

HB 1309 -- BUILDING PERMIT REFORM ACT

SPONSOR: Hewkin

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Government Efficiency by a vote of 12 to 5. Voted "Do Pass" by the Standing Committee on Rules-Legislative by a vote of 7 to 3.

This bill establishes the "Building Permit Reform Act".

The bill prohibits a political subdivision from requiring an exempt homeowner, as defined in the bill, to obtain any 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 or other current resident.

If the property is transferred by the owner within one year of completing any work, the political subdivision can assess the homeowner a one-time administrative fee not to exceed \$5,000. This is not to be construed to prohibit the enforcement of applicable building codes otherwise required by law. Certain instances to which these provisions do not apply are specified in the bill.

Certain activities for which the political subdivision cannot require an exempt homeowner to get a permit, license, variance, or other prior approval are described 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 property has passed the inspection.

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 can require a job site with uncompleted work to be maintained in a state that does not pose an imminent threat to public health or safety.

No exempt homeowner will be assessed a fine or fee for unpermitted work in an amount greater than double 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.

This bill is similar to HB 2282 (2024) and HCS HB 625 (2023).

PROPONENTS: Supporters say that the provisions of the bill do not allow for work that requires specialty training and that this allows for individuals to take care of simple maintenance and building expansions without the need to hire expensive contractors. Additional enthusiasm was expressed for a lessening of any administration fee when the property is sold.

Testifying in person for the bill were Representative Hewkin; Kansas City Home Builders Association; Tony Lovasco; Arnie C. Dienoff; and FGA Action.

OPPONENTS: Those who oppose the bill say that there are concerns with the language in the bill and a lack of clarity on who can do what work. This bill could create a situation where homes would be modified and sold without any inspection as to the safety of the residence.

Testifying in person against the bill were Mechanical Contracts Association of Eastern Missouri; Mechanical Contractors Association of Kansas City; Sheet Metal And Air Conditioning National Association; Plumbing Industry Council; Mechanical Contractors Association of Eastern Missouri; Mechanical Contractors Association of Kansas City; Plumbing Industry Council; Sheet Metal And Air Conditioning Contractors' National Association; and Municipal League Of Metro St. Louis.

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.