



SENATE BILL 329: Building Code Mod./Permit Exemption Amt. Mod.

2021-2022 General Assembly

Committee: House Local Government - Land Use, Planning and Development. If favorable, refer to Rules, Calendar, and Operations of the House
Date: August 19, 2021

Introduced by: Sens. Jarvis, Johnson, Davis
Prepared by: Howard Marsilio
Analysis of: PCS to Second Edition
S329-CSBGf-19
Staff Attorney

OVERVIEW: *The Proposed Committee Substitute (PCS) to Senate Bill 329 would modify exemptions from building permit and professional seal requirements applicable to certain construction projects.*

- *The PCS makes substantive changes to Section 4 of the bill by increasing the permit exemption threshold for single family residences and farm building projects to \$20K and would expand this exemption to commercial building projects.*

BILL ANALYSIS:

Section 1 would:

- Modify the current project value threshold to provide that no architectural license is required for the preparation, sale, or furnishing of plans, specifications and related data, or for the supervision of construction for institutional or commercial building projects less than \$300,000 (currently \$200,000).
- Modify and expand project criteria and project types which would be exempt from the professional architect seal requirement, which would include:
 - A commercial building project having a total value of less than \$300,000 (currently \$200,000) and a total project area of less than 3,000 square feet in gross floor area.
 - Any alternation, remodeling, renovation, or repair project in a commercial building with a total value of less than \$300,000, or with a building area less than 3,000 square feet in gross floor area.

Section 2 would:

- Specify that no permit shall be required under the Building Code or approved local variances for any commercial building construction project costing \$20,000 or less performed in accordance with the Building Code and Fire Prevention Code unless certain work involves the addition of roofing, use of materials not permitted by the State Building Code, load bearing structures, plumbing, heating, air conditioning, or electrical wiring, appliances or equipment.
- Specify that the Building Code shall not require certain plans to be under the seal of a registered architect or engineer for alternation, remodeling, renovation, or repair work costing less than \$300,000 or to a building with a total building area less than 3,000 square feet in gross floor area, when the work does not alter load-bearing structures, does not involve certain projects using public

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funds which otherwise require an architect and engineer seal by law, and is performed in accordance with the Fire Prevention Code.

Section 3 would prohibit a local government from adopting or enforcing any local ordinance, resolution, or policy requiring certain plans to be under the seal of a registered architect or engineer for alternation, remodeling, renovation, or repair work costing less than \$300,000 or to a building with a total building area less than 3,000 square feet in gross floor area, when the work does not alter load-bearing structures, and does not involve certain projects using public funds which otherwise require an architect and engineer seal by law.

Section 4 would modify criteria to exempt certain projects from permit requirements and provide that no permit would be required for projects costing less than \$20,000 to single family residences, farm buildings, or commercial buildings unless certain work involves the addition of roofing, use of materials not permitted by the State Building Code, load bearing structures, plumbing, heating, air conditioning, or electrical wiring, appliances or equipment.

EFFECTIVE DATE: This act would become effective October 1, 2021 and apply to construction, installation, repair, replacement, remodeling, renovation, or alteration projects beginning on or after that date.

Bill Patterson, Legislative Analysis Division, substantially contributed to this summary.