GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 687
PROPOSED COMMITTEE SUBSTITUTE H687-PCS80353-MH-12

Short Title: Homeless Shelters/Remove Age Limits. (Public)

Sponsors:

Referred to:

April 11, 2013

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE BUILDING CODE COUNCIL TO AMEND THE NC BUILDING CODE TO ALLOW OCCUPANTS YOUNGER THAN EIGHTEEN IN TEMPORARY OVERFLOW EMERGENCY SHELTERS FOR THE HOMELESS.

The General Assembly of North Carolina enacts:

SECTION 1. Definitions. – As used in this act, "Council" means the Building Code Council, "Code" means the 2012 NC Building Code, and "Homeless Shelter Provision" means the requirement set forth in Section 424.1.1 of the North Carolina Building Code requiring that homeless occupants of a temporary overflow shelter for the homeless be over the age of 18.

SECTION 2. New Code amendment. – Until the effective date of the Code amendment that the Council is required to adopt pursuant to Section 4 of this act, the Council and local governments enforcing the Code shall implement Section 424.1.1, as provided in Section 3 of this act.

SECTION 3. Implementation. – Notwithstanding any provision of the Code to the contrary, temporary overflow emergency shelters for the homeless may house occupants under the age of 18 when the shelter meets the following requirements:

(1) The shelter is intended to serve homeless families that include children under 18 and their parents or other legal guardians.

(2) The temporary shelter consists of a group of churches or other nonprofit religious entities that have agreed to host the shelter occupants on the premises of each church or religious entity on a rotating basis.

(3) The shelter is equipped with smoke detectors meeting applicable Code provisions for such devices in all sleeping areas.

SECTION 4. Additional rule-making authority. – Notwithstanding G.S. 150B-19(4), the Commission shall adopt amendments to the Homeless Shelter Provision to be substantively identical to the provisions of Section 3 of this act. Rules adopted pursuant to this section are not subject to G.S. 150B-21.8 through G.S. 150B-21.14. Rules adopted pursuant to this section shall become effective as provided in G.S. 150B-21.3(b1) as though 10 or more written objections had been received as provided by G.S. 150B-21.3(b2).

SECTION 5. Sunset. – Section 3 of this act expires on the date that rules adopted pursuant to Section 4 of this act become effective.

SECTION 6. This act is effective when it becomes law.