
 THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 409 Session of
2017

INTRODUCED BY EVANKOVICH, DOWLING, GABLER, A. HARRIS, HARPER,
ZIMMERMAN, BERNSTINE, IRVIN, BENNINGHOFF, EVERETT, TURZAI,
MOUL, DUSH, MACKENZIE, ENGLISH AND ROTHMAN, FEBRUARY 8, 2017

SENATOR WARD, LABOR AND INDUSTRY, IN SENATE, AS AMENDED,
JUNE 26, 2017

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," in preliminary provisions,
6 further providing for definitions and for Uniform
7 Construction Code Review and Advisory Council and providing
8 for review of updated sections and adoption of updated
9 sections into Uniform Construction Code; in Uniform
10 Construction Code, further providing for revised or successor
11 codes; ~~in adoption and enforcement by municipalities, further~~ <--
12 ~~providing for administration and enforcement~~ CHANGES IN <--
13 UNIFORM CONSTRUCTION CODE; in training and certification of
14 inspectors, further providing for education and training
15 programs; and, in exemptions, applicability and penalties,
16 further providing for applicability to certain buildings.

17 The General Assembly of the Commonwealth of Pennsylvania
18 hereby enacts as follows:

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

22 SECTION 1. THE DEFINITION OF "BOARD OF APPEALS" IN SECTION <--
23 103 OF THE ACT OF NOVEMBER 10, 1999 (P.L.491, NO.45), KNOWN AS

1 THE PENNSYLVANIA CONSTRUCTION CODE ACT, IS AMENDED AND THE
2 SECTION IS AMENDED BY ADDING DEFINITIONS TO READ:

3 Section 103. Definitions.

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

7 * * *

8 "BOARD OF APPEALS." THE BODY CREATED BY A MUNICIPALITY OR <--
9 MORE THAN ONE MUNICIPALITY TO HEAR APPEALS FROM DECISIONS OF THE
10 CODE ADMINISTRATOR AS PROVIDED FOR BY [CHAPTER 1 OF THE 1999
11 BUILDING OFFICIALS AND CODE ADMINISTRATORS INTERNATIONAL, INC.,
12 NATIONAL BUILDING CODE, FOURTEENTH EDITION] REGULATIONS
13 PROMULGATED BY THE DEPARTMENT.

14 * * *

15 "Collective codes." The term includes:

16 (1) Provisions of the ICC codes specified in 34 Pa. Code
17 § 403.21 (relating to Uniform Construction Code).

18 (2) Any other sections of the ICC codes which were
19 previously subject to review by the council whether or not
20 those sections were incorporated into the Uniform
21 Construction Code or specified in 34 Pa. Code § 403.21.

22 * * *

23 "Existing sections." All sections of the collective codes
24 that have been incorporated into the Uniform Construction Code
25 that are currently in effect at the time of review by the
26 council pursuant to section 108.

27 * * *

28 "Unopposed sections." Any and all updated sections that:

29 (1) Do not receive a public comment recommending
30 modification or rejection pursuant to section 108(a)(3)(ii).

1 (2) Are not selected for further review by a technical
2 advisory committee pursuant to section 108(a)(3)(v).

3 (3) Are not selected for further review by the council
4 pursuant to section 108(a)(3)(ix)(A).

5 "Updated sections." Any and all sections of the newest
6 editions of the ICC codes subject to review by the council under
7 section 108(a)(1) that are different from, added to or deleted
8 from, the immediately preceding editions of the ICC codes. Each
9 updated section shall be referenced by the section number
10 assigned to such section by the ICC codes.

11 * * *

12 Section 2. Section 107 of the act is amended to read:

13 Section 107. Uniform Construction Code Review and Advisory
14 Council.

15 (a) Establishment.--The Uniform Construction Code Review and
16 Advisory Council is hereby established.

17 (b) Duties.--The council shall do the following:

18 (1) Gather information from municipal officers, building
19 code officials, construction code officials, licensed design
20 professionals, builders [and], property owners, construction
21 trades and consumer representatives concerning issues with
22 the Uniform Construction Code raised by council members or
23 changes proposed by members of the General Assembly.

24 (2) Evaluate the information compiled under paragraph
25 (1) and make recommendations to the following:

26 (i) The Governor.

27 (ii) The Secretary of Labor and Industry.

28 (iii) The members of any legislative committee
29 considering amendments to this act.

30 (iv) The President pro tempore of the Senate.

1 (v) The Speaker of the House of Representatives.

2 (vi) The [Code Development Councils of the]
3 International Code Council.

4 (3) With the exception of the accessibility provisions
5 of [Chapter 11 and Appendix E of the International Building
6 Code of 2009, or its successor] the most recently published
7 editions of ICC codes, or any other accessibility
8 requirements specified in regulation, contained in or
9 referenced by the Uniform Construction Code relating to
10 persons with physical disabilities, review the [latest
11 triennial code revisions issued by the International Code
12 Council, beginning with the 2012 codes] updated sections, as
13 provided under [subsection (b.1)] section 108, or other
14 sections of the collective codes, as provided under section
15 108(a)(1)(iii).

16 [(b.1) Code review process.--

17 (1) Beginning with the 2012 ICC codes, the council shall
18 review the latest triennial code revisions upon official
19 publication of the codes.

20 (2) During the review process, the council shall hold at
21 least three public hearings. One of the public hearings shall
22 be held in Harrisburg, one shall be held in the eastern
23 region of this Commonwealth and one shall be held in the
24 western region of this Commonwealth.

25 (3) The council shall submit a report to the secretary
26 within the 12-month period following official publication of
27 the latest triennial code revisions under paragraph (1) with
28 provisions of the codes that are specified for adoption. The
29 provisions of the codes that are specified for adoption shall
30 be separately designated in the report.

1 (4) The council shall examine triennial code revisions
2 applying all of the following criteria:

3 (i) The impact that the provision may have upon the
4 health, safety and welfare of the public.

5 (ii) The economic and financial impact of the
6 provision.

7 (iii) The technical feasibility of the provision.

8 (5) Only triennial code revisions that are adopted by a
9 two-thirds vote of council membership shall be included in
10 the report required under paragraph (3).]

11 (c) Composition.--The council shall [consist of the
12 following members appointed by the Governor:

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

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

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

26 (4) A Uniform Construction Code-certified building
27 inspector who possesses all nonresidential inspection
28 certifications, but need not possess a fire inspector
29 certification, or a certified plans examiner who also holds
30 an accessibility certification from an association

1 representing building code officials who has experience
2 administering and enforcing nonresidential codes.

3 (5) A Uniform Construction Code-certified fire inspector
4 from an association representing building code officials.

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

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

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

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

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

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

28 (12) A licensed mechanical engineer specializing in
29 plumbing and fire protection from an association representing
30 professional engineers who has recognized ability and

1 experience in the design and construction of buildings.

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

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

9 (15) An elected borough official who has recognized
10 ability and experience in construction of buildings.

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

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

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

20 (19) An individual from an association representing only
21 modular housing manufacturers who is knowledgeable, licensed
22 or certified under the act of May 11, 1972 (P.L.286, No.70),
23 known as the Industrialized Housing Act, to manufacture and
24 sell modular homes in Pennsylvania.] be comprised of members
25 who are legal residents of this Commonwealth selected as
26 follows:

27 (1) One member, appointed by the President pro tempore
28 of the Senate, who must be a general contractor from an
29 association representing the residential construction
30 industry and have a recognized ability and experience in the

1 construction of new residential dwellings.

2 (2) One member, appointed by the Minority Leader of the
3 Senate, who must be a second or third class city official and
4 have recognized ability and experience in the construction of
5 buildings.

6 (3) One member, appointed by the Speaker of the House of
7 Representatives, who must be a general contractor from an
8 association representing the nonresidential construction
9 industry and have recognized ability and experience in the
10 construction of nonresidential buildings.

11 (4) One member, appointed by the Minority Leader of the
12 House of Representatives, who must have recognized ability
13 and experience in construction trades so as to represent
14 employees in the industry.

15 (5) Seventeen members appointed by the Governor to
16 include the following:

17 (i) One member who must be a Uniform Construction
18 Code-certified residential building inspector, possess
19 all five residential certifications from an association
20 representing building code officials and have experience
21 administering and enforcing residential codes.

22 (ii) One member who must be a Uniform Construction
23 Code-certified building inspector, who possesses all
24 nonresidential inspection certifications but does not
25 need to possess a fire inspector certification, or a
26 certified plans examiner, who holds an accessibility
27 certification from an association representing building
28 code officials and has experience administering and
29 enforcing nonresidential codes.

30 (iii) One member who must be a Uniform Construction

1 Code-certified fire inspector from an association
2 representing fire code officials.

3 (iv) One member who must be a Uniform Construction
4 Code-certified building code official from an association
5 representing building code officials with building code
6 official certification.

7 (v) One member who must be a residential contractor
8 from an association representing contractors engaged in
9 remodeling residential buildings and have recognized
10 ability and experience in remodeling residential and
11 nonresidential buildings.

12 (vi) One member who must be a licensed architect
13 from an association representing architects and have
14 recognized ability and experience in the design and
15 construction of nonresidential buildings.

16 (vii) One member who must be a licensed architect
17 from an association representing architects and have
18 recognized ability and experience in the design and
19 construction of residential buildings.

20 (viii) One member who must be a licensed structural
21 engineer from an association representing professional
22 engineers and have recognized ability and experience in
23 the design and construction of buildings.

24 (ix) One member who must be a licensed mechanical
25 engineer specializing in HVAC systems from an association
26 representing professional engineers and have recognized
27 ability and experience in the design and construction of
28 buildings.

29 (x) One member who must be a licensed mechanical
30 engineer specializing in plumbing and fire protection

1 from an association representing professional engineers
2 and have recognized ability and experience in the design
3 and construction of buildings.

4 (xi) One member who must be a licensed electrical
5 engineer from an association representing professional
6 engineers and have recognized ability and experience in
7 the design and construction of buildings.

8 (xii) One member who must be a public official of a
9 borough and have recognized ability and experience in the
10 construction of buildings.

11 (xiii) One member from an association representing
12 manufactured housing who must be knowledgeable, licensed
13 or certified to sell and install manufactured housing.

14 (xiv) One member who must be a first class city
15 official and have recognized ability and experience in
16 the administration and enforcement of this act.

17 (xv) One member from an association representing
18 ~~only~~ modular housing manufacturers who must be <--
19 knowledgeable, licensed or certified under the act of May
20 11, 1972 (P.L.286, No.70), known as the Industrialized
21 Housing Act, to manufacture and sell modular homes in
22 this Commonwealth.

23 (xvi) One member who is a public official of a
24 township of the second class and has recognized ability
25 and experience in the construction of buildings.

26 (xvii) One member from an association representing
27 commercial building owners who has recognized ability and
28 experience in the construction and renovation of
29 nonresidential buildings.

30 At least one of the inspectors appointed to the council shall be

1 a municipal employee, and at least one inspector shall be a
2 third-party private sector inspector. All members shall present
3 documentation to the secretary that they meet the qualifications
4 of ~~their~~ THE MEMBER'S appointment and the secretary shall <--
5 maintain the documentation for public inspection.

6 (d) Vacancies.--Vacancies on the council shall be filled in
7 the [same] manner [in which they were originally designated]
8 provided under subsection (c) within [30] 90 business days of <--
9 the vacancy. If the [Governor] appointing authority fails to act
10 within [30] 90 business days, the council chairperson shall <--
11 appoint an individual to fill the vacancy.

12 (e) Removal.--Council members who miss three or more
13 consecutive meetings or who miss three or more meetings of a
14 technical advisory committee to which they have been appointed,
15 may be removed from the council and any technical advisory
16 committees to which they have been appointed and a new council
17 member shall be appointed in accordance with this section.
18 Notwithstanding any other provision to the contrary, the council
19 chair shall appoint a council member to serve on a technical
20 advisory committee and replace a council member removed from
21 that technical advisory committee pursuant to this subsection. A
22 council member may also be removed for just cause by the
23 Governor. A council member shall be removed who does not meet <--
24 the qualifications of their appointment SHALL BE REMOVED. <--

25 (f) Terms.--[A]

26 (1) Except as otherwise provided under this subsection,
27 a member of the council shall serve terms of [two] three
28 years and until his successor is appointed [beginning July 1,
29 2008, except the initial term of members appointed under
30 subsection (c) (1), (3), (4), (5), (8), (11), (13) and (14)

1 shall be for three years and until their successor is
2 appointed].

3 (2) The term of a member appointed under subsection (c)
4 (1), (2), (3), (4) or (5) (xvii) shall commence immediately
5 upon appointment and shall expire June 30, 2020, and until a
6 successor is appointed.

7 (3) A member appointed to the council before the
8 effective date of this section shall serve on the council
9 according to the following:

10 (i) If the member meets the qualifications as
11 specified under subsection (c) (5) (x) or (xiv), the member
12 shall fill the appointment under subsection (c) (5) (x) or
13 (xiv) until June 30, 2017, and until a successor is
14 appointed.

15 (ii) If the member meets the qualifications as
16 specified under subsection (c) (5) (i), (ii), (iv), (vi),
17 (viii), (ix) or (xv), the member shall fill the
18 appointment under subsection (c) (5) (i), (ii), (iv), (vi),
19 (viii), (ix) or (xv) until June 30, 2018, and until a
20 successor is appointed.

21 (iii) If the member meets the qualifications as
22 specified under subsection (c) (5) (iii), (v), (vii), (xi),
23 (xii), (xiii) or (xvi), the member shall fill the
24 appointment under subsection (c) (5) (iii), (v), (vii)
25 (xi), (xii), (xiii) or (xvi) until June 30, 2019, and
26 until a successor is appointed.

27 (4) If a member serving the council under paragraph
28 (3) (i), (ii) or (iii) resigns or is removed in accordance
29 with subsection (e), the member's successor shall serve for
30 the remainder of the member's term and until a successor is

1 appointed.

2 (g) Chairperson and vice chairperson.--The members shall
3 elect, by a majority vote, a chairperson and vice chairperson of
4 the council.

5 (h) Quorum.--[Ten] Eleven members shall constitute a quorum.

6 (i) Meetings.--Meetings shall be conducted as required under
7 65 Pa.C.S. Ch. 7 (relating to open meetings) as follows:

8 (1) The council shall meet at least once every six
9 months. Meeting dates shall be set by majority vote of the
10 council members or by the call of the chair along with at
11 least seven business days' notice to all members.

12 (2) All meetings of the council shall be publicly
13 advertised and shall be open to the public. Members of the
14 general public shall be given reasonable opportunity to
15 address the council.

16 (3) The council shall publish a schedule of its meetings
17 in the Pennsylvania Bulletin and in at least one newspaper of
18 general circulation. The notice shall be published at least
19 five business days in advance of each meeting. The notice
20 shall specify the date, time and place of the meeting and
21 shall state that the meetings of the council are open to the
22 general public.

23 (4) Council members may participate in council meetings
24 in person, via telephone conference, or via video conference.
25 Council members may submit votes in person, telephonically or
26 by electronic mail to the chair of the council. The
27 department may approve similar methods of communication for
28 participation and voting by council members.

29 (j) Administrative support.--The department shall provide a
30 facility for council meetings under this act, stenographic

1 services, secretarial services, legal representation and
2 required notice of the council's meetings. The department [may]
3 shall provide staff support in drafting any reports required
4 under this act.

5 (k) Technical support.--The council may solicit and retain,
6 with or without compensation, individuals who are qualified by
7 training or experience to provide expert input to the council
8 [and, at]. At the discretion of the {council} department: <--

9 (1) Except as set forth in paragraph (2), such
10 individuals may be compensated for their services or
11 reimbursed for reasonable travel expenses at a REASONABLE <--
12 rate established by the secretary, or both.

13 (2) Paragraph (1) does not apply to a member of a
14 technical advisory committee appointed under subsection (m)
15 (1) (v).

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 reimbursed in amounts and as determined by the
19 department for reasonable travel, lodging and other necessary
20 expenses incurred in performing their duties.

21 (m) Technical advisory committees.--

22 (1) The council shall establish a process by which
23 technical advisory committees will assist the council in the
24 review of the updated sections. The technical advisory
25 committee process shall comply with the following
26 requirements:

27 (i) There shall be a technical advisory committee
28 for each of the codes included in the Uniform
29 Construction Code and specified in 34 Pa. Code § 403.21
30 (relating to Uniform Construction Code), and such other

1 technical advisory committees as the council deems
2 necessary to facilitate its review. Participation in the <--
3 technical advisory committees may not be limited to
4 members of the council and shall be open to members of
5 industry and to interest groups associated with code
6 development and enforcement. MEMBERS OF INDUSTRY AND <--
7 INTEREST GROUPS ASSOCIATED WITH CODE DEVELOPMENT AND
8 ENFORCEMENT SHALL BE PERMITTED TO PARTICIPATE IN THE
9 TECHNICAL ADVISORY COMMITTEE.

10 (ii) Each technical advisory committee shall be
11 composed of council members and nonvoting technical <--
12 advisory members and shall be limited to a maximum of 12
13 members. The chair of the council shall appoint a council
14 member to chair each technical advisory committee. Any
15 other council member may seek appointment to a technical
16 advisory committee and, if no more than four additional
17 council members seek appointment to a specified technical
18 advisory committee, those council members shall also be
19 appointed to the technical advisory committee. If more
20 than four council members seek appointment to a technical
21 advisory committee, the chair of the council shall
22 appoint four of the council members seeking appointment
23 to serve and the remaining council members seeking
24 appointment shall serve only if additional positions on
25 the technical advisory committee remain after selection
26 of the technical advisory committee members pursuant to
27 subparagraph (v).

28 (iii) The department shall publish a notice seeking
29 participation in the technical advisory committees in the
30 Pennsylvania Bulletin and on the department's publicly

1 accessible Internet website or, in the absence of an
2 Internet website, in such other manner as the secretary
3 determines will provide substantially similar public
4 notice.

5 (iv) Interested persons shall submit to the chair of
6 the council the following information within 30 days
7 following the publication of the notice:

8 (A) name;

9 (B) the name or subject matter area of the
10 technical advisory committee to which the individual
11 seeks to be appointed;

12 (C) contact information;

13 (D) industry sector, interest group or area of
14 construction industry expertise, if applicable; and

15 (E) summary of experience and expertise.

16 (v) The chair of the council shall seek to ensure
17 diversity of interests on each technical advisory
18 committee. Technical advisory committee members shall be
19 selected by the chair of the council from among the
20 interested persons identified in subparagraph (iv) so as
21 to ensure that the technical advisory committee as a
22 whole has, at minimum, representation from affected
23 contractor associations, affected building trade
24 organizations, the code enforcement community, the design
25 professional community and other relevant industries.

26 (vi) Meetings of the technical advisory committees
27 may be in person, via telephone conference or via video
28 conference. The department may approve similar methods of
29 communication for participation and voting by technical
30 advisory committee members.

1 (vii) Technical advisory committee members may
2 submit votes in person, telephonically or by electronic
3 mail to the chair of the technical advisory committee.
4 ~~Decisions~~ RECOMMENDATIONS of a technical advisory <--
5 committee shall be by majority of the votes received from
6 council members on the technical advisory committee AND <--
7 SHALL BE NONBINDING.

8 Section 3. The act is amended by adding a section to read:

9 Section 108. Review of updated sections and adoption of updated
10 sections into Uniform Construction Code.

11 (a) Code review process.--

12 (1) (i) Except as specifically provided in this act
13 with respect:

14 (A) to the 2015 changes to the Uniform
15 Construction Code adopted by the council; and

16 (B) to the procedure outlined in subparagraph
17 (iii),

18 the council shall commence its review of the updated
19 sections 21 months following the publication of a new
20 edition of the ICC codes in accordance with paragraph
21 (3). Notwithstanding any other provision of this act to
22 the contrary, the council shall initiate a new review of
23 the updated sections contained in the 2015 edition of the
24 ICC codes within 30 days of the effective date of this
25 section, and this review shall be referred to as the 2015
26 Code Review. The decisions by the council with respect to
27 the 2015 edition of the ICC codes previously provided to
28 the department on May 29, 2015, and the regulations
29 promulgated by the department as a result, shall remain
30 in full force and effect until September 30, 2018. As of

1 October 1, 2018, the decisions of the council as a result
2 of the 2015 Code Review and the regulations promulgated
3 by the department as a result, shall supersede any
4 previous inconsistent council decisions or departmental
5 regulations.

6 (ii) The 2015 code review shall be conducted in
7 accordance with provisions of this act, except that:

8 (A) the public comment period under paragraph
9 (3)(i) shall be 30 days;

10 (B) notwithstanding the requirements under
11 paragraph (3)(viii), the council shall only be
12 required to conduct one public hearing as scheduled <--
13 by the council within the WHICH SHALL BE HELD WITHIN <--
14 30 days after the end of the public comment period
15 AND SHALL BE HELD IN HARRISBURG; <--

16 (C) the council shall not be required to
17 establish technical subcommittees as required by
18 section 107(m) and may establish a committee
19 composition based on past practices of the council
20 provided that the committees shall follow the process
21 as specified under this act to the furthest extent
22 practicable; and

23 (D) the council may rely on the technical
24 analysis of the 2015 edition of the triennial codes
25 performed by the council during the council's
26 previous review.

27 (iii) The council shall also review, in accordance
28 with the procedures outlined in this act, any section of
29 the collective codes that do not otherwise constitute
30 updated sections but only if two-thirds of the council

1 membership so determine. The sections selected for review
2 shall be referred to as "additional sections." The
3 additional sections shall be treated for purposes of
4 review and approval or disapproval by the council as
5 updated sections. THE SELECTION OF ADDITIONAL SECTIONS <--
6 SHALL OCCUR PRIOR TO COMMENCEMENT OF THE REVIEW PROCESS.

7 (2) Each updated section subject to review under
8 paragraph (3)(v) shall be examined applying all of the
9 following criteria:

10 (i) The impact that the section may have upon the
11 health, safety and welfare of the public.

12 (ii) The economic and financial impact of the
13 section, including impact on the end consumer.

14 (iii) The technical feasibility of the section.

15 (3) The council shall review the updated sections as
16 follows:

17 (i) A 120-day period to receive comments from
18 council members and the general public regarding the
19 updated sections shall commence 30 days following the
20 start of the council's review pursuant to paragraph (1).
21 The public comment period shall be announced in the
22 Pennsylvania Bulletin and on the department's publicly
23 accessible Internet website or, in the absence of an
24 Internet website, in such other manner as the secretary
25 determines will provide substantially similar public
26 notice.

27 (ii) All public comments shall be submitted on a
28 form created by the council. Each comment shall relate to
29 a single updated section. The comment shall, at a
30 minimum, specify the updated section to which the comment

1 relates, state whether the updated section should be
2 adopted, rejected or modified, and specify the rationale
3 for the recommended action based on the criteria set
4 forth in paragraph (2). ~~Any~~ A PROPOSED modification shall <--
5 meet or exceed the standards of the section in effect or
6 currently being reviewed and ~~such~~ THE PROPOSED <--
7 modification shall be within the standards under review.

8 (iii) All public comments submitted in accordance
9 with subparagraph (ii) shall be provided to all council
10 members, posted on the department's publicly accessible
11 Internet website or, in the absence of an Internet
12 website, in such other manner as the secretary determines
13 will provide substantially similar public notice. All
14 public comments submitted in accordance with subparagraph
15 (ii) shall be reviewed individually by a technical
16 advisory committee.

17 (iv) After the expiration of the public comment
18 period, the chair shall assign each updated section,
19 regardless of whether a public comment has been received,
20 to the technical advisory committee for the code that
21 contains the updated section.

22 (v) The technical advisory committee shall review
23 all of the updated sections it has been assigned as
24 provided in this section. The technical advisory
25 committee may also review any related updated section,
26 any existing section or any related collective code
27 section as needed to ensure consistency and effectiveness
28 of the Uniform Construction Code. Even if an updated
29 section has not received a public comment in accordance
30 with subparagraph (ii), a technical advisory committee

1 member may select one or more of the updated sections
2 assigned to the technical advisory committee for
3 individual consideration by the council pursuant to
4 subparagraph (ix) (b).

5 (vi) For each updated section that:

6 (A) receives a comment recommending modification
7 or rejection in accordance with subparagraph (ii); or

8 (B) a member of the technical advisory committee
9 to which it has been assigned has separately selected
10 for individual review by the council;

11 the technical advisory committee shall submit to the
12 chair of the council a recommendation that the section
13 and any related section identified in subparagraph (v) be
14 adopted, rejected or modified. The technical advisory
15 committee shall submit the rationale for its
16 recommendations. Notwithstanding any other provision of
17 this subparagraph, updated sections that do not receive a
18 comment recommending modification or rejection in
19 accordance with subparagraph (ii) and that a member of
20 the technical advisory committee has not separately
21 selected for individual review by the council shall be
22 noted in the report as unopposed.

23 (vii) The technical advisory committee's
24 recommendations shall be posted on the department's
25 publicly accessible Internet website or, in the absence
26 of an Internet website, in such other manner as the
27 secretary determines will provide substantially similar
28 public notice. The technical advisory committee's
29 recommendations shall be posted at least 10 business days
30 prior to holding the first hearing pursuant to this

1 section.

2 (viii) After submission of all recommendations of
3 the technical advisory committees, the council shall hold
4 at least three public hearings. One of the public
5 hearings shall be held in Harrisburg, one shall be held
6 in the eastern region of this Commonwealth and one shall
7 be held in the western region of this Commonwealth.

8 (ix) Upon completion of the hearings, the council
9 shall hold one or more official meetings of the council
10 to decide whether to adopt, reject or modify the updated
11 sections and any related section identified in
12 subparagraph (v). The following shall apply:

13 (A) The council shall consider and vote on the
14 unopposed sections as a group. Prior to a vote on the
15 unopposed sections as a group, the council shall
16 first consider any motion made by a council member to
17 exclude a section from the unopposed group. A motion
18 to exclude shall only be in order if it is supported
19 by written explanation, made available to the
20 council, describing new information not considered by
21 the technical advisory committees and the underlying
22 rationale for the motion. If the motion is supported
23 by a TWO-THIRDS majority of the council membership, <--
24 that section shall be removed from the unopposed
25 group. Unopposed sections that remain as part of the
26 group, after consideration of motions to exclude
27 sections, ~~may~~ SHALL be adopted by a majority vote of <--
28 the council. MEMBERS. IF THE UNOPPOSED SECTIONS FAIL <--
29 TO BE ADOPTED BY A MAJORITY VOTE, THE COUNCIL SHALL
30 CONDUCT A SUBSEQUENT VOTE TO REJECT THE UNOPPOSED

1 SECTIONS BY A TWO-THIRDS MAJORITY VOTE OF THE COUNCIL
2 MEMBERS. IF THE COUNCIL FAILS TO REJECT THE UNOPPOSED
3 SECTIONS BY A TWO-THIRDS MAJORITY VOTE, THE UNOPPOSED
4 SECTIONS SHALL BE ADOPTED. All unopposed sections
5 that are rejected as a group or successfully excluded
6 from the group shall be subject to the procedure
7 specified in clause (B).

8 (B) Except for the unopposed sections, a two-
9 thirds majority of the council members is required
10 for adoption or modification of the updated sections.
11 The council may vote on the updated sections
12 individually or in groups. A MODIFICATION SHALL MEET <--
13 OR EXCEED THE STANDARDS OF THE SECTION IN EFFECT OR
14 BEING REVIEWED AND SHALL BE WITHIN THE STANDARDS
15 UNDER REVIEW.

16 (b) Submission of report.--With the exception of the
17 council's review of the 2015 ICC codes, the council shall submit
18 a report to the secretary within the 24-month period following
19 the commencement of the review process by the council with
20 sections of the updated codes and additional codes that are
21 specified for adoption or modification. The sections of the
22 codes that are specified for adoption or modification shall be
23 separately designated in the report. For the council's review of
24 the 2015 ICC codes only, the council shall submit a report to
25 the secretary on or before May 1, 2018.

26 Section 4. Sections 304, ~~703 and 902(e)~~ AND 501(C) (1) AND <--
27 (3) of the act are amended to read:

28 Section 304. Revised or successor codes.

29 (a) Duties of department.--

30 (1) Subject to sections 105(c) and (d), 301(a) (3), (4),

1 (5), (6) and (7), (c) and (d) and 302, within [three] nine
2 months of the receipt of the report under section [107(b.1)]
3 108(b), the department shall promulgate final-omitted
4 regulations under the act of June 25, 1982 (P.L.633, No.181),
5 known as the Regulatory Review Act, to adopt the [triennial
6 code revisions made] council's decisions contained in the
7 report without change. ~~Regulations adopted under this act~~ <--
8 ~~shall become effective 33 months after the commencement of~~
9 ~~council review as provided for in section 108(a)(1)(i)~~
10 ~~provided, however, that the regulations promulgated by the~~
11 ~~department as a result of the 2015 Code Review shall be~~
12 ~~effective October 1, 2018.~~ THE REGULATIONS SHALL TAKE EFFECT <--
13 AS FOLLOWS:

14 (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II),
15 REGULATIONS ADOPTED UNDER THIS ACT SHALL BECOME EFFECTIVE
16 33 MONTHS AFTER THE COMMENCEMENT OF COUNCIL REVIEW AS
17 PROVIDED FOR IN SECTION 108(A)(1)(I).

18 (II) REGULATIONS PROMULGATED BY THE DEPARTMENT AS A
19 RESULT OF THE 2015 CODE REVIEW SHALL TAKE EFFECT OCTOBER
20 1, 2018.

21 (2) Regulations promulgated under this subsection are
22 exempt from:

23 (i) section 205 of the act of July 31, 1968
24 (P.L.769, No.240), referred to as the Commonwealth
25 Documents Law; and

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

29 (3) [Notwithstanding paragraphs (1) and (2), the] The
30 department shall promulgate regulations updating

1 accessibility standards under Chapter 3 by adopting [Chapter
2 11 and Appendix E of the International Building Code of 2012,
3 or its successor,] by December 31 of the year of issuance of
4 [the new code.] the accessibility provisions of the most
5 recently published edition of the ICC codes and any other
6 accessibility requirements which shall be specified in the
7 regulations, or contained in or referenced by the Uniform
8 Construction Code relating to persons with disabilities.

9 (4) The department may contract with the ICC to
10 establish and publish code manuals that contain the standards
11 of the Uniform Construction Code. The department shall
12 require in any contract under this paragraph that the
13 documentation be made available on the department's publicly
14 accessible Internet website.

15 (a.1) Continuity.--If [a triennial revision] an updated
16 section is not adopted or modified under section [107(b.1) (5)]
17 108, the relevant provisions of the [prior version of the codes]
18 existing sections shall remain in effect.

19 (c) Prior permits, CONTRACTS and construction.--

<--

20 (1) A construction permit issued under valid
21 construction regulations prior to the effective date of
22 regulations for a subsequent Uniform Construction Code or
23 International Fuel Gas Code issued under this act shall
24 remain valid, and the construction of any building or
25 structure may be completed pursuant to and in accordance with
26 the permit.

27 (2) If the permit has not been actively prosecuted
28 within two years of the effective date of the regulation or
29 the period specified by a municipal ordinance, whichever is
30 less, the former permitholder shall be required to acquire a

1 new permit.

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

7 (4) WHERE A DESIGN OR CONSTRUCTION CONTRACT WAS SIGNED <--
8 BEFORE THE EFFECTIVE DATE OF REGULATIONS FOR A SUBSEQUENT
9 UNIFORM CONSTRUCTION CODE OR INTERNATIONAL FUEL GAS CODE
10 ISSUED UNDER THIS ACT, THE PERMIT MAY BE ISSUED UNDER THE
11 UNIFORM CONSTRUCTION CODE OR INTERNATIONAL FUEL GAS CODE IN
12 EFFECT AT THE TIME THE DESIGN OR CONSTRUCTION CONTRACT WAS
13 SIGNED, IF THE PERMIT IS APPLIED FOR WITHIN SIX MONTHS OF THE
14 EFFECTIVE DATE OF THE REGULATION OR THE PERIOD SPECIFIED BY A
15 MUNICIPAL ORDINANCE, WHICHEVER IS LESS.

16 SECTION 501. ADMINISTRATION AND ENFORCEMENT.

17 * * *

18 (C) BOARD OF APPEALS.--

19 (1) A MUNICIPALITY WHICH HAS ADOPTED AN ORDINANCE FOR
20 THE ADMINISTRATION AND ENFORCEMENT OF THIS ACT OR
21 MUNICIPALITIES WHICH ARE PARTIES TO AN AGREEMENT FOR THE
22 JOINT ADMINISTRATION AND ENFORCEMENT OF THIS ACT SHALL
23 ESTABLISH OR DESIGNATE A BOARD OF APPEALS AS PROVIDED BY
24 [CHAPTER 1 OF THE 1999 BOCA NATIONAL BUILDING CODE,
25 FOURTEENTH EDITION,] REGULATIONS PROMULGATED BY THE
26 DEPARTMENT TO HEAR APPEALS FROM DECISIONS OF THE CODE
27 ADMINISTRATOR. MEMBERS OF THE MUNICIPALITY'S GOVERNING BODY
28 MAY NOT SERVE AS MEMBERS OF THE BOARD OF APPEALS. A
29 MUNICIPALITY MAY ESTABLISH A BOARD OF APPEALS OR MAY
30 ESTABLISH OR DESIGNATE A JOINT BOARD OF APPEALS IN ACCORDANCE

1 WITH 53 PA.C.S. CH. 23 SUBCH. A (RELATING TO
2 INTERGOVERNMENTAL COOPERATION).

3 * * *

4 (3) WHEN A MUNICIPALITY CANNOT FIND PERSONS TO SERVE ON
5 A BOARD OF APPEALS WHO MEET THE MINIMUM QUALIFICATIONS [OF
6 CHAPTER 1 OF THE BOCA NATIONAL BUILDING CODE] ESTABLISHED BY
7 THE DEPARTMENT, THE MUNICIPALITY MAY FILL A POSITION ON THE
8 BOARD WITH A QUALIFIED PERSON WHO RESIDES OUTSIDE OF THE
9 MUNICIPALITY.

10 * * *

11 SECTION 5. SECTION 503(B) OF THE ACT IS AMENDED AND THE
12 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:
13 SECTION 503. CHANGES IN UNIFORM CONSTRUCTION CODE.

14 * * *

15 (B) MINIMUM REQUIREMENT.--SUBJECT TO THE PROVISIONS OF THIS
16 ACT, NO MUNICIPALITY MAY PROPOSE OR ENACT ANY ORDINANCE WHICH IS
17 LESS THAN THE MINIMUM REQUIREMENT OF THE UNIFORM CONSTRUCTION
18 CODE[.], EXCEPT AS PROVIDED IN SUBSECTION (B.1).

19 (B.1) CITIES OF THE FIRST CLASS.--

20 (1) A CITY OF THE FIRST CLASS MAY ENACT AN ORDINANCE
21 THAT ADOPTS PROVISIONS OF THE 2018 ICC TRIENNIAL CODES FOR
22 THE PURPOSE OF REGULATING THE CONSTRUCTIONS, ALTERATION,
23 REPAIR AND USE OF BUILDINGS THAT DO NOT MEET THE DEFINITION
24 OF RESIDENTIAL BUILDING UNDER SECTION 103.

25 (2) THE SCOPE OF THE PROVISIONS THAT MAY BE ADOPTED
26 UNDER PARAGRAPH (1) SHALL BE LIMITED TO THE SCOPE OF WHAT THE
27 COUNCIL IS AUTHORIZED TO REVIEW AND ADOPT UNDER SECTION
28 108(A)(1).

29 (3) THE ADOPTION OF AN ORDINANCE UNDER THIS SUBSECTION
30 SHALL BE IN ACCORDANCE WITH SUBSECTIONS (D), (E), (F), (G)

1 AND (H) .

2 (4) IF AN ORDINANCE IS ADOPTED UNDER THIS SUBSECTION,
3 THE PROVISIONS ADOPTED IN THE ORDINANCE SHALL REMAIN IN
4 EFFECT UNTIL THE EFFECTIVE DATE OF THE REGULATIONS
5 PROMULGATED UNDER SECTION 304(A)(1) IMPLEMENTING THE FINDINGS
6 OF THE 2021 TRIENNIAL CODE REVIEW.

7 (5) ALL STATUTORY EXCLUSIONS AND EXEMPTIONS SHALL REMAIN
8 IN EFFECT.

9 * * *

10 SECTION 6. SECTIONS 703 AND 902(C) OF THE ACT ARE AMENDED TO
11 READ:

12 Section 703. Education and training programs.

13 (a) Fee.--Municipalities administering and enforcing this
14 act under section 501(a) and third-party agencies providing
15 services under section 501(e) shall assess a fee of ~~[\$4]~~ \$4.50 <--
16 on each construction or building permit issued under the
17 authority of this act. The fee shall be in addition to any other
18 fee imposed for the permit.

19 (b) [Training accounts] Accounts.--There [is] are hereby
20 established within the State Treasury [two] three restricted
21 accounts which shall be known as the Municipal Code Official
22 Training Account, the Review and Advisory Council Administration
23 Account and the Construction Contractor Training Account.

24 (c) Deposit.--[Moneys]

25 (1) The fee collected as authorized under subsection (a)
26 shall be transmitted quarterly to the State Treasury and
27 shall be ~~[equally]~~ divided and deposited in the accounts <--
28 established in subsection (b) [.] as follows:

29 ~~(i) Forty seven and one half percent of the fee~~ <--
30 ~~shall be deposited in the Municipal Code Official~~

1 Training Account.

2 ~~(ii) Forty seven and one half percent of the fee~~
3 ~~shall be deposited in the Construction Contractor~~
4 ~~Training Account.~~

5 ~~(iii) Five percent of the fee shall be deposited in~~
6 ~~the Review and Advisory Council Administration Account.~~

7 (I) FORTY-THREE AND ONE-HALF PERCENT OF THE FEE <--
8 SHALL BE DEPOSITED IN THE MUNICIPAL CODE OFFICIAL
9 TRAINING ACCOUNT FOR THE PURPOSE OF EDUCATION AND
10 TRAINING PROGRAMS FOR MUNICIPAL CODE OFFICIALS AND
11 INDIVIDUALS EMPLOYED BY THIRD-PARTY AGENCIES UNDER
12 CONTRACT WITH A MUNICIPALITY.

13 (II) FORTY-THREE AND ONE-HALF PERCENT OF THE FEE
14 SHALL BE DEPOSITED IN THE CONSTRUCTION CONTRACTOR
15 TRAINING ACCOUNT FOR A PENNSYLVANIA-BASED HOUSING
16 RESEARCH CENTER LOCATED AT A LAND GRANT UNIVERSITY FOR
17 THE CONSTRUCTION INDUSTRY. TO ASSURE THE PROGRAMS MEET
18 THE NEEDS OF THE CONSTRUCTION INDUSTRY, THE EDUCATION,
19 TRAINING AND OTHER ACTIVITIES PROVIDED BY THE HOUSING
20 RESEARCH CENTER MUST BE APPROVED BY ITS INDUSTRY ADVISORY
21 COMMITTEE.

22 (III) THIRTEEN PERCENT OF THE FEE SHALL BE DEPOSITED
23 IN THE REVIEW AND ADVISORY COUNCIL ADMINISTRATION ACCOUNT
24 FOR EXPENSES OF THE COUNCIL AS AUTHORIZED UNDER SECTION
25 107(L), FOR TECHNICAL ASSISTANCE AS PROVIDED FOR UNDER
26 SECTION 107(K), FOR ADMINISTRATIVE ASSISTANCE AS PROVIDED
27 UNDER SECTION 107(J), FOR FEES ASSOCIATED WITH THE ICC TO
28 ESTABLISH AND PUBLISH CODE MANUALS WHICH CONTAIN THE
29 STANDARDS OF THE UNIFORM CONSTRUCTION CODE AS PROVIDED
30 UNDER SECTION 304(A) (4) AND AS OTHERWISE DETERMINED

1 NECESSARY BY THE DEPARTMENT AS FUNDS ARE AVAILABLE.

2 (2) [Moneys so] Money deposited [are] under paragraph
3 (1)(i) and (ii) is hereby [equally] appropriated on approval
4 of the Governor to the Department of Community and Economic
5 Development [for the purpose of education and training <--
6 programs †provided by the Pennsylvania Construction Codes <--
7 Academy† for municipal code officials and individuals <--
8 employed by third-party agencies under contract to a
9 municipality and to a Pennsylvania-based housing research
10 center located at a land grant university for the
11 construction industry. To assure the programs meet the needs
12 of the construction industry, the education, training and
13 other activities provided by such a housing research center
14 shall be approved by its industry advisory committee. ~~No~~ <--
15 money appropriated under this paragraph shall be used by the
16 Department of Community and Economic Development for
17 administrative expenses.

18 ~~(3) All money deposited under paragraph (1)(iii) shall~~
19 ~~be transmitted quarterly to the Department of Labor and~~
20 ~~Industry for expenses of the council as authorized in section~~
21 ~~107(1), for technical assistance as provided for in section~~
22 ~~107(k), for administrative assistance as provided for in~~
23 ~~section 107(j), for fees associated with contracting with the~~
24 ~~ICC to establish and publish code manuals which contain the~~
25 ~~standards of the Uniform Construction Code as provided for in~~
26 ~~section 304(a)(4) and as otherwise determined necessary by~~
27 ~~the council as money is available.].~~ THE DEPARTMENT OF <--
28 COMMUNITY AND ECONOMIC DEVELOPMENT MAY UTILIZE UP TO 3% OF
29 THE FUNDS ALLOCATED TO THE ACCOUNT UNDER PARAGRAPH (1)(I) AND
30 UP TO 3% OF THE FUNDS ALLOCATED TO THE ACCOUNT UNDER

1 PARAGRAPH (1) (II) FOR ADMINISTRATIVE AND PROGRAM EXPENSES.
2 NOTWITHSTANDING ANY OTHER PROVISION OF THIS PARAGRAPH TO THE
3 CONTRARY, THE DEPARTMENT OF COMMUNITY AND ECONOMIC
4 DEVELOPMENT MAY CONTINUE TO ABIDE BY THE PROVISIONS OF AN
5 AGREEMENT PERMITTING THE RETENTION OR COLLECTION OF A GREATER
6 PERCENTAGE FOR ADMINISTRATIVE AND PROGRAM EXPENSES, BUT ONLY
7 FOR A PERIOD OF ONE YEAR FROM THE EFFECTIVE DATE OF THIS
8 PARAGRAPH.

9 (3) ALL MONEY DEPOSITED UNDER PARAGRAPH (1) (III) SHALL
10 BE TRANSMITTED QUARTERLY TO THE DEPARTMENT. THE DEPARTMENT
11 SHALL NOT BE REQUIRED TO UTILIZE OTHER SOURCES OF FUNDING TO
12 CARRY OUT ACTIVITIES UNDER THIS ACT IF THE FUNDS PROVIDED
13 UNDER THIS SECTION ARE INSUFFICIENT.

14 (D) REPORTS.--

15 (1) NO LATER THAN NOVEMBER 1 OF EACH CALENDAR YEAR, THE
16 DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT SHALL
17 PROVIDE A REPORT TO THE CHAIRPERSON AND MINORITY CHAIRPERSON
18 OF THE LABOR AND INDUSTRY COMMITTEE OF THE SENATE AND THE
19 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE LABOR AND
20 INDUSTRY COMMITTEE OF THE HOUSE OF REPRESENTATIVES. THE
21 REPORT SHALL DETAIL EXPENDITURES FOR THE MOST RECENT FISCAL
22 YEAR. THE REPORT SHALL INCLUDE:

23 (I) THE NUMBER OF CONSTRUCTION AND BUILDING PERMITS
24 ISSUED AND THE TOTAL FEES COLLECTED.

25 (II) A SEPARATE ACCOUNTING OF REVENUE AND
26 EXPENDITURES FOR EACH ACCOUNT UNDER SUBSECTION (C) (1) (I)
27 AND (II). THE SEPARATE ACCOUNTING SHALL INCLUDE, TO THE
28 EXTENT AVAILABLE, REVENUE AND EXPENDITURES BY A
29 CONTRACTOR, VENDOR OR OTHER PARTY ENGAGED TO PERFORM THE
30 SERVICES UNDER SUBSECTION (C) (1) (I) AND (II). ALL

1 CONTRACTS ENTERED INTO AFTER THE EFFECTIVE DATE OF THIS
2 PARAGRAPH BY THE DEPARTMENT OF COMMUNITY AND ECONOMIC
3 DEVELOPMENT WITH A CONTRACTOR, VENDOR OR OTHER PARTY
4 SHALL REQUIRE THE CONTRACTOR, VENDOR OR OTHER PARTY TO
5 PROVIDE THE INFORMATION REQUIRED UNDER THIS PARAGRAPH.

6 (III) THE AMOUNT UTILIZED BY THE DEPARTMENT OF
7 COMMUNITY AND ECONOMIC DEVELOPMENT FOR PERSONNEL,
8 INCLUDING THE POSITION TITLE, HOURS CHARGED, AMOUNT PAID
9 AND DESCRIPTION OF THE DUTIES AND RESPONSIBILITIES, OF
10 EACH INDIVIDUAL PAID IN WHOLE OR IN PART FROM THE
11 ACCOUNT.

12 (IV) THE AMOUNT UTILIZED BY THE DEPARTMENT OF
13 COMMUNITY AND ECONOMIC DEVELOPMENT FOR OPERATIONAL COSTS
14 AND A DESCRIPTION OF EACH EXPENDITURE.

15 (V) THE AMOUNT UTILIZED BY THE DEPARTMENT OF
16 COMMUNITY AND ECONOMIC DEVELOPMENT FOR OTHER PROGRAM
17 PURPOSES AND A DESCRIPTION OF EACH EXPENDITURE.

18 (2) NO LATER THAN NOVEMBER 1 OF EACH CALENDAR YEAR, THE
19 DEPARTMENT SHALL PROVIDE A REPORT TO THE CHAIRPERSON AND
20 MINORITY CHAIRPERSON OF THE LABOR AND INDUSTRY COMMITTEE OF
21 THE SENATE AND THE CHAIRPERSON AND MINORITY CHAIRPERSON OF
22 THE LABOR AND INDUSTRY COMMITTEE OF THE HOUSE OF
23 REPRESENTATIVES. THE REPORT SHALL DETAIL EXPENDITURES FOR THE
24 MOST RECENT FISCAL YEAR. THE REPORT SHALL INCLUDE:

25 (I) A SEPARATE ACCOUNTING OF REVENUE AND
26 EXPENDITURES FOR THE ACCOUNT UNDER SUBSECTION (C) (1)

27 (III). THE SEPARATE ACCOUNTING PROVIDED UNDER THIS
28 PARAGRAPH SHALL INCLUDE, TO THE EXTENT AVAILABLE, REVENUE
29 AND EXPENDITURES BY A CONTRACTOR, VENDOR OR OTHER PARTY
30 ENGAGED TO PERFORM THE SERVICES UNDER SUBSECTION (C) (1)

1 (III). ALL CONTRACTS ENTERED INTO AFTER THE EFFECTIVE
2 DATE OF THIS PARAGRAPH BY THE DEPARTMENT WITH A
3 CONTRACTOR, VENDOR OR OTHER PARTY SHALL REQUIRE THE
4 CONTRACTOR, VENDOR OR OTHER PARTY TO PROVIDE THE
5 INFORMATION REQUIRED UNDER THIS PARAGRAPH.

6 (II) THE AMOUNT UTILIZED BY THE UNIFORM CONSTRUCTION
7 CODE REVIEW AND ADVISORY COUNCIL FOR REIMBURSEMENT OF
8 TRAVEL EXPENSES.

9 (III) THE AMOUNT UTILIZED BY THE UNIFORM
10 CONSTRUCTION CODE REVIEW AND ADVISORY COUNCIL FOR OTHER
11 PURPOSES AND A DESCRIPTION OF EACH EXPENDITURE.

12 (IV) THE AMOUNT UTILIZED BY THE DEPARTMENT FOR
13 PERSONNEL, INCLUDING THE POSITION TITLE, HOURS CHARGED,
14 AMOUNT AND DESCRIPTION OF THE DUTIES AND RESPONSIBILITIES
15 OF EACH INDIVIDUAL PAID IN WHOLE OR IN PART FROM THE
16 ACCOUNT.

17 (V) THE AMOUNT UTILIZED BY THE DEPARTMENT FOR
18 OPERATIONAL COSTS AND A DESCRIPTION OF EACH EXPENDITURE.

19 (VI) THE AMOUNT UTILIZED BY THE DEPARTMENT FOR OTHER
20 PROGRAM PURPOSES AND A DESCRIPTION OF EACH EXPENDITURE.

21 Section 902. Applicability to certain buildings.

22 * * *

23 (c) Uncertified buildings over which the department does not
24 have jurisdiction.--

25 (1) A construction code official shall issue a
26 certificate of occupancy to an uncertified building if it
27 meets the requirements of subsection (b)~~7~~ OR the latest <--
28 adopted version of the International Existing Building Code
29 [or Chapter 34 of the International Building Code~~7~~, ~~12~~ and <--
30 the]. THE construction code official shall utilize the code <--

1 [for the municipality which] that, in his professional
2 judgment, he deems to best apply.

3 (2) A construction code official may deny the issuance
4 of a certificate of occupancy if the official deems that a
5 building is unsafe because of inadequate means of egress,
6 inadequate lighting and ventilation, fire hazards or other
7 dangers to human life or to public welfare.

8 [(3) A municipality subject to this subsection may
9 utilize the standards of subsection (b) for the issuance of
10 certificates of occupancy to uncertified buildings by
11 adopting an ordinance adopting the standards of issuance
12 pursuant to the procedures delineated in section 503.]

13 * * *

14 Section 5. This act shall take effect as follows:

15 ~~(1) The amendment of section 902(c) of the act shall <--~~
16 ~~take effect in 60 days.~~

17 ~~(2) The remainder of this act shall take effect~~
18 ~~immediately.~~

19 (1) THE AMENDMENT OF SECTION 703 OF THE ACT SHALL TAKE <--
20 EFFECT JULY 1, 2017, OR IMMEDIATELY, WHICHEVER IS LATER.

21 (2) THE AMENDMENT OF SECTION 902(C) OF THE ACT SHALL
22 TAKE EFFECT IN 60 DAYS.

23 (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT
24 IMMEDIATELY.