

SENATE BILL NO. 228

BY SENATOR ABRAHAM

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 40:1730.22(A) and (D), to enact R.S. 37:2166 and R.S. 40:1730.22 (G) and (H), and to repeal R.S. 36:409(A)(3), relative to the Louisiana State Uniform Construction Code Council; to provide for the transfer of power and duties of the Louisiana State Uniform Construction Code Council; to provide relative to membership of the council; to provide relative to the powers and duties of the council; to provide for powers and duties of the State Licensing Board for Contractors; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:2166 is hereby enacted to read as follows:

§2166. Louisiana State Uniform Construction Code Council; transfer of duties

A. The Louisiana State Uniform Construction Code Council shall be placed within the State Licensing Board for Contractors and shall exercise its duties, functions, and responsibilities under the management of the executive director.

B. The executive director of the board shall serve as executive director of the council and shall not have voting privileges.

C. The executive director shall have the authority to designate the board's staff to the Louisiana State Uniform Construction Code Council as needed.

Section 2. R.S. 40:1730.22 (A) and (D) are hereby amended and reenacted and R.S. 40:1730.22 (G) and (H) are hereby enacted to read as follows:

§1730.22. Louisiana State Uniform Construction Code Council; membership; function of council; meeting requirements; immunity

A.**(1)** The Louisiana State Uniform Construction Code Council, hereinafter in this Part referred to as the "council", is hereby created and shall consist of ~~twenty~~

1 ~~seventeen~~ members, one of whom shall be the state health officer or his designee,
2 and one of whom shall be the fire marshal or his designee. as follows:

3 (a) The fire marshal or his designee.

4 (b) Two building code enforcement officers registered with the Louisiana
5 State Uniform Construction Code Council.

6 (c) One member who shall have had the greater part of their professional
7 experience as licensed electrician or licensed plumber.

8 (d) One member who shall have had the greater part of his professional
9 experience as a licensed mechanical engineer.

10 (e) Two members each of whom shall have had the greater part of his
11 professional experience as a licensed architect, one of whom shall be a member
12 of the American Institute of Architects of Louisiana.

13 (f) One member who shall have had the greater part of his professional
14 experience as a licensed structural engineer.

15 (g) One member representing the Louisiana Home Builders Association.

16 (h) One member representing the Associated Builders and Contractors.

17 (i) One member who shall have had the greater part of his professional
18 experience as a licensed residential contractor.

19 (j) One member who shall have had the greater part of his professional
20 experience as a licensed commercial contractor and who is a member of the
21 Louisiana Associated General Contractors.

22 (k) One member who shall have had the greater part of his professional
23 experience in the insurance industry.

24 (l) One member representing the Building Officials Association of
25 Louisiana.

26 (m) One member representing the Louisiana Building Code Alliance.

27 (n) Two members at-large.

28 (2) With the exception of the state health officer or his designee and the fire
29 marshal or his designee, who shall serve by virtue of his position, each member of
30 the council shall be appointed by the governor, subject to Senate confirmation, and

1 shall serve at the pleasure of the governor. With the exception of ~~the state health~~
 2 ~~officer or his designee and~~ the fire marshal or his designee, each term for a member
 3 of the council shall be four years where a member shall serve no more than two
 4 consecutive terms. Each member of the council shall serve without compensation but
 5 ~~shall~~ **may** be reimbursed for actual expenses and mileage incurred while attending
 6 council meetings in accordance with state travel regulations promulgated by the
 7 division of administration. ~~Reimbursement shall be limited to mileage and expenses~~
 8 ~~for the attendance of twelve meetings per calendar year.~~ **The executive director**
 9 **shall have the authority to use the board funds for the operations of the**
 10 **Louisiana State Uniform Construction Code Council.**

11 * * *

12 D.**(1)** The council shall elect from its members a chairman and vice chairman.
 13 ~~The chairman shall serve as chairman for a maximum of four years from the date of~~
 14 ~~his election.~~ The council shall adopt regulations under the Administrative Procedure
 15 Act in order to implement the provisions of this Part. A meeting may be called by the
 16 chairman on his own initiative and must be called by him at the request of three or
 17 more members of the council within fourteen days of such request. Each member
 18 ~~must~~ **shall** be notified by the chairman in writing of the time and place of the
 19 meeting at least seven days before the meeting. Each meeting shall be open to the
 20 public and any official decision of the council may be made only by a vote of at least
 21 two-thirds of those members in attendance at the meeting provided that a quorum is
 22 established prior to a vote. A majority of members of the council shall constitute a
 23 quorum.

24 **(2) The domicile of the council shall be East Baton Rouge Parish. The**
 25 **council shall meet bi-monthly in East Baton Rouge Parish, unless directed to**
 26 **meet more often by the chairman.**

27 **(3) The governor may remove any member of the council for cause or at**
 28 **the request of the chairman for failure to attend more than half of regularly**
 29 **scheduled meetings within a twelve-month period.**

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1 **G. The executive director of the State Licensing Board for Contractors**
2 **shall serve as the executive director of the council and shall not have voting**
3 **privileges.**

4 **H. Notwithstanding any other provisions to the contrary and to the**
5 **extent deemed necessary or appropriate for the efficient implementation of its**
6 **responsibilities under this Chapter, the State Licensing Board for Contractors**
7 **is hereby vested with the authority to delegate its powers and duties to its staff.**
8 **The executive director shall have the authority to designate the board's staff to**
9 **the Louisiana State Uniform Construction Code Council as needed.**

10 Section 3. R.S. 36:409(A)(3) is hereby repealed.

11 Section 4. The provisions of this Act shall supercede and control any conflict with
12 R.S. 40:1730.22(A) as amended by Section 1 of Act 534 of the 2024 Regular Session of the
13 Legislature.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____