



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

2023-2024 General Assembly

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| Committee: | | Date: | November 15, 2023 |
| Introduced by: | | Prepared by: | Karyl Smith Staff Attorney |
| Analysis of: | S.L. 2023-91 | | |

OVERVIEW: *S.L. 2023-91 does the following:*

- *Exempts 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.*
- *Directs the Department of Health and Human Services to establish an approval process for radon proficiency programs.*
- *Allows the Board of Examiners of Plumbing, Heating, and Fire Sprinkler Contractors to accept a license in good standing for at least 10 years as experience for Class II plumbing and heating qualifications.*

Section 3 of this act became effective July 1, 2023. The remainder of the act became effective July 10, 2023.

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 can 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.

S.L. 2023-91 expands 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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Director



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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.

S.L. 2023-91 does the following:

- Defines various terms.
- Directs the Department of Health and Human Services (DHHS) to establish an approval process for radon proficiency programs.
- Expands the rulemaking authority of DHHS to adopt temporary and permanent radon proficiency program approval rules.
- Classifies radon proficiency programs currently operating and included in public listings of programs by DHHS at any time after January 1, 2020, as an approved radon proficiency program until DHHS 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 can 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 can also require experience as a condition of examination, provided that (i) the experience required cannot exceed two years, (ii) that up to one-half the experience can 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.

S.L. 2023-91 amends G.S. 87-21(b)(3) by allowing the Board to accept a license in good standing for at least 10 years as experience for Class II plumbing and heating qualifications.

EFFECTIVE DATE: Section 3 of this act became effective July 1, 2023. The remainder of the act became effective July 10, 2023.