

E & R AMENDMENTS TO LB 643

1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:

3 "Section 1. Section 71-6403, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 71-6403. (1) There is hereby created the state building
6 code. The Legislature hereby adopts by reference:

7 (a) The ~~Uniform Building Code, 1991 edition, Chapters 1,~~
8 ~~4 through 30, 32 through 56, and 60, and the Uniform Building Code~~
9 ~~Standards, 1991 edition, published by the International Conference~~
10 ~~of Building Officials International Building Code (IBC), 2000~~
11 ~~edition, published by the International Code Council;~~

12 (b) The ~~CABO One and Two Family Dwelling Code, 1992~~
13 ~~edition International Residential Code (IRC), 2000 edition,~~
14 ~~published by the International Code Council; and~~

15 (c) The Uniform Code for Building Conservation.

16 (2) The codes adopted by reference in subsection (1) of
17 this section shall constitute the state building code except as
18 amended pursuant to the Building Construction Act or as otherwise
19 authorized by state law.

20 (3) Whenever a new edition of the codes adopted in
21 subsection (1) of this section is published, such new edition shall
22 be considered the state building code.

23 ~~(4) A political subdivision may continue to administer,~~
24 ~~enforce, and update the code endorsed by the Building Officials and~~

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1 ~~Code Administrators International, Inc., if such code was adopted~~
2 ~~by the political subdivision prior to September 9, 1993.~~

3 Sec. 2. Section 71-6405, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 71-6405. All state agencies, including all state
6 constitutional offices, state administrative departments, and state
7 boards and commissions, the University of Nebraska, and the
8 Nebraska state colleges, shall comply with the state building code.
9 No state agency may adopt, promulgate, or enforce any rule or
10 regulation in conflict with the state building code unless
11 otherwise specifically authorized by statute to adopt or enforce a
12 building or construction code other than the state building code.
13 Nothing in the Building Construction Act shall authorize any state
14 agency to apply such act to manufactured homes or recreational
15 vehicles regulated by the Uniform Standard Code for Manufactured
16 Homes and Recreational Vehicles or to modular housing units
17 regulated by the Nebraska Uniform Standards for Modular Housing
18 Units Act. A state agency may, by rule or regulation, amend the
19 state building code by adopting any supplement, new edition, or
20 appendix of the ~~Uniform Building Code, the CABO One and Two Family~~
21 ~~Dwelling Code~~ International Building Code (IBC), 2000 edition,
22 International Residential Code (IRC), 2000 edition, or the Uniform
23 Code for Building Conservation referred to in section 71-6403,
24 except that all amendments shall be approved in advance by the
25 Director of Administrative Services. Amendments to the state
26 building code may also include variations from the code which will
27 reduce unnecessary costs of construction, increase safety,

1 durability, or efficiency, or address special local conditions
2 within the state.

3 Sec. 3. Section 72-804, Revised Statutes Supplement,
4 2002, is amended to read:

5 72-804. (1) Any new state building shall meet or exceed
6 the requirements of the ~~1998~~ 2000 International Energy Conservation
7 Code.

8 (2) Any new lighting, heating, cooling, ventilating, or
9 water heating equipment or controls in a state-owned building and
10 any new building envelope components installed in a state-owned
11 building shall meet or exceed the requirements of the ~~1998~~ 2000
12 International Energy Conservation Code.

13 (3) The State Building Administrator of the Department of
14 Administrative Services, in consultation with the State Energy
15 Office, may specify:

16 (a) A more recent edition of the International Energy
17 Conservation Code;

18 (b) Additional energy efficiency or renewable energy
19 requirements for buildings; and

20 (c) Waivers of specific requirements which are
21 demonstrated through life-cycle cost analysis to not be in the
22 state's best interest. The agency receiving the funding shall be
23 required to provide a life-cycle cost analysis to the State
24 Building Administrator.

25 Sec. 4. Section 72-806, Revised Statutes Supplement,
26 2002, is amended to read:

27 72-806. The enforcement provisions of Chapter 1 of the

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1 ~~1998~~ 2000 International Energy Conservation Code shall not apply to
2 buildings subject to sections 72-804 and 72-805.

3 Sec. 5. This act becomes operative on January 1, 2004.

4 Sec. 6. Original sections 71-6403 and 71-6405, Reissue
5 Revised Statutes of Nebraska, and sections 72-804 and 72-806,
6 Revised Statutes Supplement, 2002, are repealed."

7 2. On page 1, strike beginning with "the" in line 1
8 through line 6 and insert "buildings; to amend sections 71-6403 and
9 71-6405, Reissue Revised Statutes of Nebraska, and sections 72-804
10 and 72-806, Revised Statutes Supplement, 2002; to change provisions
11 relating to the state building code, political subdivision powers,
12 and an energy conservation code; to harmonize provisions; to
13 provide an operative date; and to repeal the original sections."