

HB 2282 -- BUILDING PERMIT REFORM ACT

SPONSOR: Lovasco

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Government Efficiency and Downsizing by a vote of 8 to 2. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 7 to 3.

This bill establishes the "Building Permit Reform Act". "Exempt homeowner" is defined for purposes of this section as a resident, noncorporate owner of a detached, single-family residence.

The bill prohibits a political subdivision from requiring an exempt homeowner to obtain a license, certification, or professional registration or be tested as a condition of applying for a building permit if all work is done by the owner. If the property is transferred by the owner within one year of completing any work, the political subdivision may assess the homeowner with a one-time administration fee not to exceed \$5,000. Applicable building codes or inspections required by law are not prohibited. The owner can hire a contractor. Certain instances to which these provisions do not apply are specified in the bill.

Certain activities for which the political subdivision can not require an exempt homeowner to get a permit, license, variance, or other prior approval are detailed in the bill.

A permit inspection not made within 10 business days of an exempt homeowner request will result in 50% of the permit charges being refunded. If not made within 20 business days, the inspection will be waived and the exempt homeowner can proceed as if the inspection were passed.

Provided the permit is not allowed to expire prior to renewal, an exempt homeowner will not be charged a fee to extend or renew a permit, no matter how many times it is renewed, unless the work is visible from the neighboring properties or adjacent streets. A political subdivision may require a job site with uncompleted work to be maintained in a state that does not pose an imminent threat

No exempt homeowner will be assessed a fine or fee for unpermitted work in an amount greater than double of what would have been charged if a permit had been issued at the time it was discovered. No exempt homeowner will be required to undo work that has been done without a permit unless the political subdivision can prove by photographic or similar objective evidence that the work performed did not meet code or safety standards.

These provisions do not require any political subdivision to enact building codes or standards if none currently exist.

This bill is similar to HCS HB 625 (2023).

PROPONENTS: Supporters say that this bill will protect the ability of municipalities to enforce their building codes while allowing homeowners to perform work on their home.

Testifying in person for the bill were Representative Lovasco and the Opportunity Solutions Project.

OPPONENTS: Those who oppose the bill say that building codes and permits are necessary for keeping homeowners and the public safe. The maximum fine amount of \$5,000 in this bill is too small, and the one year time limit is too short. This could easily be abused by negligent and unqualified home flippers. Also, the language stating that the permit be waived if the political subdivision doesn't respond within 20 days is also dangerous. Required inspections and permits should never be waived.

Testifying in person against the bill was the Sierra Club Missouri Chapter.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.