

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 564

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO THE IDAHO BUILDING CODE ACT; AMENDING SECTION 39-4113, IDAHO  
2 CODE, TO REVISE PROVISIONS REGARDING PUBLIC SCHOOL BUILDING PLANS AND  
3 TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING  
4 AN EFFECTIVE DATE.  
5

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

7 SECTION 1. That Section 39-4113, Idaho Code, be, and the same is hereby  
8 amended to read as follows:

9 39-4113. PLAN REVIEWS -- MAXIMUM FEES AND SCHOOL INSPECTIONS. (1) The  
10 administrator shall establish a program for plan reviews and permit issuance  
11 entirely within the division of occupational and professional licenses.  
12 Plan reviews shall be for the provisions of this chapter and chapter 10, ti-  
13 tle 54, Idaho Code, chapter 26, title 54, Idaho Code, chapter 50, title 54,  
14 Idaho Code, and chapter 86, title 39, Idaho Code, pertaining to construc-  
15 tion, alteration or repair of buildings or structures within the scope of  
16 the division's jurisdiction pursuant to this chapter. Plans for schools  
17 reviewed by the division shall not include a review for compliance with the  
18 provisions of chapter 2, title 41, Idaho Code, or for local planning and  
19 zoning requirements.

20 (2) Plan review fees shall be established by rules promulgated by the  
21 board. Local governments elected by school districts to perform building  
22 plan reviews for public schools as provided for in this section shall not  
23 charge a fee for such review of building plans in excess of what the divi-  
24 sion has established by rule for building plan review services for public  
25 schools.

26 (3) Each manufacturer of commercial coaches and modular buildings  
27 shall submit the building plans for every model of such structure to the ad-  
28 ministrator for the purpose of review.

29 (4) (a) Public school building plans shall be approved by either the  
30 local government or the division of occupational and professional li-  
31 censes, whichever the school district elects. Any city or county that  
32 has adopted by ordinance all the applicable codes pursuant to section  
33 39-4109, Idaho Code, and the codes as permitted in chapter 10, title 54,  
34 Idaho Code, chapter 26, title 54, Idaho Code, and chapter 50, title 54,  
35 Idaho Code, shall be eligible to perform school plan reviews only if the  
36 following additional requirements are met: plans examiners performing  
37 building and energy code plan reviews shall hold current certification  
38 as a commercial building plans examiner by the International Code Coun-  
39 cil; examiners performing plumbing code plan reviews shall hold current  
40 certification as a plumbing inspector by the international associa-  
41 tion of plumbing and mechanical officials and shall be a licensed Idaho  
42 journeyman plumber; examiners performing electrical code plan reviews

1 shall hold current certification as an electrical inspector by the  
2 national certification program for construction code inspectors and  
3 shall be a licensed Idaho journeyman electrician; and examiners per-  
4 forming mechanical code plan reviews shall hold current certification  
5 as a commercial mechanical inspector by the International Code Council.

6 (b) All plans examiners who perform public school plan reviews shall be  
7 either an employee of the division, an employee of the local jurisdic-  
8 tion in which the school is to be constructed, or performing plan re-  
9 views under an interagency contract between local jurisdictions, and  
10 shall meet the eligibility requirements as provided in paragraph (a) of  
11 this subsection.

12 (c) An eligible local government may contract with the division for re-  
13 view of any portion of the plans for which the local government does not  
14 have a properly certified plans examiner. A county may be deemed eli-  
15 gible to perform plan review services only for those types of installa-  
16 tions for which they have authority pursuant to this chapter and chap-  
17 ter 50, title 54, Idaho Code, to adopt an enforcement program. Where  
18 an eligible county performs the plan review services, the electrical  
19 and plumbing code plan reviews shall be performed by the division at the  
20 hourly rate as established in rule by the division. Any local govern-  
21 ment elected to perform plan review services for public schools shall  
22 provide the division a copy of all approved plans.

23 (d) Wherein the proposed work is valued in excess of one hundred thou-  
24 sand dollars (\$100,000), a school district may elect to utilize the  
25 school plan review services available from an eligible local government  
26 building code enforcement jurisdiction or from the division. Wherein  
27 the proposed work is valued at one hundred thousand dollars (\$100,000)  
28 or less, a school district may elect to use a local government without  
29 regard to the eligibility requirements in paragraph (a) of this sub-  
30 section. Election by a school district shall be made by submitting a  
31 written certification to both the division and the involved local gov-  
32 ernment.

33 (e) Public school plan review services provided by either the divi-  
34 sion or an eligible local jurisdiction pursuant to this section shall  
35 include a review of the following disciplines: building (structural  
36 and nonstructural), mechanical, fuel gas, plumbing, electrical, acces-  
37 sibility, elevators, boilers, and energy conservation. At a minimum,  
38 plan review services shall include:

39 (i) A technical examination of all drawings and construction docu-  
40 ments;

41 (ii) The approval of such drawings and construction documents  
42 by determining whether such are in accord with the codes adopted  
43 pursuant to sections 39-4109, 54-1001, 54-2601 and 54-5001, Idaho  
44 Code;

45 (iii) A determination that the drawings and construction docu-  
46 ments are in compliance, or noncompliance, with the applicable  
47 codes, code interpretation, and the identification of approved  
48 modifications or alternative materials, design or methods; and

1 (iv) The identification of the reviewing official(s), the date  
2 upon which plans are approved, and a stamp or some other similar  
3 mark on the plans evidencing approval.

4 (f) If a school district elects to utilize the plan review services  
5 of the division, it shall submit to the division of occupational and  
6 professional licenses three (3) sets of working drawings and specifi-  
7 cations for new public school buildings or facilities and additions or  
8 alterations to existing facilities. The division will review the plans  
9 submitted to it pursuant to this section for compliance with the current  
10 editions of the codes specified in this chapter or within rules pro-  
11 mulgated pursuant to this chapter by the board and by section 39-8006,  
12 Idaho Code.

13 (5) Public school building plans ~~must~~ shall be approved by either the  
14 local government or the division ~~before the school district may advertise~~  
15 ~~for bids. The jurisdiction performing the public school building plan re-~~  
16 ~~view shall complete the initial plan review within thirty (30) calendar days~~  
17 of submission of such plan. Once plans are reviewed and approved pursuant  
18 to this section, no material change ~~can~~ shall be made to such plans with-  
19 out review and approval of such change by the jurisdiction performing the  
20 plan review. All school construction or remodeling governed by this chap-  
21 ter shall be inspected by building inspectors certified in accordance with  
22 section 39-4108, Idaho Code, or by Idaho-licensed architects or engineers to  
23 determine compliance with this chapter and the Idaho uniform school building  
24 safety act, chapter 80, title 39, Idaho Code. Nothing in this section shall  
25 limit the authority of local governments to issue building permits, perform  
26 fire code or other zoning and land use-related plan reviews or provide a full  
27 range of building code enforcement activities as they relate to inspections  
28 of school buildings or facilities sited within their jurisdiction regard-  
29 less of the election exercised by the school district pursuant to this sec-  
30 tion.

31 SECTION 2. An emergency existing therefor, which emergency is hereby  
32 declared to exist, this act shall be in full force and effect on and after  
33 July 1, 2026.