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## DIGEST

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HB 598 Reengrossed

2022 Regular Session

Selders

**Abstract:** Prohibits an inspector from using discretion in determining what codes are applicable to an inspection and provides guidelines for making a determination when doubt otherwise exists.

Present law sets forth the method of determining what building codes are applicable to a given inspection.

Under present law, buildings must be inspected using the guidelines set forth in the codes effective on the date the original building permit was issued.

Proposed law retains present law but expressly requiring an inspector to use the building inspection codes in effect on the date the original building permit was issued when inspecting residential buildings for occupancy and utility reconnection purposes. Proposed law further provides that when conducting inspections for such purposes, the intent of the inspection is to determine the general safety of the building and whether it is appropriate for occupancy.

Present law provides that in the event the issuance date of an original building permit cannot be found, the date of the completed permit application must be used for inspection.

Proposed law retains present law but expressly requires an inspector to conduct the inspection using the building inspection codes in effect on the date the original building permit application was submitted.

Present law requires the building official of the applicable parish planning authority to use property, mortgage, tax, or rent records to determine the nearest date.

Proposed law retains present law, but requires the building official of the applicable parish planning authority to use court records or other available documents to determine the nearest date to the issuance of the of the original permit. Should the building official determine a date pursuant to proposed law, proposed law expressly requires the inspector to use the codes in effect on the date determined by the building official.

Proposed law adds that if there is still a question as to which codes should be applied because a date cannot be determined under present and proposed law, an inspector shall conduct his inspection using the least restrictive codes in effect during the period of time beginning one calendar year prior to the date of the earliest recorded property transfer and ending one calendar year after the earliest

date of transfer.

Proposed law prohibits an inspector from choosing what codes to use when conducting his inspection.

(Amends R.S. 40:1730.33)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Add a provision to specify the applicability of present law and proposed law.
2. Change the term "planning director" to "building official" throughout proposed law.