

**SB215 ENGROSSED**



1 144BLL-2  
2 By Senators Hatcher, Beasley, Coleman-Madison, Stewart,  
3 Coleman, Elliott, Gudger, Price, Jones, Givhan  
4 RFD: Fiscal Responsibility and Economic Development  
5 First Read: 19-Apr-23  
6  
7 2023 Regular Session



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A BILL  
TO BE ENTITLED  
AN ACT

Relating to building codes; to create the Healthier Homes Construction Practices Act; to authorize counties and municipalities to adopt procedures for the installation and activation of temporary-permanent electricity or temporary-permanent gas under certain conditions; and to provide certain requirements for the activation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) This act shall be known and may be cited as the Healthier Homes Construction Practices Act.

(b) The Legislature finds and declares that indoor air quality in homes under construction is of prime importance for the long-term durability of the home and health of the consumer. It is the intent of the Legislature to address the following issues related to the lack of temporary-permanent electricity and temporary-permanent gas:

(1) Mold build-up due to temperature and humidity within the structure.

(2) Component damage due to temperature and humidity.

(3) Warping and disfigurement of wood within the structure due to temperature and humidity.



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29 (c) Any municipality or county that adopts and enforces  
30 building codes shall enact a procedure allowing for the  
31 installation and activation, on a temporary basis in  
32 accordance with the requirements of this act, of electricity  
33 ("temporary-permanent electricity") or gas  
34 ("temporary-permanent gas") in any dwelling, covered by the  
35 scope of the International Residential Code, under  
36 construction in its jurisdiction.

37 (d) The municipality or county may require any of the  
38 following to occur prior to the installation or activation of  
39 temporary-permanent electricity:

40 (1) The structure be secured from unauthorized entry.

41 (2) The electrical service code be compliant and  
42 complete.

43 (3) All rough plumbing, electrical, mechanical, and  
44 framing inspections be completed and approved.

45 (4) All drywall be installed, with the exception of  
46 finishing.

47 (5) All electrical circuit wires that are not energized  
48 be secured to the side of the panel box.

49 (6) Any exterior outlet which has been energized have  
50 ground fault breakers installed. A minimum of one exterior  
51 outlet shall be provided.

52 (7) All electrical service be ready for service, as  
53 certified by a state licensed electrical contractor.

54 (8) All heating and cooling equipment be installed  
55 in-structure. Equipment shall be vented based on manufacturing  
56 specifications. Forced air equipment shall have a return air



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57 with a MERV 4 filter, and plenum and supply air.

58 (9) The building permit be obtained by a licensed  
59 residential home builder, as defined by Section 34-14A-2, or a  
60 general contractor.

61 (10) A request for temporary-permanent electricity be  
62 made by the permittee.

63 (11) The electrical service be obtained in the name of  
64 the permittee.

65 (12) Compliance with any requirements set forth by the  
66 provider of electricity.

67 (e) In addition to any requirement for the installation  
68 or activation of temporary-permanent electricity under  
69 subsection (d), any municipality or county that enforces and  
70 adopts building codes may require any of the following prior  
71 to the installation or activation of temporary-permanent gas:

72 (1) The structure be secured from unauthorized entry.

73 (2) A gas line be installed in accordance with  
74 applicable codes between the heating equipment and the gas  
75 meter location.

76 (3) Gas lines not connected to an appliance be capped.

77 (4) A temporary pressure test be performed for the  
78 purposes of installing temporary gas for heat.

79 (5) A final pressure test be performed for permanent  
80 gas service.

81 (6) Gas service be certified by a licensed gas fitter  
82 as being ready for service.

83 (7) Heating and cooling equipment be installed  
84 in-structure and be vented based on manufacturing



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85 specifications.

86 (8) Forced air equipment have a return air with a MERV  
87 4 filter, and plenum and supply air.

88 (9) A building permit be obtained by a licensed  
89 residential home builder, as defined by Section 34-14A-2, or  
90 general contractor.

91 (10) A request for temporary-permanent gas be made by  
92 the permittee.

93 (11) Electrical service be obtained in the name of the  
94 permittee.

95 (12) Proof that the gas system is complete, is code  
96 compliant, and has passed all required inspections.

97 (13) Compliance with any other requirements of the  
98 provider of gas.

99 (f) For the installation or activation of  
100 temporary-permanent electricity or temporary-permanent gas, no  
101 additional requirements may be placed on the contractor beyond  
102 the requirements of this section.

103 (g) Any structure granted temporary-permanent  
104 electricity or temporary-permanent gas pursuant to this  
105 section shall not be occupied, and permanent electricity or  
106 permanent gas shall be permitted, only upon proof that all  
107 required final inspections by the municipality or county have  
108 been completed.

109 (h) Where sewer service is not available, a request for  
110 temporary-permanent electricity or temporary-permanent gas  
111 must be accompanied by copies of all septic system plans and  
112 permits, approved by the local health department.



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113           Section 2. This act shall become effective on the first  
114 day of the third month following its passage and approval by  
115 the Governor, or its otherwise becoming law.

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118 Senate

119 Read for the first time and referred .....19-Apr-23  
120 to the Senate committee on Fiscal  
121 Responsibility and Economic  
122 Development  
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124 Read for the second time and placed .....27-Apr-23  
125 on the calendar:  
126 0 amendments  
127  
128 Read for the third time and passed .....02-May-23  
129 as amended  
130 Yeas 32  
131 Nays 0  
132 Abstains 0  
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Patrick Harris,  
Secretary.