

**ONE HUNDRED SECOND LEGISLATURE - FIRST SESSION - 2011**  
**COMMITTEE STATEMENT**  
**LB546**

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**Hearing Date:** Tuesday February 08, 2011  
**Committee On:** Urban Affairs  
**Introducer:** Gloor  
**One Liner:** Change provisions relating to adoption of the International Residential Code

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**  
**Aye:** 5 Senators Ashford, Coash, McGill, Schumacher, Smith  
**Nay:** 2 Senators Cook, Krist  
**Absent:**  
**Present Not Voting:**

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**Proponents:**

Mike Gloor  
Brian Doyle  
Allen Barber  
Mike Rezac  
Michael J. Benker  
Dave Humlicek  
Neil Smith  
Michele Williamson  
Jim Harper  
Pat Ohmburger

**Representing:**

Self  
Eastern Nebraska Development Council  
NSHBA  
Lincoln Home Builders  
Home Builders Association of Lincoln  
NSHBA  
Hearth Stone Homes  
Habitat for Humanity  
City of Omaha  
Nebraska Realators

**Opponents:**

Crosby Grindle  
John Wieczorek  
Greg Reynolds  
Esther Rathjen  
Jerry Stilmock  
Paul Pederson

**Representing:**

National Fire Protection Association  
F.S.C.A.N.  
State Farm Insurance  
self  
Nebraska State Volunteer Firefighter Association  
North Platte Fire Department and Nebraska Municipal  
Fire Chiefs

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

LB 546 amends Neb.Rev.Stat. 71-6403, the state building code, to adopt the 2009 version of the International Residential Code (IRC), except section R313, the mandatory new home fire sprinkler provision.

LR 546 also amends 71-6405 and would permit state agencies to amend the state building code by adopting section R313, should they choose to do so.

Section (3) amends 71-6406 to allow political subdivisions to amend their local building codes also by adopting section R313.

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Comments/Analysis:

This bill is written to allow state agencies and local governments the option of adding the fire sprinkler mandate provision into their building codes.

The state building code currently allows municipalities to adopt a local building code so long as they have adopted the state building code. Municipalities may amend their local codes to adopt a different standard from the state building code to reduce unnecessary costs of construction, increase safety, durability, or efficiency, or address special local conditions within its jurisdiction, so long as it conforms generally with the state building code.

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**Explanation of amendments:**

The amendment to LB 546 updates all International Building Code and International Residential Code references in the statute to the 2009 versions, and strikes references to new editions of the code from the statute. It also strikes lines 16 through 18 on page 2 of the bill, which eliminates the automatic adoption of future editions of the codes referred to in subsection (1) of 71-6403.

Additionally, this amendment changes language on page 4 of the bill to clarify the reference to the most recently enacted state building code, as having to be adopted by political subdivisions within 2 years for local codes to be deemed regularly updated.

This amendment also inserts the language by modifying or deleting any portion of the state building code beginning on line 10, page 4, to further clarify this section which addresses how a political subdivision may amend their local building code.

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Amanda McGill, Chairperson