

**HOUSE BILL NO. 76**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVE RASMUSSEN**

**Introduced: 2/27/19**

**Referred:**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to a state residential code, the Alaska Housing Finance Corporation,**  
2 **and municipal building codes."**

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

4 **\* Section 1.** AS 18.56.300(a) is amended to read:

5 (a) The corporation may not make or purchase a housing loan for residential  
6 housing the construction of which begins after June 30, 1992, unless the seller of the  
7 mortgage loan complies with the provisions of this section and unless

8 (1) the unit is in compliance with the construction codes of the  
9 municipality, if the unit is located within a municipality that has adopted and enforces  
10 construction codes and each of those codes meets or exceeds the comparable standards  
11 for similar housing established by the state **residential** [BUILDING] code; or

12 (2) the unit is in compliance with the comparable standards for similar  
13 housing established by the state **residential** [BUILDING] code

14 (A) if the unit is located

1 (i) within a municipality whose construction codes do  
 2 not meet the standards for similar housing established by the state  
 3 **residential** [BUILDING] code;

4 (ii) within a municipality that does not enforce  
 5 construction codes; or

6 (iii) outside a municipality; or

7 (B) as to each specific code within the construction codes of  
 8 the municipality that has adopted and enforces construction codes if the  
 9 specific code does not meet or exceed the comparable standard for similar  
 10 housing established by the state **residential** [BUILDING] code.

11 \* **Sec. 2.** AS 18.56.300(b) is amended to read:

12 (b) As a condition of a commitment to purchase or approve a loan under this  
 13 section for residential housing the construction of which begins after June 30, 1992,  
 14 the corporation shall require inspection of the unit of residential housing that is the  
 15 subject of the loan. The inspection must be performed by a municipal building  
 16 inspector, by an individual who is registered under AS 08.18 to perform home  
 17 inspections for new construction, by an architect registered under AS 08.48, by an  
 18 engineer registered under AS 08.48, or by another person approved by the corporation.  
 19 When the unit of residential housing is located in a rural area, the person who makes  
 20 the inspection may use methods other than a personal physical inspection to make the  
 21 inspection if the method is approved by the corporation, and variations from the  
 22 applicable code may be accepted at the corporation's discretion, if the person  
 23 authorized to inspect the unit under this subsection satisfies the corporation that the  
 24 variation does not adversely affect the structural integrity of the unit or the health and  
 25 safety of the residents. The person who makes the inspection shall determine whether  
 26 the construction conforms to relevant provisions of the construction codes of the  
 27 municipality or of the state **residential** [BUILDING] code, as applicable, at each of  
 28 the following stages of construction:

- 29 (1) plan approval;  
 30 (2) completion of footings and foundations;  
 31 (3) completion of electrical installation, plumbing, and framing;

1 (4) completion of installation of insulation;

2 (5) final approval.

3 \* **Sec. 3.** AS 18.56 is amended by adding a new section to read:

4 **Sec. 18.56.310. State residential code.** (a) Notwithstanding AS 18.60.705 and  
5 except as provided in (b) of this section, the 2018 International Residential Code is  
6 adopted as the state residential code. The state residential code is the minimum  
7 standard for residential construction in the state.

8 (b) The board may adopt by regulation under AS 18.56.088 as the state  
9 residential code

10 (1) a later edition of the International Residential Code; or

11 (2) another nationally recognized code.

12 (c) If a municipality adopts a construction code, the construction code must  
13 meet or exceed the comparable standards for similar housing established by the state  
14 residential code established under (a) of this section, except that, if the board has  
15 adopted another code as the state residential code under (b) of this section, the  
16 construction code adopted by the municipality must meet or exceed the comparable  
17 standards for similar housing established by the state residential code established  
18 under (b) of this section.

19 \* **Sec. 4.** AS 18.56.900 is amended by adding a new paragraph to read:

20 (3) "state residential code" means the state residential code adopted  
21 under AS 18.56.310.

22 \* **Sec. 5.** AS 18.56.300(e)(3) is repealed.

23 \* **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to  
24 read:

25 **TRANSITION: BUILDING CODES OF MUNICIPALITIES.** If, on the effective date  
26 of this Act, the building code of a municipality does not meet or exceed the comparable  
27 standards for similar housing established by the state residential code, the municipality shall  
28 modify its building code within two years after the effective date of this Act to meet or exceed  
29 the comparable standards for similar housing established by the state residential code. In this  
30 section, "state residential code" means the state residential code established under  
31 AS 18.56.310, enacted by sec. 3 of this Act.