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FISCAL IMPACT REPORT

ORIGINAL DATE 02/12/13

SPONSOR Rodella LAST UPDATED _____ HB 400

SHORT TITLE Certified City Building Officials SB _____

ANALYST Martinez

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY13	FY14	FY15	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		NFI				

(Parenthesis () Indicate Expenditure Decreases)

Relates to HB 348

SOURCES OF INFORMATION

LFC Files

Responses Received From

Regulation and Licensing Department (RLD)

SUMMARY

Synopsis of Bill

House Bill 400 (HB 400) amends Section 3-17-6, Codes Adopted and Enforced by Reference under Ordinances as it relates to municipalities creating a Certified Building Official (CBO) position or the utilization of MOU's for shared inspection resources between municipalities and counties in which the CBO shall be charged with the administration and enforcement of the building codes adopted by the municipality. HB 400 establishes inspector qualifications.

FISCAL IMPLICATIONS

No Fiscal Impact

SIGNIFICANT ISSUES

The RLD Comments:

The creation of the Certified Building Official (CBO) for municipalities establishes a necessary arm of oversight for code compliance at the local level, where the state is not performing inspections, to ensure life safety for the citizens of New Mexico. The CBO is employed by the municipality or county, or is shared through an MOU, and is charged with administration and enforcement of building codes of at least the state code minimum standards.

The CBO must hold a current building certificate from a nationally recognized code organization, and has been an inspector, contractor or held a management position in a construction company for five (5) of the last ten (10) years. A five (5) year grandfather clause to obtain a CBO certificate is established for acting building officials at the time of passage of this bill.

ADMINISTRATIVE IMPLICATIONS

The Construction Industries Division within the RLD will need to maintain records of all established MOU's sharing CBO's so that state inspection resources are utilized properly. Since the state has jurisdiction over code compliance statewide, it offers the state the same information for compliance investigations.

RM/svb