

Regular Session, 2014

HOUSE CONCURRENT RESOLUTION NO. 35

BY REPRESENTATIVE PONTI

COMMERCE: Repeals the plumbing provisions of the state Sanitary Code

## A CONCURRENT RESOLUTION

To repeal the Department of Health and Hospitals rule, Part XIV (Plumbing) of Title 51, comprised of LAC 51:XIV.101 through 1813, of the Louisiana Administrative Code, which provides for the state plumbing code, and to direct the Office of the State Register to print the repeal in the Louisiana Administrative Code.

WHEREAS, R.S. 40:4 requires the state health officer, acting through the office of public health of the Department of Health and Hospitals, to prepare, promulgate, and enforce rules and regulations embodied within the state Sanitary Code in conformity with a set of guidelines and directives set forth in the statute; and

WHEREAS, one of the directives in R.S. 40:4 is for the state health officer to promulgate rules and regulations to assure safe building plumbing systems as part of the state Sanitary Code; and

WHEREAS, Part XIV (Plumbing) of Title 51, comprised of LAC 51:XIV.101 through 1813, of the Louisiana Administrative Code, has been adopted and promulgated pursuant to the authority of R.S. 40:4; and

WHEREAS, House Bill No. 1048 seeks to repeal R.S. 40:4(7) and have the Louisiana State Uniform Construction Code Council adopt the International Plumbing Code, International Building Code, Chapter 29-Plumbing Systems, and the International Residential Code, VII-Plumbing, as part of the State Uniform Construction Code; and

WHEREAS, the International Plumbing Code, Chapter 29-Plumbing Systems, and the International Residential Code, VII-Plumbing, would then replace Part XIV (Plumbing)

1 of Title 51, comprised of LAC 51:XIV.101 through 1813, of the Louisiana Administrative  
2 Code, in the State Uniform Construction Code if and when House Bill No. 1048 becomes  
3 law; and

4 WHEREAS, R.S. 49:969 provides that "the legislature, by Concurrent Resolution,  
5 may suspend, amend, or repeal any rule or regulation or body of rules or regulations adopted  
6 by a state department, agency, board, or commission".

7 THEREFORE, BE IT RESOLVED by the Legislature of Louisiana that Part XIV  
8 (Plumbing) of Title 51, comprised of LAC 51:XIV.101 through 1813, of the Louisiana  
9 Administrative Code, is hereby repealed in its entirety.

10 BE IT FURTHER RESOLVED that the repeal of Part XIV (Plumbing) of Title 51,  
11 comprised of LAC 51:XIV.101 through 1813, of the Louisiana Administrative Code, shall  
12 be effective sixty days following the promulgation of the International Plumbing Code,  
13 International Building Code, Chapter 29-Plumbing Systems, International Residential Code,  
14 VII-Plumbing, by the Louisiana State Uniform Construction Code Council as required by  
15 the Act which originated as House Bill No. 1048 of this 2014 Regular Session of the  
16 Legislature.

17 BE IT FURTHER RESOLVED that this Resolution shall be null and void and of no  
18 effect if House Bill No. 1048 of this 2014 Regular Session of the Legislature fails to become  
19 law.

20 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
21 Office of the State Register, the secretary of the Department of Health and Hospitals, the  
22 state health officer, and the administrator of the Louisiana State Uniform Construction Code  
23 Council.

24 BE IT FURTHER RESOLVED that the Office of the State Register is hereby  
25 directed to have the repeal of Part XIV (Plumbing) of Title 51, comprised of LAC  
26 51:XIV.101 through 1813, of the Louisiana Administrative Code, printed and incorporated  
27 into the Louisiana Administrative Code.

---

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

---

Ponti

HCR No. 35

Repeals Part XIV (Plumbing) of Title 51, comprised of LAC 51:XIV.101 through 1813, of the Louisiana Administrative Code, effective 60 days after the promulgation of the International Plumbing Code, International Building Code, Chapter 29-Plumbing Systems, International Residential Code, VII-Plumbing, by the Louisiana State Uniform Construction Code Council as required by the Act which originated as House Bill No. 1048 of this 2014 R.S.

Provides that the repeal of Part XIV (Plumbing) of Title 51 of the Louisiana Administrative Code as provided for in this Resolution is contingent upon the passage and enactment of House Bill No. 1048 of this 2014 R.S.

Further provides that this Resolution is null and void and of no effect if House Bill No. 1048 fails to become law.

(Repeals LAC 51:XIV.101-1813)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Commerce to the original bill.

1. Provided a bill number that was not available at the time the resolution was filed.