

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 222, Page 5, Section  
2 67.137, Line 3, by inserting after all of said section and line the following:

3  
4 "67.488. 1. This section shall be known and may be cited as the "Building Permit Reform  
5 Act".

6 2. For purposes of this section, the term "exempt homeowner" means a resident,  
7 noncorporate owner of a detached, single-family residence.

8 3. (1) No political subdivision shall require an exempt homeowner to obtain any license,  
9 certification, or professional registration or submit to any examination or testing as a condition of  
10 applying for or utilizing a building or construction permit, provided all work is performed by the  
11 owner or other current resident.

12 (2) If an exempt homeowner transfers ownership of the property within one year of  
13 completing any work performed under the provisions of this subsection, the relevant political  
14 subdivision is permitted to assess a one-time administration fee in an amount not to exceed five  
15 thousand dollars. The homeowner shall be informed of this potential administration fee at the time  
16 of permit application.

17 (3) Nothing in this subsection shall be construed to prohibit the enforcement of any  
18 applicable building codes or relevant inspections as otherwise required by ordinance or law.

19 (4) Nothing in this subsection shall be construed to prohibit an owner from hiring a  
20 contractor otherwise authorized by law to perform work on behalf of the owner.

21 (5) The provisions of this subsection shall not apply to:

22 (a) Any structure being rented, leased, subleased, or otherwise occupied outside of the  
23 owner's principal residence;

24 (b) Any gas appliance installation or repair or any work that requires the installation or  
25 modification of any device or delivery system that utilizes a combustible fuel source; or

26 (c) The act of making a direct connection to publicly provided water or sewer service, or the  
27 modification to such existing connections at the point of service.

28 4. No political subdivision shall require any permit, license, variance, or other type of prior  
29 approval for an exempt homeowner to perform any of the following activities, provided all work is  
30 performed by the owner or other current resident:

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1       (1) Replacing an existing electric appliance with a substantially similar one, provided no  
2 major additions or modifications to existing building wiring are performed;

3       (2) Replacing an existing sink, faucet, or dishwasher, provided no major modifications to  
4 existing building plumbing are performed;

5       (3) Repairing, replacing, or installing gypsum board, plaster, or other nonstructural interior  
6 wall covering or cladding; and

7       (4) Repairing, replacing, or installing carpet, tile, vinyl, or other floor coverings.

8       5. Any political subdivision that fails to perform an inspection pursuant to a permit within  
9 ten business days of a request made by an exempt homeowner shall refund fifty percent of any  
10 charges assessed for the permit. If the inspection is not performed within twenty business days from  
11 the initial request, the political subdivision shall waive the inspection requirements and allow the  
12 exempt homeowner to proceed as if the exempt homeowner had passed the inspection.

13       6. No exempt homeowner shall be charged a fee to extend or renew an expiring building or  
14 construction permit, provided the permit is not allowed to expire prior to renewal. No limit shall be  
15 placed on the number of extensions or renewals of permits issued to exempt homeowners unless the  
16 work being performed is visible from neighboring properties or adjacent streets. Nothing in this  
17 subsection shall be construed to prohibit a political subdivision from requiring job sites with  
18 uncompleted work to be maintained in a state that does not pose an imminent threat to public health  
19 or safety.

20       7. No exempt homeowner shall be assessed a fine or fee for work done without a permit in  
21 an amount greater than double the charge that would have been assessed if the permit had been  
22 issued at the time the unpermitted work was discovered.

23       8. No exempt homeowner shall be required to destroy, remove, or substantially alter any  
24 structure or part of a structure upon which work was previously done without permits unless the  
25 political subdivision having jurisdiction can demonstrate through photographic or similar objective  
26 evidence that the work performed did not meet applicable building codes or safety standards in  
27 place at the time the work was performed.

28       9. (1) No political subdivision shall issue a stop-work order, citation, penalty, or  
29 requirement for remediation for any ordinance or building code violation discovered during an  
30 inspection if the violation found is outside the scope of work that was requested to be inspected.

31       (2) Nothing in this subsection shall be interpreted to prohibit the production of a report  
32 detailing such violations found, provided the report is provided directly to the homeowner for  
33 informational purposes only and is not retained or otherwise utilized or distributed by the political  
34 subdivision or its agents.

35       10. Any exempt homeowner who applies for any building or construction permit and  
36 subsequently fails an inspection performed pursuant to such permit shall be informed in writing as  
37 to the reasons the inspection was deemed a failure and the actions required to be taken to pass a  
38 follow-up inspection.

1       11. No exempt homeowner shall be assessed a charge to reinspect previously inspected  
2 work for an amount that exceeds the cost of the initial permit or inspection unless a period of over  
3 ninety days has elapsed since the original inspection.

4       12. If the state or any of its political subdivisions enacts a statute, ordinance, or  
5 administrative rule that incorporates by reference any third-party standard or code otherwise subject  
6 to copyright protection, the state or political subdivision responsible for the statute, ordinance, or  
7 administrative rule shall provide, upon request and free of charge in a digital or physical format, the  
8 third-party standard or code incorporated by reference. Access to a physical format in a temporary  
9 or time-limited manner is sufficient to meet the requirements of this subsection provided that a  
10 physical copy may remain in the possession of the requester until the completion of any currently  
11 permitted work. The state or political subdivision shall pay all costs associated with providing the  
12 third-party standard or code, except that the state or political subdivision may alternatively declare  
13 by executive or administrative act that the provisions of the standard or code incorporated by  
14 reference shall be repealed and not enforced until such repeal is achieved.

15       13. Notwithstanding any other provision of law, no agent of a political subdivision shall  
16 have the authority to enter into a private residence for the purpose of performing a safety inspection  
17 or investigation into municipal or code violations without first securing permission from the  
18 property owner or the owner's designee or a warrant from a court of competent jurisdiction.

19       14. Nothing in this section shall be construed to require any political subdivision to enact  
20 any building codes or standards where none currently exist."; and

21  
22 Further amend said bill, Page 8, Section 89.380, Line 25, by inserting after all of said section and  
23 line the following:

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25       "90.520. When any incorporated city or town shall have decided to establish and maintain  
26 public parks under sections 90.500 to 90.570, the mayor of such city [~~shall~~] may, with the approval  
27 of the legislative branch of the municipal government, proceed to appoint a board of nine directors  
28 for the same, chosen from the citizens at large with reference to their fitness for such office, and no  
29 member of the municipal government shall be a member of the board."; and

30  
31 Further amend said bill by amending the title, enacting clause, and intersectional references  
32 accordingly.