

2023 -- H 5942

LC001693

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO HEALTH AND SAFETY -- STATE BUILDING CODE

Introduced By: Representatives Speakman, and Donovan

Date Introduced: March 01, 2023

Referred To: House Municipal Government & Housing

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-27.3-108.2 of the General Laws in Chapter 23-27.3 entitled "State
2 Building Code" is hereby amended to read as follows:

3 **23-27.3-108.2. State building commissioner's duties.**

4 (a) This code shall be enforced by the state building commissioner as to any structures or
5 buildings or parts thereof that are owned or are temporarily or permanently under the jurisdiction
6 of the state or any of its departments, commissions, agencies, or authorities established by an act
7 of the general assembly, and as to any structures or buildings or parts thereof that are built upon
8 any land owned by or under the jurisdiction of the state; provided, however, that with regard to
9 any structures or buildings or parts thereof that are constructed or owned by a municipality upon
10 any land owned by or under the jurisdiction of the state, then this code shall be enforced by the
11 local municipal building official, and any permitting fees shall be remitted to the local municipality.

12 (b) Permit fees for the projects shall be established by the committee. The fees shall be
13 deposited as general revenues.

14 (c)(1) The local cities and towns shall charge each permit applicant an additional .1 (.001)
15 percent levy of the total construction cost for each permit issued. The levy shall be limited to a
16 maximum of fifty dollars (\$50.00) for each of the permits issued for one- and two-family (2)
17 dwellings. This additional levy shall be transmitted monthly to the state building office at the
18 department of business regulation, and shall be used to staff and support the purchase or lease and
19 operation of a web-accessible service and/or system to be utilized by the state and municipalities

1 for uniform, statewide electronic plan review, permit management, and inspection system and other
2 programs described in this chapter. The fee levy shall be deposited as general revenues.

3 (2) On or before July 1, 2013, the building commissioner shall develop a standard statewide
4 process for electronic plan review, permit management, and inspection. The process shall include,
5 but not be limited to: applications; submission of building plans and plans for developments and
6 plots; plan review; permitting; inspections; inspection scheduling; project tracking; fee calculation
7 and collections; and workflow and report management.

8 (3) On or before December 1, 2013, the building commissioner, with the assistance of the
9 office of regulatory reform, shall implement the standard statewide process for electronic plan
10 review, permit management, and inspection. In addition, the building commissioner shall develop
11 a technology and implementation plan for a standard web-accessible service or system to be utilized
12 by the state and municipalities for uniform, statewide electronic plan review, permit management,
13 and inspection. The plan shall include, but not be limited to: applications; submission of building
14 plans and plans for developments and plots; plan review; permitting; inspections; inspection
15 scheduling; project tracking; fee calculation and collections; and workflow and report management.

16 (d) The building commissioner shall, upon request by any state contractor described in §
17 37-2-38.1, review, and when all conditions for certification have been met, certify to the state
18 controller that the payment conditions contained in § 37-2-38.1 have been met.

19 (e) The building commissioner shall coordinate the development and implementation of
20 this section with the state fire marshal to assist with the implementation of § 23-28.2-6. On or before
21 January 1, 2022, the building commissioner shall promulgate rules and regulations to implement
22 the provisions of this section and § 23-27.3-115.6.

23 (f) The building commissioner shall submit, in coordination with the state fire marshal, a
24 report to the governor and general assembly on or before April 1, 2013, and each April 1 thereafter,
25 providing the status of the web-accessible service and/or system implementation and any
26 recommendations for process or system improvement. In every report submitted on or after April,
27 2024, the building commissioner shall provide the following information:

28 (1) The identity of every municipality in full compliance with the provisions § 23-27.3-
29 115.6 and the rules and regulations promulgated pursuant to the provisions of this section;

30 (2) The identity of every municipality failing to fully implement and comply with the
31 provisions of § 23-27.3-115.6 and/or the rules and regulations promulgated pursuant to the
32 provisions of this section, and the nature, extent, and basis or reason for the failure or
33 noncompliance; and

34 (3) Recommendations to achieve compliance by all municipalities with the provisions of §

1 23-27.3-115.6 and the rules and regulations promulgated pursuant to this section.

2 (g) The building commissioner shall assist with facilitating the goals and objectives set
3 forth in § 28-42-84(a)(9).

4 SECTION 2. This act shall take effect upon passage and shall apply retroactively to January
5 1, 2022.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HEALTH AND SAFETY -- STATE BUILDING CODE

1 This act would amend the state building code by providing that with regard to any
2 structures or buildings or parts thereof that are constructed or owned by a municipality upon any
3 land owned by or under the jurisdiction of the state, then the state building code would be enforced
4 by the local municipal building official, and any permitting fees would be remitted to the local
5 municipality.

6 This act would take effect upon passage and would apply retroactively to January 1, 2022.

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