

FIRST REGULAR SESSION

HOUSE BILL NO. 939

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE JONES (12).

1612H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 67.280, RSMo, and to enact in lieu thereof one new section relating to building codes.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 67.280, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 67.280, to read as follows:

67.280. 1. As used in this section, the following terms mean:

- (1) "Code", any published compilation of rules prepared by various technical trade associations, federal agencies, this state or any agency thereof, but shall be limited to: regulations concerning the construction of buildings and continued occupancy thereof; mechanical, plumbing, and electrical construction; and fire prevention;
- (2) "Community", any county, fire protection district or municipality;
- (3) "County", any county in the state;
- (4) "Fire protection district", any fire protection district in the state;
- (5) "Municipality", any incorporated city, town or village.

2. Any community, if the community otherwise has the power under the law to adopt such an ordinance, may adopt or repeal an ordinance which incorporates by reference the provisions of any code or portions of any code, or any amendment thereof, properly identified as to date and source, without setting forth the provisions of such code in full. At least one copy of such code, portion or amendment which is incorporated or adopted by reference, shall be filed in the office of the clerk of the community and there kept available for public use, inspection, and examination. The filing requirements herein prescribed shall not be deemed to be complied with unless the required copies of such codes, portion, or amendment or public

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 record are filed with the clerk of such community for a period of ninety days prior to the
19 adoption of the ordinance which incorporates such code, portion, or amendment by reference.

20 3. Any ordinance adopting a code, portion, or amendment by reference shall state the
21 penalty for violating such code, portion, or amendment, or any provisions thereof separately,
22 and no part of any such penalty shall be incorporated by reference.

23 **4. (1) Notwithstanding any other provision of law to the contrary, no county or**
24 **municipality shall enact, adopt, or maintain any ordinance, resolution, regulation, code,**
25 **or policy that mandates an owner, builder, or developer to implement green or otherwise**
26 **excessive building design and construction practices that threaten affordability in the**
27 **construction, maintenance, repair, or renovation of one- or two-family dwellings,**
28 **condominiums, or multiunit townhouses including, but not limited to:**

29 (a) Sustainable building standards or features;

30 (b) High-performance standards or features;

31 (c) Energy efficiency standards or features;

32 (d) Environmentally responsive standards or features;

33 (e) Standards or features exceeding standards or features defined in the 2009
34 International Residential Code (IRC); or

35 (f) Standards established in the 2009 International Energy Conservation Code
36 (IECC).

37 (2) An ordinance, resolution, regulation, code, or policy enacted, adopted, or
38 maintained in violation of this subsection shall be null and void.

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