

SB40 ENROLLED



1 EYBC9-3
2 By Senator Elliott
3 RFD: County and Municipal Government
4 First Read: 07-Mar-23
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SB40 Enrolled

1 Enrolled, An Act,

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3 Relating to county and local government; to provide
4 prohibitions on the adoption or enforcement of certain
5 building codes requiring the installation of certain latent,
6 non-operable features in a residential structure.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. (a) For the purposes of this act, the
9 following terms have the following meanings:

10 (1) LATENT FEATURE. Any technology, appliance,
11 electrical circuit, wiring, plumbing, gas tubing, framing, or
12 other item, installed in or connected to a residential
13 structure, that will not be placed in a state of active
14 operation or that will not be utilized by the homeowner at the
15 time of the residential structure's completion. The term only
16 includes features that do not contribute to the life safety or
17 structural aspects of the building code being enforced.

18 (2) RESIDENTIAL STRUCTURE. A residence on a single lot,
19 including a site-built home, a condominium, duplex, apartment,
20 or any other single-unit or multi-unit residential building.

21 (b) The governing body of any municipality or county,
22 or any agency thereof, may not directly or indirectly adopt or
23 enforce any ordinance, rule, bylaw, order, or state or local
24 building code provision requiring the installation of any
25 latent feature in any residential structure.

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



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB40

Senate 04-Apr-23

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives

Passed: 20-Apr-23

By: Senator Elliott