

SENATE BILL 246

Introduced by Harp

1/25	Introduced
1/25	Referred to Judiciary
1/25	First Reading
2/11	Hearing
2/19	Tabled in Committee

~~Senate~~ BILL NO. 246

INTRODUCED BY HARF

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING LIMITED IMMUNITY TO THE BUILDING CODES BUREAU AND LOCAL JURISDICTIONS ADMINISTERING AND ENFORCING BUILDING CODES; AND PROVIDING LIMITED IMMUNITY TO TWO OR MORE BUILDING CODE ENFORCEMENT JURISDICTIONS THAT JOINTLY EMPLOY A BUILDING INSPECTOR OR CODE ENFORCEMENT EMPLOYEE IN THE JURISDICTION IN WHICH THE CAUSE OF ACTION ARISES."

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

NEW SECTION. Section 1. Immunity. (1) The state building codes bureau and local jurisdictions enforcing any building code provisions and their employees are immune from suit with respect to the administration and enforcement of the state or local building codes unless the agency involved has actual knowledge of a building code violation that constitutes an imminent threat to the safety, health, or welfare of any person or property and does not make a reasonable effort to enforce a correction of the violation within a reasonable time of learning of the violation.

(2) Two or more building code enforcement jurisdictions may jointly employ a building inspector or code enforcement employee. In joint employment situations, all jurisdictions,

other than the jurisdiction in which a cause of action accrues, have immunity with respect to the administration and enforcement of the state or local building codes.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 50, chapter 60, part 2, and the provisions of Title 50, chapter 60, part 2, apply to [section 1].

NEW SECTION. Section 3. Two-thirds vote required. Because [section 1] provides governmental immunity, Article II, section 18, of the Montana constitution requires a vote of two-thirds of the members of each house of the legislature for passage.

-End-

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