

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

FILED SENATE  
Mar 9, 2023  
S.B. 275  
PRINCIPAL CLERK

S

D

SENATE BILL DRS55020-BGf-1C

Short Title: Streamline Comm./Multifam. Bldg. Plan Review. (Public)

Sponsors: Senators Jarvis, Moffitt, and McInnis (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO EXPEDITE THE APPROVAL OF SEALED COMMERCIAL AND  
3 MULTIFAMILY BUILDING PLANS BY LOCAL GOVERNMENTS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Article 11 of Chapter 160D of the General Statutes is amended by  
6 adding a new section to read:

7 **"§ 160D-1110.1. Commercial and multifamily plan review of sealed plans; third-party plan**  
8 **review alternatives.**

9 (a) Plan Review of Sealed Plans. – For commercial and multifamily building plans  
10 submitted with a permit application that require the seal of a professional engineer licensed under  
11 Chapter 89C of the General Statutes or an architect licensed under Chapter 83A of the General  
12 Statutes, a local government shall complete its review of those plans and issue applicable building  
13 permit decisions within 21 days, unless otherwise agreed to by all parties. If the local government  
14 requests additional information or requires plan resubmission with changes, after receiving  
15 requested information and changes from the permit applicant, the local government has up to 15  
16 days to issue all applicable permits.

17 (b) Third-Party Review to Assist Local Government. – A local government may utilize  
18 and contract with the Department of Insurance and its marketplace pool of qualified  
19 Code-enforcement officials or contract with a licensed professional engineer or licensed architect  
20 certified under G.S. 143-151.13(f) to perform plan reviews under this section, provided that the  
21 review time does not exceed time frames prescribed by subsection (a) of this section.

22 (c) Third-Party Review Election by Permit Applicant. – If the local government does not  
23 issue applicable building permit decisions or determines it is unable to complete plan reviews  
24 within the time frames prescribed by subsection (a) of this section, the permit applicant may elect  
25 to utilize the Department of Insurance and its marketplace pool of qualified Code-enforcement  
26 officials or elect to hire a licensed professional engineer or licensed architect certified under  
27 G.S. 143-151.13(f) to review and certify submitted plans as required by subsection (d) of this  
28 section. Upon acceptance of a completed plan review with certification required by subsection  
29 (d) of this section, the local government shall issue applicable permits for the project within 72  
30 hours and will refund or waive all applicable plan review and permit fees for the project upon  
31 issuance of the applicable permits.

32 (d) Third-Party Review Certification Required. – A permit applicant that elects a  
33 third-party review under subsection (c) of this section shall provide the local government with a  
34 written certification signed by the plan reviewer that plans comply with applicable North  
35 Carolina State Building Codes and all other applicable State and local laws. The certification  
36 shall be made on a form created by the local government.



1       (e) Local Government Liability. – Upon issuance of applicable permits under subsection  
2 (c) of this section, the local government and inspection department are discharged and released  
3 from any liabilities, duties, and responsibilities imposed by this Article, or in common law, from  
4 any claim arising out of, or attributed to, plans reviewed under subsection (c) of this section.

5       (f) Manufacturer Information. – In the event the local government requires manufacturer  
6 specifications or manufacturer engineering information on an element, component, or fixture  
7 related to the submitted plans, a local government shall not delay or deny the issuance of  
8 applicable permits based upon the receipt of specifications or manufacturer engineering  
9 information on an element, component, or fixture."

10       **SECTION 2.** G.S. 143-151.8(a)(3) reads as rewritten:

11       "(3) Code enforcement. – The examination and approval of plans and  
12 specifications, the inspection of the manner of construction, workmanship,  
13 and materials for construction of buildings and structures and their  
14 components, or the enforcement of fire code regulations by any of the  
15 following, to assure compliance with the State Building Code and related local  
16 building rules:

- 17       a. An employee of the State or local government, except an employee of  
18 the State Department of Labor engaged in the administration and  
19 enforcement of sections of the Code that pertain to boilers and  
20 elevators.
- 21       b. An employee of a federally recognized Indian Tribe employed to  
22 perform inspections on tribal lands.
- 23       c. An individual contracting with the State, a local government, or a  
24 federally recognized Indian Tribe to perform inspections on tribal  
25 lands.
- 26       d. An individual who is employed by a company contracting with a  
27 county or a city to conduct inspections.
- 28       e. A person who is contracting with a local government to perform  
29 third-party plan reviews under G.S. 160D-1110.1(b).
- 30       f. A person who is contracting with a permit applicant to perform  
31 third-party plan reviews under G.S. 160D-1110.1(c)."

32       **SECTION 3.** G.S. 143-151.12(9) reads as rewritten:

33       "(9) Establish within the Department of Insurance a marketplace pool of qualified  
34 Code-enforcement officials available for the following purposes:

- 35       a. When requested by the Insurance Commissioner, to assist in the  
36 discharge of the Commissioner's duty under G.S. 143-139 to  
37 supervise, administer, and enforce the North Carolina State Building  
38 Code.

39       ...

- 40       c. When requested by a permit applicant under G.S. 160D-1110.1(c)."

41       **SECTION 4.** G.S. 143-151.13 is amended by adding a new subsection to read:

42       "(g) A licensed architect or licensed professional engineer who possesses a valid  
43 certificate under subsection (f) of this section, but is not employed by the State or a local  
44 government, may utilize that certificate for the limited purpose of performing third-party plan  
45 reviews under subsections (b) and (c) of G.S. 160D-1110.1."

46       **SECTION 5.** This act becomes effective October 1, 2023, and applies to permit  
47 applications submitted on or after that date.