
SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Engrossed Senate Bill No. 44 by Senator Hollis

1 AMENDMENT NO. 1

2 On page 1, line 3 after "1730.39" insert "and to repeal Part IV-A of Chapter 8 of Title 40 of
3 the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1725 through 1730.1,"

4 AMENDMENT NO. 2

5 On page 1, line 7 after "relief;" insert the following:

6 "to provide for agreements with other governmental entities; to provide for council's
7 code adoption authority; to provide for adoption of emergency wind and flood
8 provisions; to provide for construction of industrial facilities; to provide for
9 applicable codes for inspections; to provide for application and issuance of
10 certificates of registration; to provide for revocation authority and injunctive relief;
11 to provide for continuing education; to provide for authority of state fire marshal; to
12 repeal the current state uniform construction code;"

13 AMENDMENT NO. 3

14 On page 2, line 3 after "**therein**" insert a period "." and delete the remainder of the line and
15 at the beginning of line 4 delete "**unsafe conditions in existing buildings.**"

16 AMENDMENT NO. 4

17 On page 2, line 7 after "**buildings,**" and insert "**balanced with affordability,**"

18 AMENDMENT NO. 5

19 On page 3, line 25 delete "**plumbing industry**" and insert "**Louisiana Association of**
20 **Plumbing Heating Cooling Contractors**"

21 AMENDMENT NO. 6

22 On page 4, at the beginning of line 18 after "**A.**" delete "**All**" and insert "**Notwithstanding**
23 **any other law to the contrary, all**"

24 AMENDMENT NO. 7

25 On page 4, delete lines 20 through 23 in their entirety and insert the following:

26 "**B. Nothing in this Part shall conflict with the Federal Department of**
27 **Housing and Urban Development's regulations regarding manufactured**
28 **housing construction or the provisions of R.S. 51:912.**"

29 AMENDMENT NO. 8

30 On page 4, between lines 23 and 24 insert the following:

31 "**C. In connection with the construction of any building, structure, or**
32 **other improvement to immovable property, neither the performance of any**
33 **enforcement procedure nor any provision of a building code shall constitute or**
34 **be construed as a warranty or guarantee by an enforcement agency as to**
35 **durability or fitness, or as a warranty or guarantee by an enforcement official**
36 **that said building, structure, or other improvement to immovable property or**
37 **any materials, equipment, or method or type of construction used therein is or**

1 will be free from defects, will perform in a particular matter, is fit for a
2 particular purpose, or will last in any particular way."

3 AMENDMENT NO. 9

4 On page 4, at the beginning of line 25 insert "A."

5 AMENDMENT NO. 10

6 On page 5, between lines 3 and 4 insert the following:

7 "B. A commercial or residential contractor may establish agreements
8 with certified third party providers to inspect and enforce the state uniform
9 construction code. A third party provider must be certified by the International
10 Code Council and registered with the Louisiana State Uniform Code Council."

11 AMENDMENT NO. 11

12 On page 5, at the beginning of line 6 insert "A." and after "parish" insert "and
13 municipality"

14 AMENDMENT NO. 12

15 On page 5, line 9 after "building official." delete the remainder of the line and delete line
16 10 in its entirety and at the beginning of line 11 delete "building official within the
17 municipal limits."

18 AMENDMENT NO. 13

19 On page 5, between lines 15 and 16 insert the following:

20 "B. Notwithstanding the provisions of Paragraph (A), a parish or
21 municipality may utilize the services of a certified building inspector in lieu of
22 a certified building official to enforce the provisions of this Part. The provisions
23 of this Paragraph shall become null and void and of no effect on and after
24 January 1, 2010."

25 AMENDMENT NO. 14

26 On page 5, line 18 after "council" delete "is authorized to" and insert "shall"

27 AMENDMENT NO. 15

28 On page 6, at the beginning of line 1 after "A." delete the remainder of the line and at the
29 beginning of line 2 delete "areas after August 31, 2005," and insert the following:

30 "The parishes of Calcasieu, Cameron, Iberia, Jefferson, Lafouche, Orleans,
31 Plaquemines, St. Bernard, St. Tammany, Terrebone, and Vermilion"

32 AMENDMENT NO. 16

33 On page 6, line 18 change "thirty" to "ninety"

34 AMENDMENT NO. 17

35 On page 7, delete lines 15 through 19 in their entirety.

36 AMENDMENT NO. 18

37 On page 7, at the beginning of line 20 change "(b)" to "(a)"

1 AMENDMENT NO. 19

2 On page 7, at the beginning of line 24 change "(c)" to "(b)"

3 AMENDMENT NO. 20

4 On page 7, at the beginning of line 25 change "(d)" to "(c)"

5 AMENDMENT NO. 21

6 On page 7, at the beginning of line 27 change "(e)" to "(d)"

7 AMENDMENT NO. 22

8 On page 7, at the beginning of line 29 change "(f)" to "(e)"

9 AMENDMENT NO. 23

10 On page 8, line 7 after "Code" insert ", not including Chapter 27-Electrical and Chapter
11 29 - Plumbing Systems,"

12 AMENDMENT NO. 24

13 On page 8, line 7 after "by the" delete "Louisiana" and delete line 8 in its entirety and insert
14 the following:

15 "state health officer acting through the office of public health of the Department
16 of Health and Hospitals."

17 AMENDMENT NO. 25

18 On page 8, at the beginning of line 18 delete "The" and insert the following:

19 "Excluding the applicable requirements of the Louisiana State Plumbing Code,
20 the"

21 AMENDMENT NO. 26

22 On page 8, after line 29 insert the following:

23 "(8) 422710 bulk stations and materials.
24 (9) 486110 crude oil pipelines.
25 (10) 486910 refined petroleum products pipelines.
26 (11) 486210 natural gas pipelines.
27 (12) 486990 other pipelines."

28 AMENDMENT NO. 27

29 On page 9, delete lines 15 through 20 in their entirety and insert the following:

30 "D. In order to qualify as a farm structure, the person owning the
31 property, shall, prior to construction, file a written statement with the parish
32 or municipal official responsible for enforcing the building code which states
33 that the structure is being constructed as a farm structure. The statement must
34 set forth the purpose or intended use of the proposed structure or addition."

35 AMENDMENT NO. 28

36 On page 11, line 4 after "council." insert the following:

1 **"The council and its members shall be subject to the Open Meetings Law, the**
2 **Public Records Law, and the Code of Governmental Ethics."**

3 AMENDMENT NO. 29

4 On page 12, line 3 after "**Section.**" delete the remainder of the line and delete line 4 in its
5 entirety and insert the following:

6 **"This registration for building code officials is valid for four years and may be**
7 **renewed. This registration for residential building code inspectors is valid for**
8 **six months and may be renewed."**

9 AMENDMENT NO. 30

10 On page 12, line 16 after "**Part.**" insert the following:

11 **"A person, not employed by a parish or municipality or the State of Louisiana**
12 **as a code enforcement officer, who intentionally violates the provisions of this**
13 **Part shall be guilty of a misdemeanor and, upon conviction, may be fined not**
14 **more than two hundred dollars or imprisoned not more than thirty days. Each**
15 **day the violation continues is a separate offense."**

16 AMENDMENT NO. 31

17 On page 13, line 7 after "**marshal**" insert "**and state health officer**"

18 AMENDMENT NO. 32

19 On page 13, between lines 18 and 19 insert the following:

20 **"D. Nothing in this Part shall be construed so as to prevent the state**
21 **health officer from enforcing Part XIV (Plumbing) of the Public Health-**
22 **Sanitary Code, the enforcement of which are his statutory and regulatory**
23 **responsibility."**