



HOUSE BILL 782: Movie Sets/Radon/Licensee Experience.

2023-2024 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	June 26, 2023
Introduced by:	Reps. Cotham, Saine, Bradford, Zenger	Prepared by:	Karyl Smith
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: *House Bill 782 would do the following:*

- *Exempt buildings used for temporary motion picture, television, and theater stage sets and scenery from any use and occupancy classification under the North Carolina State Building Code.*
- *Direct the Department of Health and Human Services to establish an approval process for radon proficiency programs.*
- *Allow the Board of Examiners of Plumbing, Heating, and Fire Sprinkler Contractors to accept a license in good standing for at least 15 years as experience for plumbing and heating qualifications.*

CURRENT LAW & BILL ANALYSIS:

Section 1

The North Carolina State Building Code (Code) is adopted by the Building Code Council, a 17 member board whose members are appointed by the Governor. With the exception of boilers, elevators, and State buildings, the Insurance Commissioner has general supervisory authority over the administration and enforcement of the Code. Cities and counties generally enforce the Code within their respective jurisdictions and have some limited authority to adopt local code variants.

In addition to requiring building permits, the Code may include reasonable and suitable classifications of buildings and structures, both as to use and occupancy and general building restrictions. The General Assembly has enacted various exclusions from the Code including G.S. 143-138(b20) which excludes from the Code, or any local variant, any requirement to obtain a building permit for the construction, installation, repair, replacement, or alteration of temporary motion picture, television, and theater stage sets and scenery that are being used for less than one year in one location and are inspected by a fire code inspector.

House Bill 782 would expand the Code exclusion for buildings used for temporary motion picture, television, and theater stage sets and scenery by:

- Exempting them from any use and occupancy classification under the Code.
- Eliminating the requirements to qualify for permit exemption that (i) they be used for less than one year in one location and (ii) have a fire inspection.

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Section 2

The Environmental Protection Agency provides funding to North Carolina in support of the State's efforts to promote awareness of indoor radon. The funding is provided through State and Tribal Indoor Radon Grants. These grants require recipients to maintain a public list of approved radon proficiency programs. This public list must be comprised of either (i) one of two approved national proficiency programs – the National Radon Proficiency Program or the National Radon Safety Board or (ii) proficiency programs that have been approved by a state-run process for credentialing radon service providers. Currently, North Carolina does not have a state-run approval process for radon proficiency programs.

House Bill 782 would do the following:

- Define various terms.
- Direct the Department of Health and Human Services (Department) to establish an approval process for radon proficiency programs.
- Expand the rulemaking authority of the Department to adopt temporary and permanent radon proficiency program approval rules.
- Classify radon proficiency programs currently operating and included in public listings of programs by the Department at any time after January 1, 2020, as an approved radon proficiency program until the Department has adopted permanent rules and has approved or denied approval of the program.

Section 3

The Board of Examiners of Plumbing, Heating, and Fire Sprinkler Contractors (Board) consists of seven members appointed by the Governor. The Board has established two classes of licenses: Class I covering all plumbing, heating and fire sprinkler systems for all structures, and Class II covering plumbing and heating systems in single-family attached residential dwellings. The Board provides the standard of competence, experience, and efficiency required of an applicant for license of each class and gives an examination designed to ascertain the technical and practical knowledge of the applicant.

G.S. 87-21(b)(3) states that before taking the examination, the applicant may be required by the Board to establish that the applicant is at least 18 years of age and is of good moral character. The Board may also require experience as a condition of examination, provided that (i) the experience required may not exceed two years, (ii) that up to one-half the experience may be in the form of academic or technical courses of study, and (iii) that registration is not required at the commencement of the period of experience.

House Bill 782 would amend G.S. 87-21(b)(3) by allowing the Board to accept a license in good standing for at least 15 years as experience for plumbing and heating qualifications.

EFFECTIVE DATE: Section 3 of this bill would become effective July 1, 2023. The remainder of this bill would become effective when it becomes law.