 MONEYS COLLECTED AS AUTHORIZED UNDER SUBSECTION (A) AND

21 DEPOSITED IN THE REVIEW AND ADVISORY COUNCIL ADMINISTRATION

22 ACCOUNT SHALL BE TRANSMITTED QUARTERLY TO THE DEPARTMENT OF

23 LABOR AND INDUSTRY FOR EXPENSES OF THE REVIEW AND ADVISORY

24 COUNCIL AS AUTHORIZED IN SECTION 107(L), FOR TECHNICAL

25 ASSISTANCE AS PROVIDED FOR IN SECTION 107(K) AND ADMINISTRATIVE

26 ASSISTANCE AS PROVIDED FOR IN SECTION 107(J), AS DETERMINED

27 NECESSARY BY THE COUNCIL AS FUNDS ARE AVAILABLE.

28 SECTION 3. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

29 (1) THIS SECTION SHALL TAKE EFFECT IMMEDIATELY.

30 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 60

1 DAYS.