

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 266, As Amended

BY WAYS AND MEANS COMMITTEE

AN ACT

1 RELATING TO THE IDAHO BUILDING CODE ACT; AMENDING CHAPTER 41, TITLE 39, IDAHO  
2 CODE, BY THE ADDITION OF A NEW SECTION 39-4117, IDAHO CODE, TO PROVIDE  
3 FOR LIVE VIRTUAL RE-INSPECTIONS; AMENDING CHAPTER 41, TITLE 39, IDAHO  
4 CODE, BY THE ADDITION OF A NEW SECTION 39-4118, IDAHO CODE, TO PROVIDE  
5 FOR CERTAIN INSPECTION REQUIREMENTS; AND DECLARING AN EMERGENCY AND  
6 PROVIDING AN EFFECTIVE DATE.  
7

8 Be It Enacted by the Legislature of the State of Idaho:

9 SECTION 1. That Chapter 41, Title 39, Idaho Code, be, and the same is  
10 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
11 ignated as Section 39-4117, Idaho Code, and to read as follows:

12 39-4117. LIVE VIRTUAL RE-INSPECTIONS. (1) Except as otherwise pro-  
13 vided for in this section, the division and local governments shall be  
14 authorized to perform live virtual re-inspections at their discretion.

15 (2) When conducting a live virtual re-inspection pursuant to this  
16 section, the division or a local government shall, with respect to each  
17 re-inspection, verify the address or physical location of such re-inspec-  
18 tion. Such verification may be made by showing the physical address or other  
19 identifying features of the location where the live virtual re-inspection is  
20 taking place.

21 (3) Neither the division nor local governments shall use live virtual  
22 re-inspections for structural inspections on buildings that are three (3)  
23 stories or greater.

24 (4) For purposes of this section:

25 (a) "Live virtual inspection" means a form of visual inspection that  
26 uses real time visual or electronic aids to allow an inspector who is en-  
27 forcing a building code to perform an inspection without having to be  
28 physically present at the job site during the inspection.

29 (b) "Live virtual re-inspection" means a live virtual inspection per-  
30 formed following a previous inspection by an inspector who was physi-  
31 cally present at the location subject to such re-inspection.

32 SECTION 2. That Chapter 41, Title 39, Idaho Code, be, and the same is  
33 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
34 ignated as Section 39-4118, Idaho Code, and to read as follows:

35 39-4118. INSPECTIONS -- TIMELINESS -- REFUNDS. (1) If an inspection  
36 requested by a permit holder is not performed within forty-eight (48) hours,  
37 such permit holder shall be authorized to hire a third-party inspector to  
38 perform such inspection. The permit holder or third-party inspector shall  
39 notify the division or local government that such inspection is being com-  
40 pleted by a third-party inspector. The permit holder shall provide a copy

1 of the results of the completed inspection to the division or local govern-  
2 ment. A permit holder who obtains a third-party inspection under this sec-  
3 tion shall be refunded any fee, or portion thereof, that the permit holder  
4 paid to the division or local government for such inspection. If a local gov-  
5 ernment contracts with and pays the division for an inspection that requires  
6 a refund pursuant to this section, the division shall be responsible for re-  
7 funding the permit holder.

8 (2) The division or a local government shall refund ten percent (10%) of  
9 the fees, or the portion thereof, paid by a permit holder for an inspection if  
10 an inspector or building code administrator:

11 (a) Conducts an inspection on the work relating to the permit;

12 (b) Determines that the work has failed an inspection; and

13 (c) Fails to, within three (3) days, provide the permit holder or his  
14 agent with a reason for the failure of such inspection pursuant to the  
15 provisions of this chapter.

16 (3) A third-party inspector under this section shall meet the qualifi-  
17 cations prescribed by section 39-4108, Idaho Code, and shall conduct the in-  
18 spection in substantial accord with the applicable jurisdiction's standards  
19 provided by law, rule, or ordinance.

20 SECTION 3. An emergency existing therefor, which emergency is hereby  
21 declared to exist, this act shall be in full force and effect on and after  
22 July 1, 2025.