
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 443 Session of
2019

INTRODUCED BY SONNEY, JAMES, MACKENZIE, MILLARD AND RYAN,
FEBRUARY 11, 2019

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, FEBRUARY 11, 2019

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 adoption and enforcement
6 by municipalities, further providing for administration and
7 enforcement.

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

10 Section 1. Section 501 of the act of November 10, 1999
11 (P.L.491, No.45), known as the Pennsylvania Construction Code
12 Act, is amended by adding a subsection to read:

13 Section 501. Administration and enforcement.

14 * * *

15 (b.1) Exclusive enforcement by third-party agency.--In
16 municipalities which have opted under subsection (b)(2) to
17 retain the services of one third-party agency to enforce this
18 act, the following shall apply:

19 (1) A permit applicant shall have the right to utilize
20 any code official certified in the appropriate category of

1 certification to conduct required inspections, including the
2 final inspection. A permit applicant shall notify the
3 exclusive third-party agency of what certified code officials
4 are being utilized for inspections.

5 (2) The third-party agency shall accept a report
6 submitted under paragraph (1), except if the third-party
7 agency files a complaint with the department alleging that
8 the report is the result of an action under 34 Pa. Code §
9 401.14 (relating to decertification or refusal to certify),
10 in which case the third-party agency may reject the report
11 that is the subject of the complaint.

12 (3) The third-party agency shall be immune from any
13 civil liability associated with reports submitted by
14 certified code officials not employed or contracted by the
15 third-party agency.

16 (4) A professional services contract between a
17 municipality and the third-party agency for the exclusive
18 administration and enforcement of the act in effect on the
19 effective date of this subsection shall remain in effect and
20 the provisions of this subsection shall apply upon the
21 expiration of the original terms of the professional services
22 contract.

23 * * *

24 Section 2. This act shall take effect immediately.