

HOUSE RESEARCH

Bill Summary

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Overview

This bill would make several changes to the certification, appointment, and oversight processes for local building officials. The bill would also extend the existence of the construction codes advisory council for two additional years.

Section

- 1 **Municipality.** Adds townships to the definition of municipality applicable in the sections of statute concerning the enforcement of the state building code. The definition currently includes only townships meeting the criteria of an urban town.
- 2 **Designate.** Defines the term to mean a formal process whereby a local governmental unit designates a certified building official with responsibility for building code administration.
- 3 **Administrative authority.** Defines the term to mean a municipality's governing body or an administrative authority assigned by the governing body.
- 4 **Adoption of code.** Directs the commissioner of administration to include in the state building code provisions regarding code administration, including procedures for administrative action, penalties, and suspension and revocation of certification.
- 5 **Building officials.**
 - Subd. 1. Designation.** Directs all municipalities to designate a building code official to administer the code by January 1, 2002. Municipalities may designate a different official for each certification category, and two or more municipalities may combine to designate a building official to administer the code in those municipalities. Authorizes the state building official to use state employees to administer the code in municipalities which have not designated a building official, with the costs of the state employees' services to be borne by the municipality.
 - Subd. 2. Qualifications.** Provides that in order to be designated, a building official must be certified by the commissioner of administration. Removes exception for building officials

engaged in administering the code prior to May 27, 1971.

Subd. 3. Certification. Authorizes the commissioner of administration to establish categories of expertise for building official certification. Removes language referring to the exception deleted from subdivision 2.

Subd. 4. Duties. Conforming change in language.

Subd. 5. Oversight committee. Establishes a code administration oversight committee to evaluate, mediate, and recommend action with respect to complaints concerning building officials. The committee consists of five certified building officials, at least two of whom must be from nonmetropolitan counties, and a commissioner's designee acting as an ex-officio member. Compensation for service is \$55 per day plus expenses, as it is for other advisory councils and committees.

Subd. 6. Administrative action and penalties. Directs the commissioner of administration to establish by rule a graduated schedule of administrative actions for violations by building officials of the statutes and rules regarding the state building code. Authorizes the commissioner to impose a penalty for violations, and designates that any monetary penalties must be paid to the special revenue fund.

Subd. 7. Suspension; revocation. Sets out conditions for the commissioner of administration to revoke, suspend, or refuse to issue or reissue a building official certification.

Subd. 8. Vacancies. Requires municipalities to designate replacement building officials as soon as possible, and to notify the commissioner of administration of a vacancy or designation in writing within 15 days. Authorizes the state building official to provide state employees to serve as local building officials if a municipality does not fill a vacancy within 15 days. Prohibits a municipality from issue permits without a designated certified building official.

Subd. 9. Continuing education. Removes obsolete language.

6 **Membership.** Delays the expiration of the construction codes advisory council from June 30, 2001, to June 30, 2003.

7 **Effective date.** Section 6 is effective June 30, 2001.