

HB 2870 -- MISSOURI BUILDING CODES LAW

SPONSOR: Casteel

This bill establishes the following:

- (1) The "Missouri Building Codes Act" (Act);
- (2) "Missouri Building Codes" (Codes);
- (3) The "Missouri Building Codes Commission" (Commission), within the Division of Fire Safety within the Department of Public Safety to be comprised of the State Fire Marshal; 10 members appointed by the Governor that are experts in specified building subjects; and the State Codes Manager, who will be appointed by the Commission;
- (4) The "Missouri Building Codes Fund" (Fund), is created in the state treasury, to consist of moneys collected as provided in the bill, as well as funds received from sources including but not limited to private sources, gifts, bequests, donations, and grants, specified in the bill. The Fund will be administered by the State Fire Marshal, and the State Treasurer will be the custodian of the fund and approve disbursements. The Fund is a dedicated fund and upon appropriation moneys in the Fund will be used solely as specified in this bill; and
- (5) The "Residential Reoccupancy Inspections Committee" (Committee), to create standardized residential reoccupancy inspection checklists. The members must be residents of Missouri and appointed by the Commission.

The bill provides that new state facilities constructed on or after the effective date of this bill must comply with the new building codes and state building inspections must comply with the standards of inspection as required for construction under the new Codes.

The Codes will include the following subjects: building, electrical, energy, fire, mechanical, plumbing, property maintenance, and residential. These Codes include model codes published by the International Association of Plumbing and Mechanical Officials, the International Code Council, and the National Fire Protection Association.

The Commission will begin implementation of the Codes two years after the effective date of this bill.

All authorities having jurisdiction may adopt and enforce the Codes by reference. Fire protection districts that issue construction permits and adopt and enforce building codes must follow applicable

fire code requirements established by law. All copies of codes or portions of codes adopted by reference must be provided to the State Fire Marshal and the Commission, and published on the public website of the authority.

Authorities that have adopted building codes prior to the enactment of this bill must adopt the new Codes, and may adopt more stringent codes.

The building code committee will be comprised of a qualified building code official and citizens and experts in the authority having jurisdiction. The building code committee is authorized to develop amendments to codes and to submit those amendments to the governing body for approval. If approved, the governing body must develop an appeals process whereby residents, contractors, or associations can file a complaint to challenge the amendment. Upon a challenge, the governing body must review the amendment to determine that it meets the stringency requirements and was properly adopted. If the governing body then determines the amendment is not enforceable, that determination can then be appealed to the State Fire Marshal for further review as to its enforceability.

An authority in a county of the third or fourth classification that has not adopted a building code prior to August 28, 2024, can do so by order or ordinance, which must be put to a public vote.

Except for the State fire code, the building codes will be administered by the Manager with the advice and consent of the State Fire Marshal. The Manager will review the building codes every other three-year cycle but no less than every six years and within 18 months from the date of publication of any subsequent edition of an international code. The State Fire Marshal shall review, maintain, and amend the State fire code. Authorities that have adopted the Missouri building codes will have 12 months to adopt any amendments.

The Manager and the State Fire Marshal will not be responsible for enforcing the state construction codes in authorities having jurisdiction. The authority will provide enforcement as set out in the code or as set out in the bill.

The Codes will not apply to agricultural buildings, and persons owning, residing and working at, or employed at any agricultural building used solely for agricultural purposes are exempt from the provisions of this bill as they pertain to any improvement, additions, or alterations to the agricultural building, unless they are to repurpose the building for nonagricultural purposes.

Resolution of a conflict resulting from an enforcement under this law will be the responsibility of the authority having jurisdiction that adopts the Codes.

This section will apply in case of a conflict between this law and any other provision of State law.

A jurisdiction that adopts the Codes that also requires residential reoccupancy inspections on a property located in the jurisdiction when there is a change in ownership, tenants, or occupants must use an appropriate residential reoccupancy inspection checklist established under this Section with the guidance of the Commission established in Section 67.280, RSMo.