SB215 ENGROSSED



- 1 144BLL-2
- 2 By Senators Hatcher, Beasley, Coleman-Madison, Stewart,
- 3 Coleman, Elliott, Gudger, Price, Jones, Givhan
- 4 RFD: Fiscal Responsibility and Economic Development
- 5 First Read: 19-Apr-23

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7 2023 Regular Session



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5	A BILL
6	TO BE ENTITLED
7	AN ACT
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9	Relating to building codes; to create the Healthier
10	Homes Construction Practices Act; to authorize counties and
11	municipalities to adopt procedures for the installation and
12	activation of temporary-permanent electricity or
13	temporary-permanent gas under certain conditions; and to
14	provide certain requirements for the activation.
15	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
16	Section 1. (a) This act shall be known and may be cited
17	as the Healthier Homes Construction Practices Act.
18	(b) The Legislature finds and declares that indoor air
19	quality in homes under construction is of prime importance for
20	the long-term durability of the home and health of the
21	consumer. It is the intent of the Legislature to address the
22	following issues related to the lack of temporary-permanent
23	electricity and temporary-permanent gas:
24	(1) Mold build-up due to temperature and humidity
25	within the structure.
26	(2) Component damage due to temperature and humidity.
27	(3) Warping and disfigurement of wood within the
28	structure due to temperature and humidity.



- (c) Any municipality or county that adopts and enforces
- 30 building codes shall enact a procedure allowing for the
- installation and activation, on a temporary basis in
- 32 accordance with the requirements of this act, of electricity
- 33 ("temporary-permanent electricity") or gas
- 34 ("temporary-permanent gas") in any dwelling, covered by the
- 35 scope of the International Residential Code, under
- 36 construction in its jurisdiction.
- 37 (d) The municipality or county may require any of the
- 38 following to occur prior to the installation or activation of
- 39 temporary-permanent electricity:
- 40 (1) The structure be secured from unauthorized entry.
- 41 (2) The electrical service code be compliant and
- 42 complete.
- 43 (3) All rough plumbing, electrical, mechanical, and
- framing inspections be completed and approved.
- 45 (4) All drywall be installed, with the exception of
- 46 finishing.
- 47 (5) All electrical circuit wires that are not energized
- 48 be secured to the side of the panel box.
- 49 (6) Any exterior outlet which has been energized have
- 50 ground fault breakers installed. A minimum of one exterior
- 51 outlet shall be provided.
- 52 (7) All electrical service be ready for service, as
- 53 certified by a state licensed electrical contractor.
- 54 (8) All heating and cooling equipment be installed
- in-structure. Equipment shall be vented based on manufacturing
- 56 specifications. Forced air equipment shall have a return air



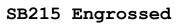
- 57 with a MERV 4 filter, and plenum and supply air.
- 58 (9) The building permit be obtained by a licensed
- residential home builder, as defined by Section 34-14A-2, or a
- 60 general contractor.
- (10) A request for temporary-permanent electricity be
- made by the permittee.
- 63 (11) The electrical service be obtained in the name of
- the permittee.
- 65 (12) Compliance with any requirements set forth by the
- 66 provider of electricity.
- (e) In addition to any requirement for the installation
- or activation of temporary-permanent electricity under
- 69 subsection (d), any municipality or county that enforces and
- 70 adopts building codes may require any of the following prior
- 71 to the installation or activation of temporary-permanent gas:
- 72 (1) The structure be secured from unauthorized entry.
- 73 (2) A gas line be installed in accordance with
- 74 applicable codes between the heating equipment and the gas
- 75 meter location.
- 76 (3) Gas lines not connected to an appliance be capped.
- 77 (4) A temporary pressure test be performed for the
- 78 purposes of installing temporary gas for heat.
- 79 (5) A final pressure test be performed for permanent
- 80 gas service.
- 81 (6) Gas service be certified by a licensed gas fitter
- 82 as being ready for service.
- 83 (7) Heating and cooling equipment be installed
- in-structure and be vented based on manufacturing



- 85 specifications.
- 86 (8) Forced air equipment have a return air with a MERV
- 4 filter, and plenum and supply air.
- 88 (9) A building permit be obtained by a licensed
- 89 residential home builder, as defined by Section 34-14A-2, or
- 90 general contractor.
- 91 (10) A request for temporary-permanent gas be made by
- 92 the permittee.
- 93 (11) Electrical service be obtained in the name of the
- 94 permittee.
- 95 (12) Proof that the gas system is complete, is code
- 96 compliant, and has passed all required inspections.
- 97 (13) Compliance with any other requirements of the
- 98 provider of gas.
- 99 (f) For the installation or activation of
- 100 temporary-permanent electricity or temporary-permanent gas, no
- 101 additional requirements may be placed on the contractor beyond
- 102 the requirements of this section.
- 103 (g) Any structure granted temporary-permanent
- 104 electricity or temporary-permanent gas pursuant to this
- 105 section shall not be occupied, and permanent electricity or
- 106 permanent gas shall be permitted, only upon proof that all
- 107 required final inspections by the municipality or county have
- 108 been completed.
- (h) Where sewer service is not available, a request for
- 110 temporary-permanent electricity or temporary-permanent gas
- 111 must be accompanied by copies of all septic system plans and
- 112 permits, approved by the local health department.



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





116 117 118	Senate
119 120 121 122 123	Read for the first time and referred
124 125 126 127	Read for the second time and placed27-Apr-23 on the calendar: 0 amendments
128 129 130 131 132 133 134	Read for the third time and passed02-May-23 as amended Yeas 32 Nays 0 Abstains 0
135 136 137	Patrick Harris, Secretary.