GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2023

Н

HOUSE BILL 782

Senate Commerce and Insurance Committee Substitute Adopted 6/22/23

April 19, 2023

Short Title: Movie Sets/Radon/Licensee Experience.

(Public)

Sponsors:

Referred to:

1		A BILL TO BE ENTITLED			
2	AN ACT TO AMEND THE NORTH CAROLINA BUILDING CODE EXCLUSION FOR				
3	TEMPORARY MOTION PICTURE, TELEVISION, AND THEATER STAGE SETS AND				
4	SCENERY TO EXEMPT THEM FROM USE AND OCCUPANCY CLASSIFICATION				
5	UNDER THE CODE; TO DIRECT THE COMMISSION FOR PUBLIC HEALTH TO				
6	ESTABLISH AN APPROVAL PROCESS FOR RADON PROFICIENCY PROGRAMS;				
7	AND TO PROVIDE THAT EVIDENCE OF A LICENSEE HAVING MAINTAINED A				
8	LICENSE IN GOOD STANDING UNDER ARTICLE 2 OF CHAPTER 87 OF THE				
9	GENERAL STATUTES FOR AT LEAST FIFTEEN YEARS SHALL BE ACCEPTED AS				
10	EXPERIENCE	E FOR PLUMBING AND HEATING QUALIFICATIONS BY THE BOARD			
11	OF EXAMI	NERS OF PLUMBING, HEATING, AND FIRE SPRINKLER			
12	CONTRACTO	DRS.			
13	The General Assembly of North Carolina enacts:				
14	SECTION 1. G.S. 143-138(b20) reads as rewritten:				
15	"(b20) Exclusion for Temporary Motion Picture, Television, and Theater Stage Sets and				
16	Scenery Buildings used for temporary motion picture, television, and theater stage sets and				
17	scenery are exempt from use and occupancy classification under the North Carolina State				
18	Building Code. No permit shall be required under the North Carolina State Building Code or any				
19	local variant approved under subsection (e) of this section for any construction, installation,				
20	repair, replacement, or alteration of temporary motion picture, television, and theater stage sets				
21	and scenery that are being used for less than one year in one location and are inspected by the				
22	assigned fire code inspector. The Building Code Council shall create a fire code inspection				
23	checklist that shall be used for inspections under this subsection.scenery."				
24		(ON 2.(a) Definitions. – The following definitions apply in this section:			
25		Department The Department of Health and Human Services, through its			
26		Division of Health Service Regulation.			
27	(2)	International Program Approval Standard The ISO/IEC 17024:2012			
28		standard, an international consensus standard containing principles and			
29		requirements for a certifying entity, and including standards for the			
30		development and maintenance of a certification program, including			
31		certification programs for radon professionals.			
32		ISO/IEC. – The joint technical committee of the International Organization			
33		for Standardization and the International Electrotechnical Commission.			
34 25	(4)	Radon professional. – Any individual engaged in the practice of testing for the			
35		presence of radon or radon progeny or implementing methods to reduce the			



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		concentration of radon or radon progeny in the indoor environment of building.
	(5)	Radon proficiency program approval rules Rules adopted by t
		Department for the approval of proficiency programs for radon professiona
		as set forth in this section.
	(6)	Recognized accreditation body A third-party accreditation body th
		accredits the compliance of radon proficiency programs and is a signatory
		the International Accreditation Forum's Multilateral Recognition Agreement
	SEC	FION 2.(b) Radon Proficiency Program Approval Rules The Departme
		prary and permanent radon proficiency program approval rules that provide f
all	of the followi	
	(1)	Approval of a term that is no less than one year for radon proficiency program
		that meet the criteria set forth in subdivision (3) of this subsection.
	(2)	In cases where an application for approval or renewal of approval for a rade
		proficiency program is denied, that a proficiency program shall have 180 da
		to engage in corrective actions and reapply for renewal before any approval
		revoked or, for a new radon proficiency program, before the applicant w
		have to resubmit a new application.
	(3)	Approval of a radon proficiency program that meets either of the following
		criteria:
		a. Establishing compliance and periodic reaccreditation with t
		international program approval standard through accreditation by
		recognized accreditation body.
		b. Showing to the satisfaction of the Department in a manner that t
		Department may specify that the radon proficiency program meets t
		following requirements:
		1. Establishment of a board with members from various priva
		and public sector stakeholders to make decisions regarding curriculum, testing, instructor qualifications, quality assurant
		and control, continuing education requirements, and
		procedures for the handling of complaints.
		2. Minimum training requirements for radon profession
		certification.
		3. Examination requirements.
		4. Continuing education requirements.
		5. Submission of instructor qualifications demonstrating releva
		knowledge and experience.
		6. Submission to regular audits regarding proper handling of ris
		impartiality, and candidate records.
	(4)	Publication of a registry of approved proficiency programs in
		communications by the Department regarding proficiency programs.
	SEC'	TION 2.(c) Additional Rulemaking Authority. – Notwithstandi
G.	S. 150B-19(4)	, rules adopted by the Department shall be substantively identical to t
pro	ovisions of sub	section (b) of this section. Rules adopted pursuant to this section are not subje
to	Part 3 of Arti	cle 2A of Chapter 150B of the General Statutes and shall become effective
pro	ovided in G.S.	150B-21.3(b1) as though 10 or more written objections had been received
pro	•	150B-21.3(b2).
		FION 2.(d) Transitional Provisions. – Radon proficiency programs current
-	-	luded in public listings of programs by the Department at any time after Janua
1	2020 shall be	deemed to be an approved radon proficiency program under this act until t

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Department has ad	opted permanent rules under Sections 2(a) through 2(c) of this act and has
2 approved or denied	approval of the program under those rules.
SECTI	ON 3. G.S. $87-21(b)(3)$ reads as rewritten:
	The Board shall prescribe the standard of competence, experience and
	efficiency to be required of an applicant for license of each class, and shall
	give an examination designed to ascertain the technical and practical
	knowledge of the applicant concerning the analysis of plans and
	specifications, estimating costs, fundamentals of installation and design
	codes, fire hazards, and related subjects as these subjects pertain to plumbing
	heating, or fire sprinkler systems. The examination for a fire sprinkler
	contractor's license shall include such materials as would test the competency
	of the applicant and which may include the minimum requirements of
	certification for Level III, subfield of Automatic Sprinkler System Layout
	National Institute for Certification of Engineering Technologies (NICET). As
	a result of the examination, the Board shall issue a certificate of license of the
	appropriate class in plumbing, heating, or fire sprinkler contracting, and a
	license shall be obtained, in accordance with the provisions of this Article
	before any person, firm or corporation shall engage in, or offer to engage in
	the business of plumbing, heating, or fire sprinkler contracting, or any
	combination thereof. The obtaining of a license, as required by this Article
	shall not of itself authorize the practice of another profession or trade for
	which a State qualification license is required. Prior to taking the examination
	the applicant may be required by the Board to establish that the applicant is a
	least 18 years of age and is of good moral character. The Board may require
	experience as a condition of examination, provided that (i) the experience
	required may not exceed two years, (ii) that up to one-half the experience may
	be in the form of academic or technical courses of study, and (iii) that
	registration is not required at the commencement of the period of experience
	Evidence that a licensee has maintained a license in good standing under this
	Article for a minimum of 15 years shall be accepted as experience for
	plumbing and heating qualifications."
	ON 4. Section 3 of this act becomes effective July 1, 2023. The remainder of
this act is effective	when it becomes law.