

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 266, As Amended, As Amended in the Senate

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) busi-
37 ness hours, such permit holder shall be authorized to hire a third-party in-
38 spector to perform such inspection. The permit holder or third-party in-
39 spector shall notify the division or local government that such inspection
40 is being completed by a third-party inspector. The permit holder shall pro-

1 vide a copy of the results of the completed inspection to the division or lo-
2 cal government. A permit holder who obtains a third-party inspection under
3 this section shall be refunded any fee, or portion thereof, that the permit
4 holder paid to the division or local government for such inspection. If a lo-
5 cal government contracts with and pays the division, county, or third party
6 for an inspection that requires a refund pursuant to this section, the divi-
7 sion, county, or third party shall be responsible for refunding the permit
8 holder.

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

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

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

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

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

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