

**House County and Municipal Government Reported
Substitute for HB310**



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A BILL
TO BE ENTITLED
AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

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

(2) Component damage due to temperature and humidity.

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



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29 (c) Any municipality or county that adopts and enforces
30 building codes shall enact a procedure allowing for the
31 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
44 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
55 in-structure. Equipment shall be vented based on manufacturing
56 specifications. Forced air equipment shall have a return air



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57 with a MERV 4 filter, and plenum and supply air.

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

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

63 (11) The electrical service be obtained in the name of
64 the permittee.

65 (12) Compliance with any requirements set forth by the
66 provider of electricity.

67 (e) In addition to any requirement for the installation
68 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
84 in-structure and be vented based on manufacturing



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85 specifications.

86 (8) Forced air equipment have a return air with a MERV
87 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.

109 (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.



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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.