

SENATE BILL NO. 195

INTRODUCED BY J. TREBAS, B. MITCHELL, J. HINKLE, S. GALLOWAY, C. FRIEDEL, K. BOGNER, D. ZOLNIKOV

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING STATE BUILDING CODES ADOPTED BY RULE; ALLOWING AN EXISTING STRUCTURE THAT MEETS CERTAIN CRITERIA TO BE EXEMPT FROM AUTOMATIC SPRINKLER REQUIREMENTS; PROVIDING RULEMAKING AUTHORITY; AND AMENDING SECTION 50-60-203, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 50-60-203, MCA, is amended to read:

"50-60-203. Department to adopt state building code by rule -- exceptions. (1) (a) The

department shall adopt rules relating to the construction of, the installation of equipment in, and standards for materials to be used in all buildings or classes of buildings, including provisions dealing with safety, accessibility to persons with disabilities, sanitation, and conservation of energy. The adoption, amendment, or repeal of a rule is of significant public interest for purposes of 2-3-103.

(b) Rules concerning the conservation of energy must conform to the policy established in 50-60-801 and to relevant policies developed under the provisions of Title 90, chapter 4, part 10.

(2) The department may adopt by reference nationally recognized building codes in whole or in part, except as provided in subsection (5), and may adopt rules more stringent than those contained in national codes.

(3) The rules, when adopted as provided in parts 1 through 4, constitute the "state building code" and are acceptable for the buildings to which they are applicable.

(4) The department shall adopt rules that permit the installation of below-grade liquefied petroleum gas-burning appliances.

(5) The department may not include in the state building code a requirement for the installation of:

(a) a fire sprinkler system in a single-family dwelling or a residential building that contains no more

1 than two dwelling units; or
 2 (b) an automatic sprinkler system in an existing structure that changes occupancy and is not
 3 currently subject to requirements regarding automatic sprinkler systems as an existing structure and that:
 4 (i) is not over 12,000 total square feet;
 5 (ii) has an occupancy that is limited to less than 300;
 6 (iii) has fewer than 3 stories above grade plane;
 7 (iv) has fewer than 9 transient guests or 5 transient rooms; and
 8 (v) is not classified as a group H occupancy by the International Building Code as it was printed on
 9 January 1, 2023.

10 (6) (a) The department shall, by rule, adopt by reference the most recently published edition of the
 11 national fire protection association's publication NFPA 99C for the installation of medical gas piping systems.
 12 The department may, by rule, issue plumbing permits for medical gas piping systems and require inspections of
 13 medical gas piping systems.

14 (b) A state, county, city, or town building code compliance officer shall, as part of any inspection,
 15 request proof of a medical gas piping installation endorsement from any person who is required to hold an
 16 endorsement or who, in the inspector's judgment, appears to be involved with onsite medical gas piping activity.
 17 The inspector shall report any instance of endorsement violation to the inspector's employing agency, and the
 18 employing agency shall report the violation to the board of plumbers."

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