
DIGEST

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Ponti

HB No. 1048

Abstract: Requires the LSUCCC to adopt the International Plumbing Code.

Present law authorizes the state plumbing board to revoke, suspend, or refuse to renew a license or endorsement issued by the board for a number of reasons, including the habitual performance of the work of either a journeyman plumber or a master plumber which is substantially below the standards established by the Dept. of Health and Hospitals (DHH) or the habitual performance of work of a medical gas installer or medical gas and vacuum systems verifier not in compliance with regulations of the state fire marshal or related local governmental codes.

Proposed law retains present law but adds that the performance of work substantially below standards promulgated by the Louisiana State Uniform Construction Code Council (LSUCCC) or its successor as grounds for revocation, suspension, or refusal to renew a license or endorsement.

Present law requires the state health officer through the office of public health (OPH) of the DHH to prepare and promulgate all rules and regulations necessary to assure safe building plumbing systems, including but not limited to the building water supply piping system, the building drain system, and the building mechanical piping system.

Proposed law repeals present law.

Present law requires the state health officer to prepare and promulgate rules and regulations within the state's Sanitary Code covering all matters within his jurisdiction.

Proposed law retains present law and provides that present law shall not permit the state health officer to establish rules, regulations, policies, or interpretations that supercede or circumvent or seek to supercede or circumvent the International Plumbing Code, as adopted and promulgated by the LSUCCC.

Proposed law provides that in all cases of conflict between the rules and regulations promulgated pursuant to the rules and regulations within the state's Sanitary Code as promulgated by the state health officer and the International Plumbing Code, International Building Code, Chapter 29-Plumbing Systems, or the International Residential Code, VII-Plumbing, as adopted and promulgated by the LSUCCC, the provisions of the International Plumbing Code, International Building Code, Chapter 29-Plumbing Systems, or the International Residential Code, VII-Plumbing, as adopted and promulgated by the LSUCCC shall apply.

Proposed law provides that the building official or his designee shall have the authority to enforce and interpret the plumbing provisions of the state uniform construction code.

Present law provides that the state health officer and the OPH of DHH has the exclusive jurisdiction, control, and authority of a number of matters that relate to plumbing.

Proposed law retains present law and provides that nothing in present law shall grant state health officer or the OPH of DHH the authority to supercede the authority of municipalities or parishes to enforce and interpret the plumbing provisions of the state uniform construction code.

Proposed law provides that the building official or his designee shall have the authority to enforce and interpret the plumbing provisions of the state uniform construction code.

Present law provides that the Louisiana Building Code shall consist of a number of designated and described codes and standards, including Part XIV (Plumbing) of the state Sanitary Code as promulgated by the secretary of DHH.

Proposed law removes the inclusion of Part XIV (Plumbing) of the state Sanitary Code as promulgated by the secretary of DHH and adds the International Plumbing Code, the International Building Code, Chapter 29-Plumbing Systems, and the International Residential Code, VII-Plumbing.

Present law provides that the Louisiana Building Code shall be administered by the facilities planning and control department of the Division of Administration and that nothing contained in the La. Building Code shall affect the secretary of DHH in his administration of the provisions of Part XIV(Plumbing) of the state Sanitary Code.

Proposed law retains present law, but deletes that nothing contained in the La. Building Code shall affect the secretary of DHH in his administration of the provisions of Part XIV(Plumbing) of the state Sanitary Code.

Present law provides that the primary function of the LSUCCC is to review and adopt the state uniform construction code, provide for training and education of code officials, and accept all requests for amendments of the code, except the La. State Plumbing Code Part XIV (Plumbing) of the state Sanitary Code.

Proposed law retains present law but removes the exception for the La. State Plumbing Code.

Proposed law provides that the building official or his designee shall have the authority to enforce and interpret the plumbing provisions of the state uniform construction code.

Present law requires the LSUCCC to evaluate, adopt, and amend only the latest editions of the state uniform construction code with the exception of the La. State Plumbing Code Part XIV (Plumbing) of the state Sanitary Code which shall be promulgated and amended by the state health officer acting through OPH of DHH.

Proposed law retains present law but removes the exception for the La. State Plumbing Code.

Present law shall not be construed so as to prevent the state health officer from enforcing the La. State Plumbing Code, the enforcement of which is his statutory and regulatory responsibility.

Proposed law removes present law and requires the LSUCCC to evaluate, adopt, and amend the International Plumbing Code as part of the state uniform construction code and that the building official or his designee shall have the authority to enforce and interpret the plumbing provisions of the state uniform construction code.

Present law provides that, excluding the applicable requirements of the La. State Plumbing Code, the state uniform construction code shall not apply to the construction or improvement inside the secured or fenced confines of the following types of industrial facilities that are engaged in activities defined or classified under one or more of a number of subsectors, industry groups, or industries of the 2007 North American Industry Classification System (NAICS).

Proposed law retains present law and changes the La. State Plumbing Code to the International Plumbing Code.

Present law provides that in cases of conflict between the state Sanitary Code and the International Mechanical Code, the state Sanitary Code shall be used. In cases of conflict between the Life Safety Code and either the La. Building Code, the plumbing part of the state Sanitary Code, the International Building Code, the International Mechanical Code and the National Electric Code, the Life Safety Code shall be used.

Proposed law repeals present law.

Present law provides that all plumbing and sanitary references in Part V-Mechanical in the International Residential Code shall be replaced with the applicable provisions of the La. State Plumbing Code, Part XIV, Plumbing, of the state Sanitary Code.

Proposed law repeals present law.

Proposed law provides that the LSUCCC shall adopt and promulgate the International Plumbing Code, International Building Code, Chapter 29-Plumbing Systems, and the International Residential Code, VII-Plumbing, no later than Jan. 1, 2015. The codes shall be effective 60 days following promulgation.

Proposed law requires the La. State Plumbing Code Part XIV (Plumbing) of the state Sanitary Code as amended by the state health officer acting through the OPH of DHH shall remain in effect until 60 days following the promulgation of the International Plumbing Code, International Building Code, Chapter 29-Plumbing Systems, and the International Residential Code, VII-Plumbing by the LSUCCC.

Proposed law provides the deadline for the LSUCCC to promulgate International Plumbing

Code, International Building Code, Chapter 29-Plumbing Systems, and the International Residential Code, VII-Plumbing shall be effective upon signature of the governor or upon lapse of time for gubernatorial action.

Proposed law provisions relative to plumbing will not be enforced for 60 days following promulgation by the LSUCCC.

(Amends R.S. 37:1378(A)(3) and R.S. 40:5, 1722(B)(2), 1723(B), 1730.22(C), 1730.28(A)(1), (3)(a), and (5), and 1730.29(A)(intro.para.); Adds R.S. 40:4(C) and (D) and 1730.23(I); Repeals R.S. 40:4(A)(7), 1722(D), and 1730.28(A)(3)(h))