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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 539

02/02/2015 Authored by Theis, Peterson, O'Neill, Nelson, Howe and others  
The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform

1.1 A bill for an act  
1.2 relating to construction codes; adopting a six-year cycle for code adoption and a  
1.3 12-month implementation period; requiring free copies of construction codes;  
1.4 delaying the effective date of the International Residential Code; amending  
1.5 Minnesota Statutes 2014, section 326B.106, subdivision 1, by adding a  
1.6 subdivision.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2014, section 326B.106, subdivision 1, is amended to  
1.9 read:

1.10 Subdivision 1. **Adoption of code.** (a) Subject to sections 326B.101 to 326B.194,  
1.11 the commissioner shall by rule and in consultation with the Construction Codes Advisory  
1.12 Council establish a code of standards for the construction, reconstruction, alteration, and  
1.13 repair of buildings, governing matters of structural materials, design and construction,  
1.14 fire protection, health, sanitation, and safety, including design and construction standards  
1.15 regarding heat loss control, illumination, and climate control. The code must also include  
1.16 duties and responsibilities for code administration, including procedures for administrative  
1.17 action, penalties, and suspension and revocation of certification. The code must conform  
1.18 insofar as practicable to model building codes generally accepted and in use throughout  
1.19 the United States, including a code for building conservation. In the preparation of the  
1.20 code, consideration must be given to the existing statewide specialty codes presently in  
1.21 use in the state. Model codes with necessary modifications and statewide specialty codes  
1.22 may be adopted by reference. The code must be based on the application of scientific  
1.23 principles, approved tests, and professional judgment. To the extent possible, the code  
1.24 must be adopted in terms of desired results instead of the means of achieving those results,  
1.25 avoiding wherever possible the incorporation of specifications of particular methods or

2.1 materials. To that end the code must encourage the use of new methods and new materials.  
2.2 Except as otherwise provided in sections 326B.101 to 326B.194, the commissioner shall  
2.3 administer and enforce the provisions of those sections.

2.4 (b) The commissioner shall develop rules addressing the plan review fee assessed  
2.5 to similar buildings without significant modifications including provisions for use of  
2.6 building systems as specified in the industrial/modular program specified in section  
2.7 326B.194. Additional plan review fees associated with similar plans must be based on  
2.8 costs commensurate with the direct and indirect costs of the service.

2.9 (c) The commissioner shall adopt updates to the code on a six-year cycle. Upon  
2.10 adoption of a code, the commissioner shall provide a 12-month implementation period  
2.11 prior to enforcement.

2.12 Sec. 2. Minnesota Statutes 2014, section 326B.106, is amended by adding a  
2.13 subdivision to read:

2.14 Subd. 1a. **Copies of the code.** The commissioner shall provide copies of the code to  
2.15 the public without charge, including the amended model codes adopted by reference.

2.16 Sec. 3. **INTERNATIONAL RESIDENTIAL CODE; DELAYED EFFECTIVE**  
2.17 **DATE.**

2.18 Minnesota Rules, chapter 1309, adopted finally in volume 39, page 91, of the State  
2.19 Register (39 SR 91), July 28, 2014, is effective July 24, 2015.