

**HB310 ENROLLED**



1 D7SXHN-3  
2 By Representative Easterbrook  
3 RFD: County and Municipal Government  
4 First Read: 13-Apr-23  
5  
6 2023 Regular Session



## HB310 Enrolled

1 Enrolled, An Act,

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3 Relating to building codes; to create the Healthier  
4 Homes Construction Practices Act; to authorize counties and  
5 municipalities to adopt procedures for the installation and  
6 activation of temporary-permanent electricity or  
7 temporary-permanent gas under certain conditions; and to  
8 provide certain requirements for the activation.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. (a) This act shall be known and may be cited  
11 as the Healthier Homes Construction Practices Act.

12 (b) The Legislature finds and declares that indoor air  
13 quality in homes under construction is of prime importance for  
14 the long-term durability of the home and health of the  
15 consumer. It is the intent of the Legislature to address the  
16 following issues related to the lack of temporary-permanent  
17 electricity and temporary-permanent gas:

18 (1) Mold build-up due to temperature and humidity  
19 within the structure.

20 (2) Component damage due to temperature and humidity.

21 (3) Warping and disfigurement of wood within the  
22 structure due to temperature and humidity.

23 (c) Any municipality or county that adopts and enforces  
24 building codes shall enact a procedure allowing for the  
25 installation and activation, on a temporary basis in  
26 accordance with the requirements of this act, of electricity  
27 ("temporary-permanent electricity") or gas  
28 ("temporary-permanent gas") in any dwelling, covered by the



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29 scope of the International Residential Code, under  
30 construction in its jurisdiction.

31 (d) The municipality or county may require any of the  
32 following to occur prior to the installation or activation of  
33 temporary-permanent electricity:

34 (1) The structure be secured from unauthorized entry.

35 (2) The electrical service code be compliant and  
36 complete.

37 (3) All rough plumbing, electrical, mechanical, and  
38 framing inspections be completed and approved.

39 (4) All drywall be installed, with the exception of  
40 finishing.

41 (5) All electrical circuit wires that are not energized  
42 be secured to the side of the panel box.

43 (6) Any exterior outlet which has been energized have  
44 ground fault breakers installed. A minimum of one exterior  
45 outlet shall be provided.

46 (7) All electrical service be ready for service, as  
47 certified by a state licensed electrical contractor.

48 (8) All heating and cooling equipment be installed  
49 in-structure. Equipment shall be vented based on manufacturing  
50 specifications. Forced air equipment shall have a return air  
51 with a MERV 4 filter, and plenum and supply air.

52 (9) The building permit be obtained by a licensed  
53 residential home builder, as defined by Section 34-14A-2, or a  
54 general contractor.

55 (10) A request for temporary-permanent electricity be  
56 made by the permittee.



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57 (11) The electrical service be obtained in the name of  
58 the permittee.

59 (12) Compliance with any requirements set forth by the  
60 provider of electricity.

61 (e) In addition to any requirement for the installation  
62 or activation of temporary-permanent electricity under  
63 subsection (d), any municipality or county that enforces and  
64 adopts building codes may require any of the following prior  
65 to the installation or activation of temporary-permanent gas:

66 (1) The structure be secured from unauthorized entry.

67 (2) A gas line be installed in accordance with  
68 applicable codes between the heating equipment and the gas  
69 meter location.

70 (3) Gas lines not connected to an appliance be capped.

71 (4) A temporary pressure test be performed for the  
72 purposes of installing temporary gas for heat.

73 (5) A final pressure test be performed for permanent  
74 gas service.

75 (6) Gas service be certified by a licensed gas fitter  
76 as being ready for service.

77 (7) Heating and cooling equipment be installed  
78 in-structure and be vented based on manufacturing  
79 specifications.

80 (8) Forced air equipment have a return air with a MERV  
81 4 filter, and plenum and supply air.

82 (9) A building permit be obtained by a licensed  
83 residential home builder, as defined by Section 34-14A-2, or  
84 general contractor.



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85           (10) A request for temporary-permanent gas be made by  
86 the permittee.

87           (11) Electrical service be obtained in the name of the  
88 permittee.

89           (12) Proof that the gas system is complete, is code  
90 compliant, and has passed all required inspections.

91           (13) Compliance with any other requirements of the  
92 provider of gas.

93           (f) For the installation or activation of  
94 temporary-permanent electricity or temporary-permanent gas, no  
95 additional requirements may be placed on the contractor beyond  
96 the requirements of this section.

97           (g) Any structure granted temporary-permanent  
98 electricity or temporary-permanent gas pursuant to this  
99 section shall not be occupied, and permanent electricity or  
100 permanent gas shall be permitted, only upon proof that all  
101 required final inspections by the municipality or county have  
102 been completed.

103           (h) Where sewer service is not available, a request for  
104 temporary-permanent electricity or temporary-permanent gas  
105 must be accompanied by copies of all septic system plans and  
106 permits, approved by the local health department.

107           Section 2. This act shall become effective on the first  
108 day of the third month following its passage and approval by  
109 the Governor, or its otherwise becoming law.



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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 25-Apr-23.

John Treadwell  
Clerk

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Senate **03-May-23**

Passed