**South Carolina General Assembly**

120th Session, 2013-2014

**A179, R196, H4578**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Sandifer, Toole, Rivers, Erickson and Long

Document Path: l:\council\bills\dka\3149ahb14.docx

Introduced in the House on February 4, 2014

Introduced in the Senate on March 5, 2014

Last Amended on March 4, 2014

Passed by the General Assembly on April 30, 2014

Governor's Action: May 16, 2014, Signed

Summary: Modular Buildings Construction Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/4/2014 House Introduced and read first time ([House Journal‑page 32](file:///H:\HJ%20Archive\2014\02-04-14.docx))

2/4/2014 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 32](file:///H:\HJ%20Archive\2014\02-04-14.docx))

2/19/2014 House Member(s) request name added as sponsor: Toole

2/27/2014 House Committee report: Favorable with amendment **Labor, Commerce and Industry** ([House Journal‑page 2](file:///H:\HJ%20Archive\2014\02-27-14.docx))

3/4/2014 House Member(s) request name added as sponsor: Rivers, Erickson, Long

3/4/2014 House Amended ([House Journal‑page 128](file:///H:\HJ%20Archive\2014\03-04-14.docx))

3/4/2014 House Read second time ([House Journal‑page 128](file:///H:\HJ%20Archive\2014\03-04-14.docx))

3/4/2014 House Roll call Yeas‑103 Nays‑0 ([House Journal‑page 129](file:///H:\HJ%20Archive\2014\03-04-14.docx))

3/5/2014 House Read third time and sent to Senate ([House Journal‑page 16](file:///H:\HJ%20Archive\2014\03-05-14.docx))

3/5/2014 Senate Introduced and read first time ([Senate Journal‑page 11](file:///H:\SJ%20Archive\2014\03-05-14.docx))

3/5/2014 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 11](file:///H:\SJ%20Archive\2014\03-05-14.docx))

3/6/2014 Senate Recalled from Committee on **Judiciary** ([Senate Journal‑page 1](file:///H:\SJ%20Archive\2014\03-06-14.docx))

3/6/2014 Senate Committed to Committee on **Labor, Commerce and Industry** ([Senate Journal‑page 1](file:///H:\SJ%20Archive\2014\03-06-14.docx))

4/15/2014 Senate Committee report: Favorable **Labor, Commerce and Industry** ([Senate Journal‑page 26](file:///H:\SJ%20Archive\2014\04-15-14.docx))

4/29/2014 Senate Read second time ([Senate Journal‑page 40](file:///H:\SJ%20Archive\2014\04-29-14.docx))

4/29/2014 Senate Roll call Ayes‑39 Nays‑0 ([Senate Journal‑page 40](file:///H:\SJ%20Archive\2014\04-29-14.docx))

4/30/2014 Senate Read third time and enrolled ([Senate Journal‑page 34](file:///H:\SJ%20Archive\2014\04-30-14.docx))

5/15/2014 Ratified R 196

5/16/2014 Signed By Governor

5/27/2014 Effective date 05/16/14

6/2/2014 Act No. 179

**VERSIONS OF THIS BILL**

[2/4/2014](file:///p:\pprever\2013-14\4578_20140204.docx)

[2/27/2014](file:///p:\pprever\2013-14\4578_20140227.docx)

[3/4/2014](file:///p:\pprever\2013-14\4578_20140304.docx)

[3/6/2014](file:///p:\pprever\2013-14\4578_20140306.docx)

[4/15/2014](file:///p:\pprever\2013-14\4578_20140415.docx)

(A179, R196, H4578)

**AN ACT TO AMEND SECTION 23‑43‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS OF THE SOUTH CAROLINA MODULAR BUILDINGS CONSTRUCTION ACT, SO AS TO REVISE THE DEFINITION OF THE TERM “APPROVED INSPECTION AGENCY” TO REQUIRE THAT AN APPROVED INSPECTION AGENCY RETAIN A BUILDING CONSTRUCTION‑ORIENTED ENGINEER OR ARCHITECT TO ENSURE COMPLIANCE; TO AMEND SECTION 23‑43‑90, RELATING TO INSPECTION AND CERTIFICATION OF A MODULAR BUILDING, SO AS TO PROVIDE THAT FINAL PLAN APPROVAL FOR A SINGLE FAMILY RESIDENTIAL MODULAR BUILDING BE PERFORMED BY AN APPROVED INSPECTION AGENCY, AND TO PROVIDE THAT FINAL APPROVAL FOR A COMMERCIAL MODULAR BUILDING BE PERFORMED BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION; AND TO AMEND SECTION 23‑43‑80, RELATING TO CERTIFICATION BY THE SOUTH CAROLINA BUILDING CODES COUNCIL, SO AS TO MAKE A CONFORMING CHANGE.**

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

**Modular Buildings Construction Act, definition revised**

SECTION 1. Section 23‑43‑20(6) of the 1976 Code is amended to read:

“(6) ‘Approved inspection agency’ means an agency approved by the council to provide plan review and approval, evaluation, and inspection in addition to adequate follow‑up services at the point of manufacture to insure that production units are in full compliance with the provisions of this chapter. An approved inspection agency must retain a building construction‑oriented South Carolina registered professional engineer or architect who must be responsible for compliance with this chapter and regulations of the council.”

**Modular Buildings Construction Act, final plan review procedures, approval by approved inspection agency**

SECTION 2. Section 23‑43‑90 of the 1976 Code is amended to read:

“Section 23‑43‑90. (A) An approved inspection agency shall perform final plan review and approval, inspection, and certification of a single family residential modular building. Upon final plan review and approval by an approved inspection agency of a plan as meeting the requirements of this chapter and the regulations of the council, a copy of the approved plan must be filed with the Department of Labor, Licensing and Regulation. Upon filing of an approved plan with the department by an approved inspection agency, a manufacturer may request from the department certification labels for units manufactured to the approved plan. Each certification label must bear the serial number of the unit for which it is issued and only may be attached upon final inspection by an approved inspection agency.

(B) An approved inspection agency shall perform plan approval, inspection, and certification of commercial or multifamily modular buildings. Upon review by the approved inspection agency, the plans must be submitted to the Department of Labor, Licensing and Regulation for final plan review and approval.”

**Modular Buildings Construction Act, conforming change**

SECTION 3. Section 23‑43‑80 of the 1976 Code is amended to read:

“Section 23‑43‑80. Modular buildings must be certified by the council, as complying with this chapter and the regulations promulgated by authority of this chapter, if they have been manufactured in accordance with approved building systems and passed inspection in accordance with an approved compliance assurance program in Section 23‑43‑90. Certification is evidenced by the attachment to each modular building, a label issued by the council. Certification labels can only be attached to a modular building by the manufacturer under the supervision of the approved inspection agency. A certified modular building may not be altered in any way prior to the issuance of all permits required by local government without the council’s approval.”

**Time effective**

SECTION 4. This act takes effect upon approval by the Governor.

Ratified the 15th day of May, 2014.

Approved the 16th day of May, 2014.

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