**A** **BILL**

TO AMEND SECTION 6-9-40(A) OF THE 1976 CODE, RELATING TO BUILDING CODE ADOPTION PROCEDURES, TO PROVIDE THAT THE SOUTH CAROLINA BUILDING CODES COUNCIL IS AUTHORIZED TO REVIEW, ADOPT, MODIFY, OR DENY AND PROMULGATE THE RESIDENTIAL BUILDING CODES WITHIN A CERTAIN TIMEFRAME, TO PROVIDE THAT THE COUNCIL MAY MODIFY, AMEND, OR DENY THE STUDY COMMITTEE’S REPORT OF RECOMMENDATIONS UNDER CERTAIN CIRCUMSTANCES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 6-9-40(A) of the 1976 Code is amended to read:

“Section 6-9-40. (A)(1) The council is authorized to review, adopt, modify, and promulgate the residential building codes referenced in Section 6‑9‑50, no later than six years from the date of publication of the previously adopted South Carolina Building Codes, and the commercial building codes, referenced in Section 6‑9‑50, no later than three years from the date of publication of the previously adopted South Carolina Building Codes, provided that:

~~(1)~~(a) a notice of intention to adopt a code, adopt a new edition of a code, or modify an existing code must be published in the State Register as a Notice of General Interest, on websites published by the Department of Labor, Licensing and Regulation, and must be provided to each local building department with instructions for its prominent display;

~~(2)~~(b) the notice must include:

~~(a)~~(i) the address to which interested persons may submit written comments; and

~~(b)~~(ii) a period of not less than one hundred eighty days during which comments may be received;

~~(3)~~(c) comments must be assigned to a study committee appointed by the council which shall publish Notice of General Interest in the same manner as provided in item (1) setting out the committee’s scope of review. The notice must give instructions for filing an intention to appear before or provide evidence or comments to the committee, or both. The committee must be comprised of at least three people with different technical backgrounds; and

~~(4)~~(d) the committee shall hold at least one public meeting, accept evidence and comments, and make a written recommendation to the council. Within one hundred eighty days from the end of the comment period, the council shall adopt, modify, or deny the recommendations from the committee. The council may modify or amend the code after a finding on the record that the modifications provide a reasonable degree of public health, safety,and welfare.

(2) Any amended or modified code shall be codified as provided for in Section 1‑23‑90. The council shall determine whether the amended or modified code becomes effective on the first day of January or July.”

SECTION 2. This act takes effect upon approval by the Governor.

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