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GOVERNOR

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DEPUTY SECRETARY

State of Louisiana
Department of Public Safety and Corrections
Public Safety Services

October 26, 2018

House Committee on Commerce
Thomas Carmody, Chairman

Senate Committee on Commerce, Consumer
Protection and International Affairs
Senator Daniel "Danny" Martiny, Chairman

Re: Summary report per rule proposed by the Louisiana State Uniform Construction Code
Council (LSUCCC) to adopt the 2018 IRC, Appendix Q, Tiny Homes

Dear Gentlemen,

The Louisiana State Uniform Construction Code Council, hereafter referred to as the "LSUCCC", hereby submits the following summary report pursuant to La. R.S. 49:968(D)(1)(b) and asserts its intention to proceed with rule-making procedures by finalizing the September 20, 2018 Notice of Intent. As stated in the Notice of Intent, the purpose for the proposed rule is to supplement the existing Uniform Construction Code with the 2018 *International Residential Code* (IRC), Appendix Q, Tiny Homes. The proposed rule would allow for the inspection and permitting of tiny homes in any jurisdiction within the state. In addition, it would also allow for inspections of tiny homes on-site and at manufacturing facilities, thereby making them eligible for a residential permit.

A copy of the promulgated Notice of Intent, as published in the September 2018 *Louisiana Register* (Vol. 44, No. 09), is attached hereto and labeled as Exhibit "A". The deadline to submit comments or request a public hearing for the proposed rule was October 11, 2018. Pursuant to La. R.S. 49:953(A)(2)(a), the LSUCCC received no comments, nor requests for a hearing. Therefore, a public hearing was not held.

Please advise if you have any questions or concerns. If none are received, the LSUCCC intends to submit a Rule to the Office of the State Register for publication. Please contact me at (225) 925-6103 if I may be of any assistance to you. With best regards, I remain

Sincerely,

MELINDA L. LONG, Attorney
Louisiana State Uniform Construction Code Council
Office of the State Fire Marshal

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P.O. BOX 66614, BATON ROUGE, LOUISIANA 70896

Ronnie Jones
Chairman

NOTICE OF INTENT

**Department of Public Safety and Corrections
Office of the State Fire Marshal
Uniform Construction Code Council**

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Riverboat Economic Development**

Uniform Construction Code—Tiny Houses (LAC 17:I.107)

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change will result in a workload increase for the Gaming Control Board related to additional quarterly reports and new applications from the licensees; however, this additional workload will be absorbed using existing budget authority and resources.

The proposed rule change codifies ACT 469 of the 2018 Regular Legislative Session related to requirements for quarterly reporting, clarification of the term "vessel", and application for the relocation of gaming operations to a facility within 1,200 feet of the riverboat's licensed berth. The application must include the riverboat licensee's relocation plan, a detailed capital improvement and reinvestment plan, and any other information required by the Gaming Control Board. Furthermore, the proposed rule change establishes the criteria for the plans and specifications of the vessel and the facility; the licensing of the vessel; and the three types of certification: certificated vessel, non-certificated vessel, and for riverboat licensees operating in a facility, a valid certificate of compliance for that facility.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change will have an unknown impact on revenue collections of state and local governmental units. Authorizing relocation of gaming operations to a facility within 1,200 feet of a riverboat's licensed berth may impact consumer behavior in an unknown manner. Whether this will increase state and local revenues or shift activities between facilities is unknown. To the degree that the proposed rule change may result in an expansion of gaming activity, revenue may increase at the statewide or local level. To the degree that the proposed rule change shifts gaming activity, local revenues may grow or shrink between localities.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change will result in an unknown impact on costs and economic benefits to licensed riverboats. Authorizing relocation of gaming operations to a facility within 1,200 feet of a riverboat's licensed berth may impact consumer behavior in an unknown manner. Whether this will result in costs or economic benefits to licensees is unknown. To the degree that the proposed rule change may result in an expansion of gaming activity, economic benefits may increase at the statewide or local level. To the degree that the proposed rule change shifts gaming activity, individual locations may realize indeterminable costs or economic benefits.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will result in an unknown impact on competition and employment. To the degree that the proposed rule change may result in an expansion of gaming activity, competition and employment may benefit at the statewide or local level. To the degree that the proposed rule change shifts gaming activity, competition and employment may expand or contract between localities.

In accordance with the provisions of R.S. 40:1730.26 and R.S. 40:1730.28, relative to the authority of the Louisiana State Uniform Construction Code Council (LSUCCC) to promulgate and enforce rules and in accordance with R.S. 49:953(B), the Administrative Procedure Act, the Department of Public Safety and Corrections, Office of the State Fire Marshal, Louisiana State Uniform Construction Code Council (LSUCCC) hereby gives notice that it proposes to amend and adopt the following rule. The purpose of amending and adopting the current rule is to add the 2018 International Residential Code (IRC), Appendix Q, Tiny Houses, to the Uniform Construction Code. The proposed Rule would allow for the inspection and permitting of said homes in any jurisdiction in the state. It would also allow for the inspection of tiny houses on-site and at manufacturing facilities, making them eligible for a residential permit.

**Title 17
CONSTRUCTION**

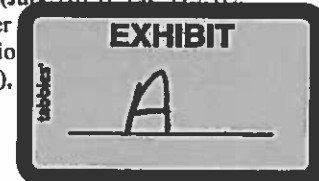
**Part I. Uniform Construction Code
§107. International Residential Code
(Formerly LAC 55:VI.301.A.3.a)**

A.1. *International Residential Code*, 2015 Edition, not including Parts I-Administrative, and VIII-Electrical. The applicable standards referenced in that code are included for regulation of construction within this state. The enforcement of such standards shall be mandatory only with respect to new construction, reconstruction, additions to homes previously built to the *International Residential Code*, and extensive alterations. 2018 International Residential Code, Appendix Q, Tiny Houses, with inspections on site and or in the manufacturing plant as required by the LSUCCC regulations. Appendix J, Existing Buildings and Structures, may be adopted and enforced only at the option of a parish, municipality, or regional planning commission.

1.a. - 6.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.22(C) and (D) and 40:1730.26(1).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, State Uniform Construction Code Council, LR 33:291 (February 2007), amended LR 34:93 (January 2008), LR 34:883 (May 2008), LR 34:2205 (October 2008), LR 35:1904 (September 2009), LR 36:2574 (November 2010), effective January 1, 2011, LR 37:601 (February 2011), LR 37:913 (March 2011), repromulgated LR 37:2187 (July 2011), repromulgated LR 37:2726 (September 2011), LR 37:3065 (October 2011), LR 38:1994 (August 2012), amended by the Department of Public Safety and Corrections, Uniform Construction Code Council, LR 39:1825 (July 2013) LR 39:2512 (September 2013), LR 40:2609 (December 2013), Department of Public Safety and Correction Marshall, LR 41:2383 (November 2015),



(October 2016), amended by the Department of Public Safety and Corrections, Office of the State Fire Marshal, Uniform Construction Code Council, LR 44:79 (January 2018); amended LR 44:

Family Impact Statement

- 1. The effect of this Rule on the stability of the family. This Rule should not have any effect on the stability of the family.
- 2. The effect of this Rule on the authority and rights of parents regarding the education and supervision of their children. This Rule should not have any effect on the authority and rights of parents regarding the education and supervision of their children.
- 3. The effect of this Rule on the functioning of the family. This Rule should not have any effect on the functioning of the family.
- 4. The effect of this Rule on family earnings and family budget. This Rule should not have any effect on family earnings and family budget.
- 5. The effect of this Rule on the behavior and personal responsibility of children. This Rule should not have any effect on the behavior and personal responsibility of children.
- 6. The effect of this Rule on the ability of the family or local government to perform the function as contained in the proposed Rule. This Rule should not have any effect on the ability of the family or local government to perform the function as contained in the proposed rules.

Poverty Impact Statement

- 1. The impact of the proposed rule on child, individual, or family poverty has been considered and it is estimated that the proposed action is not expected to have a significant adverse impact on poverty in relation to individual or community asset development as provided in the R.S. 49:973.
- 2. The agency has considered economic welfare factors and, where possible, utilized regulatory methods in the drafting of the proposed rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on poverty.

Small Business Analysis

- 1. The impact of the proposed Rule on small businesses has been considered and it is estimated that the proposed action is not expected to have a significant adverse impact on small businesses as defined in the Regulatory Flexibility Act.
- 2. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on small businesses.

Provider Impact Statement

- The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:
- 1. the staffing level requirements or qualifications required to provide the same level of service;
 - 2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or

- 3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested Person. Interested persons may submit written comments to Melinda L. Long, by mail at Post Office Box 66614, Baton Rouge, LA 70896, by fax at (225) 925-4624, or by e-mail at Melinda.long@la.gov. Written comments will be accepted through the close of business, October 11, 2018.

Lt. Colonel Jason Starnes
Deputy Superintendent, CAO

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

**RULE TITLE: Uniform Construction Code
Tiny Houses**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)
The proposed rule change will not result in any costs or savings to state or local governmental units. The proposed rule change adds the 2018 International Residential Code (IRC), Appendix Q, Tiny Houses to the building code. Currently, tiny houses are not eligible for inspection and permitting in any jurisdiction in the state. The proposed rule change would allow for the inspection of tiny houses on-site and at manufacturing facilities, making them eligible for a residential permit. Local governments already have permitting procedures and costs in place to accommodate the inspection and permitting of tiny houses.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
The proposed rule change will increase revenue collections of local governmental units by an indeterminable amount. The proposed rule change will allow local governmental units to issue residential permits and collect the associated permit fees for tiny houses following inspection. The revenue increase is indeterminable because permit fees may vary between local governmental units and the number of tiny houses requesting a residential permit is unknown.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)
The proposed rule change will result in both costs and economic benefits for individuals seeking inspection and permitting of a tiny house. These individuals would incur the cost of the permit fee and any applicable inspection fees. Permitting and inspections of tiny houses should result in additional housing options for consumers.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
The proposed rule change may increase employment opportunities in the state. Currently, tiny houses are not eligible for inspection and permitting in any jurisdiction in the state. By allowing for the inspection and permitting of tiny houses, the proposed rule change will establish a new market for tiny houses. Tiny houses constructed on-site would provide employment opportunities in the construction sector. Additionally, proposed rule may provide employment opportunities related to the manufacturing of tiny houses.

Lt. Col. Jason Starnes
Deputy Superintendent, CAO
1809#047

Evan Brasseaux
Staff Director
Legislative Fiscal Office