

By: Senator(s) Gordon, Huggins, Robertson,
Burton

To: Rules

SENATE CONCURRENT RESOLUTION NO. 558
(As Adopted by the Senate)

1 A CONCURRENT RESOLUTION TO CREATE A STUDY COMMITTEE ON A
2 STATEWIDE BUILDING CODE TO MEET FEDERAL REQUIREMENTS AND INSURANCE
3 STANDARDS; TO PROVIDE FOR THE MEMBERSHIP OF THE STUDY COMMITTEE
4 AND PRESCRIBE ITS RESPONSIBILITIES; TO REQUIRE THAT CERTAIN STATE
5 AGENCIES PROVIDE SUPPORT TO THE STUDY COMMITTEE; AND FOR RELATED
6 PURPOSES.

7 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF
8 MISSISSIPPI, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

9 (1) There is hereby created the Study Committee on a
10 Statewide Building Code, "committee." The purpose of the
11 committee is:

12 (a) To consider establishing minimum standards for
13 building construction to help property owners qualify for relief
14 funds from Federal Emergency Management Agency (FEMA) aid after a
15 natural disaster such as a tornado, hurricane, fire or earthquake;

16 (b) To address concerns from national insurers who are
17 not renewing property insurance because of a lack of building
18 standards in many areas of Mississippi; and

19 (c) To promote the health, safety and welfare of the
20 public.

21 (2) The Study Committee on a Statewide Building Code shall
22 consist of the following members:

23 (a) The Mississippi Commissioner of Insurance, the
24 State Fire Marshal, and/or the Deputy State Fire Marshal;

25 (b) The Executive Director of the Mississippi Emergency
26 Management Agency, and/or a member of his staff;

27 (c) The Executive Director of the Association of
28 Building Officials, and/or a representative of the Association;

29 (d) The Executive Director of the Bureau of Building,
30 Grounds and Real Property Management of the Department of Finance
31 and Administration, and/or a representative of the Bureau;

32 (e) The Executive Director of the State Board of
33 Registration for Professional Engineers and Land Surveyors, and/or
34 a member of the State Board of Registration for Professional
35 Engineers and Land Surveyors;

36 (f) The Executive Director of the State Board of Public
37 Contractors, and/or a member of the State Board of Public
38 Contractors;

39 (g) The Executive Director of the State Board of
40 Architecture, and/or a member of the State Board of Architecture;

41 (h) One (1) member of the Mississippi State Senate,
42 appointed by the Lieutenant Governor;

43 (i) One (1) member of the Mississippi House of
44 Representatives, appointed by the Speaker of the House of
45 Representatives;

46 (j) One (1) member of the residential homebuilding
47 construction industry appointed by the Governor.

48 (3) The Executive Director of the State Board of
49 Architecture shall call the first meeting, at which the committee
50 shall select a chairman of the study committee and organize for
51 business.

52 (4) Nonlegislative members shall serve without salary or per
53 diem compensation; however, all members shall be entitled to
54 actual travel expenses as provided for in Section 25-3-41.
55 Legislative members shall be entitled to per diem, expense
56 allowance and mileage as authorized for committee meetings when
57 the Legislature is not in session.

58 (5) The study committee shall develop a report to the
59 Legislature and the Governor to be delivered no later than
60 December 1, 2004. This report shall address at a minimum:

61 (a) A survey of other states to determine the types of
62 statewide building codes and enforcement systems which are in
63 place and which are successful;

64 (b) An investigation of existing model codes such as
65 the Standard Building Code, International Building Code and NFPA
66 Life Safety Code to determine what is appropriate for Mississippi,
67 and what modifications would be necessary;

68 (c) A survey of the laws of other states and
69 jurisdictions, including professional standards of care for
70 architects, engineers, fabricators, contractors and builders,
71 regarding minimal construction standards;

72 (d) A determination of the capacity of existing
73 agencies, including municipal and county building officials, which
74 now handle administrative and enforcement issues, to administer a
75 statewide building code, or the necessity of creating new agencies
76 to administer such a code;

77 (e) A recommendation regarding permit fee structures or
78 other enforcement means that would offset implementation costs;

79 (f) A recommendation regarding the exemption of wherein
80 an effective code is already enacted and enforced in local
81 jurisdictions;

82 (g) Recommendations for exempting certain building
83 types that do not affect public welfare and safety (e.g. single
84 and double family residences, farm buildings and nonassembly and
85 institutional buildings less than five thousand (5,000) square
86 feet); and

87 (h) Any recommended legislation to implement the
88 recommendations of the study committee.

89 (6) The chairman shall have the authority to request staff
90 support from any state agency enumerated in this resolution to
91 assist the task force in carrying out its responsibilities.

92 (7) Upon presentation of its final report, the study
93 committee shall be dissolved.