

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 1048 by Representative Ponti

COMMERCE: Requires the Louisiana State Uniform Construction Code Council to adopt certain codes relative to plumbing

Synopsis of Senate Amendments

1. Removes provision of proposed law making habitual performance of work by a journeyman plumber or master plumber which is substantially below the standards promulgated by the La. State Uniform Construction Code Council (LSUCCC) grounds for disciplinary action by the State Plumbing Board.
2. Provides the state health officer shall be a member of the LSUCCC to ensure safe building plumbing and removed the authority of the state health officer to promulgate a plumbing code.
3. Restores provision of law prohibiting the LSUCCC from adopting plumbing provisions of the International Residential Code.
4. Adds that the Senate Committee on Commerce, Consumer Protection, and International Affairs, House Committee on Commerce, Senate Committee on Health and Welfare, and House Committee on Health and Welfare shall have oversight of the initial adoption of the portions of the State Uniform Construction Code relative to plumbing which are proposed by the LSUCCC.
5. Provides relative to consent decrees or orders relative to maintaining or building a public sewage system which are entered in federal courts of competent jurisdiction.
6. Provides that certain portions of present and proposed law regarding mandatory adoption of of certain codes and standards as the State Uniform Construction Code would not lessen the licensing qualifications and requirements in R.S. 37:1362, et. seq. (laws providing relative to the La. State Plumbing Board and licensing of plumbers).
6. Provides relative to back flow prevention, plumbing vent systems, the regulation of stored water, and the authority of the Department of Health and Hospitals.
7. Removes authority of local building officials to interpret plumbing provisions adopted by the LSUCCC.
8. Provides for effective dates.

Digest of Bill as Finally Passed by Senate

Present law provides for authority and duties of the state health officer acting through the office of public health (OPH) of the Department of Health and Hospitals (DHH), including but not limited to, preparing and promulgating all rules and regulations necessary to assure safe building plumbing systems.

Proposed law removes the authority of the state health officer to prepare and promulgate all rules and regulations necessary to assure safe building plumbing systems and provides that the state health officer shall serve on the Louisiana State Uniform Construction Code Council (LSUCCC) to assure safe building plumbing systems.

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 provides that in all cases of conflict between the rules and regulations promulgated pursuant to present law and the International Residential Code, Part VII-Plumbing, the International Residential Code, Part VII-Plumbing, shall apply.

Proposed law provides that the building official or his designee shall have the authority to enforce certain 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 the state health officer or the OPH of DHH the authority to supercede the authority of municipalities or parishes to enforce 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 retains present law and adds the International Residential Code, Part VII-Plumbing.

Present law provides relative to the membership of the LSUCCC.

Proposed law increases membership on the LSUCCC board from 19 members to 20 by providing that the state health officer shall be a member.

Present law provides for administrative oversight of rules adopted by the LSUCCC.

Proposed law provides that in addition to the Senate Committee on Commerce, Consumer Protection, and International Affairs and House Committee on Commerce, the Senate and House Health and Welfare committees shall have oversight over the initial adoption of rules relating to plumbing adopted by the LSUCCC.

Proposed law provides that the LSUCCC shall promulgate any and all rules and regulations to satisfy the requirements of any consent decree or order relative to maintaining or building a public sewage system which is entered in a federal court of competent jurisdiction.

Proposed law provides that the LSUCCC shall adopt rules relative to back flow prevention and proposed law prohibits the use of plumbing vent systems using air admittance valves.

Proposed law provides that any order or consent decree entered in the lawsuit entitled US v. Sewage and Water Board of New Orleans shall supercede the plumbing provisions of proposed law or any rules adopted pursuant thereto.

Proposed law provides that the building official or his designee shall have the authority to enforce the plumbing provisions of the State Uniform Construction 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 for effective dates.

(Amends R.S. 40:4(A)(7), 5, 1722(B)(2), 1730.22(A) and (C), 1730.26, and 1730.28(A)(intro.para.), (1), (3)(a), and (5); adds R.S. 40:4(C) and (D), 1730.23(I), 1730.26(3) and (4), 1730.28.1, 1730.28.2, 1730.28.3, and 1730.40.1; repeals R.S. 40:1722(D), and 1730.28(A)(3)(h))