

RÉSUMÉ DIGEST

ACT 705 (HB 598)

2022 Regular Session

Selders

Existing law sets forth the method of determining the building codes that are applicable to a particular building inspection.

Under prior law, buildings were required to be inspected using the guidelines set forth in the codes effective on the date the original building permit was issued.

New law expressly requires 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. New 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.

Prior law provided 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.

New law requires an inspector to conduct the inspection using the building inspection codes in effect on the date the original building permit application was submitted.

Prior law required the director of the applicable parish planning authority to use property, mortgage, tax, or rent records to determine the nearest possible date, if no date of application for, or date of issuance of a building permit is available.

New law 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 original permit. If the building official determines a date pursuant to new law, new law requires the inspector to use the codes in effect on the date determined by the building official.

New law adds that if there is still a question as to which codes should be applied because a date cannot be determined under existing law or new 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.

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

Effective August 1, 2022.

(Amends R.S. 40:1730.33)