



2025-2026 General Assembly

SENATE BILL 257: 2026 Appropriations Act, Sec. 13.3: Create the Building Codes and Interpretation Bureau

Analysis of: S.L. 2026-41, Sec. 13.3

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Section 13.3 of S.L. 2026-41 (Senate Bill 257) does the following:

- Establishes the Building Codes and Interpretation Bureau (Bureau) within the Department of Labor (Department) to administer, develop, interpret, provide technical assistance on, and support the consistent application of the North Carolina State Building Code, including enforcement of interpretations of decisions of the Bureau, Building Code Council, or Residential Code Council.
- Requires the Bureau to manage the work of the Building Code Council, Residential Code Council, and Code Interpretations Section.
- Provides that the head of the Bureau is the Director who must be appointed by and serve at the pleasure of the Commissioner of Labor (Commissioner). The Commissioner is authorized to delegate any powers, duties, and responsibilities that the Commissioner determines will best serve the public interest to the Bureau Director.
- Creates in the Department the State Building Code Regulatory Fund (Fund) and requires that in addition to building permit fees levied by local governments, each building permit applicant must pay a State Building Code regulatory fee for costs incurred by the Bureau's operation.
- Requires local governments to collect the State Building Code regulatory fee and remit the funds collected to the Department on a quarterly basis to be credited to the Fund. Local governments are also required with each quarterly remittance to submit to the Department a report stating the number of building permits issued during the quarter.
- Requires the Department to use all funds credited to the Fund to support the Bureau.
- Authorizes the Commissioner to adopt rules in order to enforce and carry out the provisions of the Article creating the Bureau but prohibits the Commissioner from adopting any rule that relates to the responsibilities of the Building Code Council and the Residential Code Council.
- Requires that a party that requests or issues a subpoena for the Bureau Director or employee to testify as an expert witness in any civil or administrative action must reimburse the Bureau for the actual time and expenses incurred by the Bureau in connection with the testimony.
- Authorizes the Bureau to apply to a superior court judge for a writ of preemptory mandamus if a local government fails to apply or implement any interpretation or decision of the Bureau, Building Code Council, or Residential Code Council.
- Requires that whenever the Commissioner has reason to believe that the local inspectors or investigators are not doing their duty in applying the North Carolina State Building Code, the

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Commissioner refers any information of that conduct to the North Carolina Code Officials Qualification Board for review.

- Authorizes the Bureau to hire the additional personnel as may be necessary to handle the work of the Bureau, within the limits of funds appropriated by the General Assembly or available within the Fund.
- Exempts from Chapter 126A (State Human Resources Act), except as to Articles 6 (Equal Employment and Compensation Opportunity; Assisting in Obtaining State Employment) and 7 (The Privacy of State Employee Personnel Records)], employees of the Building Codes and Interpretations Bureau.

This section becomes effective on January 1, 2027.