

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

SENATE BILL 525

5 By: Senator Hester
6 By: Representative Dotson
7

For An Act To Be Entitled

9 AN ACT TO MODERNIZE PLUMBING PLAN REVIEW SUBMISSIONS
10 AND RESPONSES; TO CLARIFY THAT LOCAL JURISDICTION
11 REVIEW OF CERTAIN PLUMBING PLANS AND SPECIFICATIONS
12 DOES NOT REQUIRE REVIEW BY THE DEPARTMENT OF HEALTH;
13 TO CLARIFY THAT CERTAIN CONSTRUCTION PLANS ARE
14 REQUIRED TO GO TO THE DEPARTMENT OF HEALTH FOR
15 REVIEW; AND FOR OTHER PURPOSES.
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Subtitle

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19 TO MODERNIZE PLUMBING PLAN REVIEW
20 SUBMISSIONS AND RESPONSES; AND TO CLARIFY
21 THAT LOCAL JURISDICTION REVIEW OF CERTAIN
22 PLUMBING PLANS AND SPECIFICATIONS DOES
23 NOT REQUIRE REVIEW BY THE DEPARTMENT OF
24 HEALTH.
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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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29 SECTION 1. Arkansas Code § 17-38-201, concerning the powers and duties
30 of the State Board of Health relating to plumbing, is amended to add an
31 additional subsection to read as follows:

32 (h) The department and the State Board of Health shall:

33 (1) Accept plumbing plan review documents via email, mail, or in
34 person; and

35 (2) Respond to an individual or entity submitting plumbing plan
36 review documents via email, unless the individual or entity indicates that



1 the individual or entity would prefer to receive the response via mail.

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3 SECTION 2. Arkansas Code § 17-38-204(h), concerning local regulatory
4 authority of plumbing plans and exceptions, is amended to read as follows:

5 (h)(1) If a city, town, sewerage district, water district, sewer
6 association, water association, utility gas system, or county enacts an
7 ordinance or regulation to provide for plan reviews of plumbing plans, the
8 entity city, town, sewerage district, water district, sewer association,
9 water association, utility gas system, or county may have an employee who is
10 certified as a plumbing and natural gas inspector perform plan reviews of
11 plumbing plans.

12 (2)(A) All plumbing plans approved under subdivision (h)(1) of
13 this section shall not be required to be:

14 (i) ~~submitted~~ Submitted with a payment of a fee to
15 the department if a fee is submitted to the city, town, sewerage district,
16 water district, sewer association, water association, utility gas system, or
17 county; or

18 (ii) Reviewed by the department if an engineer
19 licensed in this state has drawn up the plumbing plan and the employee under
20 subdivision (h)(1) of this section is a licensed engineer.

21 (B) The department shall not require the city, town,
22 sewerage district, water district, sewer association, water association,
23 utility gas system, or county to relinquish or surrender a fee submitted to
24 the city, town, sewerage district, water district, sewer association, water
25 association, utility gas system, or county.

26 (C) The maximum allowable fee for a plan review under
27 subdivision (h)(1) of this section shall not exceed the fees set out in § 20-
28 7-123(b)(2).

29 (3)(A) An employee who performs a plan review under subdivision
30 (h)(1) of this section ~~is assumed to have~~ has the responsibility to ensure
31 that the plumbing ~~plans meet~~ plan meets state requirements.

32 (B) The department may audit or inspect the records of an
33 employee who performs a plan review under subdivision (h)(1) of this section.

34 (4) This section does not:

35 (A) Create a cause of action against a city, town,
36 sewerage district, water district, sewer association, water association,

1 utility gas system, or county for any resulting damages or failures of the
2 plumbing plan; or

3 (B) Prohibit a person from seeking a plan review from and
4 paying a fee to the department in lieu of seeking a plan review from and
5 paying a fee to a city, town, sewerage district, water district, sewer
6 association, water association, utility gas system, or county.

7 (5) A plumbing plan review under this section includes a review
8 of the water supply, water lines, and sewage line designs.

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10 SECTION 3. Arkansas Code Title 20, Chapter 7, Subchapter 1, is amended
11 to add an additional section to read as follows:

12 20-7-140. Alterations, additions, and new construction.

13 (a) Before commencing alterations, additions, or new construction, a
14 contractor shall submit plans, including a plumbing plan that includes water
15 supply line and sewage line designs, and specifications that have been
16 certified by a licensed architect or professional engineer to the Department
17 of Health with respect to compliance with the applicable codes, rules, and
18 standards.

19 (b) Certified plans and specifications as described in subsection (a)
20 of this section shall be submitted according to procedures of the department.

21
22 SECTION 4. Arkansas Code § 20-9-217 is amended to read as follows:

23 20-9-217. Alterations, additions, and new construction of facilities.

24 ~~(a) The State Board of Health shall prescribe by regulation that any~~
25 ~~licensee or applicant desiring to make specified types of alterations or~~
26 ~~additions to its facilities or to construct new facilities, before~~ Before
27 commencing the alterations, additions, or new construction ~~under this~~
28 subchapter, a facility shall submit plans, including a plumbing plan that
29 includes water supply line and sewage line designs, and specifications that
30 have been certified by a licensed architect or professional engineer for them
31 to the Department of Health for preliminary inspection and approval or
32 ~~recommendations~~ with respect to compliance with the ~~regulations~~ applicable
33 codes, rules, and standards.

34 (b) Certified plans and specifications as described in subsection (a)
35 of this section shall be submitted according to procedures of the department.

36 (c)(1) From time to time, the Director of the Department of Health or

1 his or her agent shall inspect each construction project approved by the
2 Unites States Surgeon General.

3 (2) If the inspection so warrants, the director or his or her
4 agent shall certify to the United States Surgeon General that work has been
5 performed upon the project, or purchases have been made, in accordance with
6 the approved plans and specifications, and that payment of an installment of
7 federal funds is due the applicant.

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