

SENATE BILL NO. 38

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY SENATOR THERRIAULT

Introduced: 1/21/03

Referred: Community and Regional Affairs, Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to construction, plumbing, mechanical, electrical, fire safety, and other**
2 **safety codes adopted by state agencies and municipalities; and providing for an effective**
3 **date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 18.60 is amended by adding a new section to read:

6 **Article 14. Miscellaneous Provisions.**

7 **Sec. 18.60.900. Safety codes.** (a) Unless otherwise required by federal law
8 and notwithstanding any other law to the contrary, a state agency or municipality that
9 has the authority to adopt a safety code may not adopt all or part of a safety code
10 developed by a third party unless

11 (1) all deliberations related to development of the code by the third
12 party were open to all interested parties and not limited to or qualified by a specific
13 professional status or occupational role; and

14 (2) to the extent practicable, the code as developed by the third party

1 complies with the requirements and standards recommended by the American
2 National Standards Institute and was developed by the third party through a consensus
3 process approved by the American National Standards Institute.

4 (b) Unless otherwise required by federal law and notwithstanding any other
5 law to the contrary, a safety code adopted by a state agency or municipality does not
6 take effect until three years after the code is adopted, unless the code specifies a later
7 date.

8 (c) In this section,

9 (1) "adopt" includes revision of a safety code;

10 (2) "safety code" means rules related to the construction standards,
11 plumbing standards, mechanical standards, electrical standards, fire safety standards,
12 or any other procedures or requirements that relate to the safety of structures;

13 (3) "state agency" includes the Alaska Housing Finance Corporation;

14 (4) "third party" means a person other than the state agency or
15 municipality adopting the safety code.

16 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
17 read:

18 **RETROACTIVITY.** This Act is retroactive to January 1, 2000.

19 * **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).