

HB 4086 -1, -2 STAFF MEASURE SUMMARY

House Committee On Business and Labor

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Meeting Dates: 2/9, 2/12

WHAT THE MEASURE DOES:

Requires that building official appointed by municipality be an employee of the municipality by January 1, 2020. Removes requirement that building inspector for municipality be an employee of the municipality. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Replaces original measure. Modifies language regarding relationship municipality has with those who administer or provide services to the building inspection program. Requires municipality that administers a building inspection program to arrange for services of a municipal building official. Requires municipal building official to be an employee of the municipality, employed under an intergovernmental agreement, or employed by an association of municipalities. Removes emergency clause and operative date, resulting in all provisions becoming effective January 1, 2019.

-2 Replaces original measure. Modifies language regarding relationship municipality has with those who administer or provide services to the building inspection program. Requires municipality that administers a building inspection program to arrange for services of a municipal building official and a head building inspector, who could also be the building official. Requires municipal building official and head building inspector to be an employee of the municipality, employed under an intergovernmental agreement, or employed by an association of municipalities. Removes emergency clause and operative date, resulting in all provisions becoming effective January 1, 2019.

BACKGROUND:

A pilot program was created in 2009 (House Bill 3462) with the intent to cross-train building inspectors so an inspector could perform an inspection in more than one specialty code. These inspectors are referred to as specialized building inspectors. The pilot program (which was scheduled to sunset on 2016) was designed to address the shortage in some regions of the state of building inspectors in various specialty codes. Legislation in 2013 (House Bill 2698) eliminated the sunset date of the pilot program, thereby continuing the training, qualification, and certification of specialized building inspectors. The 2013 legislation also specified the authority of the Director of Department of Consumer and Business Services to certify building inspectors in multiple specialty codes or parts of specialty code and allowed the certification of building inspectors to perform inspections throughout a building code administrative region. This language had the effect of requiring the specialized building code inspector to be an employee of the municipality for which it was performing inspections. Legislation in 2017 (House Bill 2907) would have allowed specialized building inspectors to be appointed rather than employed by a municipality; that legislation was not enacted. A work group met during the interim to discuss how municipalities operate their building inspection programs. The work group did not reach consensus.