

2024 -- H 7983 SUBSTITUTE A

LC005543/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY
JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO HEALTH AND SAFETY -- STATE BUILDING CODE

Introduced By: Representatives Cruz, Potter, Diaz, Kislak, Kazarian, Giraldo, and Slater

Date Introduced: March 05, 2024

Referred To: House Municipal Government & Housing

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 23-27.3-107.0, 23-27.3-107.4 and 23-27.3-108.2 of the General
2 Laws in Chapter 23-27.3 entitled "State Building Code" are hereby amended to read as follows:

3 ~~23-27.3-107.0. Department of building inspection. State building code office.~~

4 There exists within the department of business regulation a state building code office. The
5 office is comprised of the state building code commissioner and the commissioner's staff, the
6 contractors' registration and licensing board, the building code commission, the design
7 professionals unit, and the building code standards committee and all other applicable
8 subcommittees.

9 ~~23-27.3-107.4. Qualifications and duties of the state building commissioner.~~
10 Qualifications of the state building commissioner.

11 ~~(a) The state building commissioner shall serve as the executive secretary to the state~~
12 ~~building code standards committee. In addition to the state building commissioner's other duties as~~
13 ~~set forth in this chapter, the state building commissioner shall assume the authority for the purpose~~
14 ~~of enforcing the provisions of the state building code in a municipality where there is no local~~
15 ~~building official.~~

16 ~~(b)~~ The state building commissioner shall be a member of the classified service, and for
17 administrative purposes shall be assigned a position in the department of business regulation.
18 Qualifications for the position of the state building commissioner shall be established in accordance
19 with provisions of the classified service of the state, and shall include the provision that the

1 qualifications include at least ten (10) years' experience in building or building regulations
2 generally, and that the commissioner be an architect or professional engineer licensed in the state
3 or a certified building official presently or previously employed by a municipality and having at
4 least ten (10) years' experience in the building construction or inspection field.

5 **23-27.3-108.2. State building commissioner's duties. Duties of the state building code**
6 **commissioner.**

7 (a) ~~This code shall be enforced by the state building commissioner as to any structures or~~
8 ~~buildings or parts thereof that are owned or are temporarily or permanently under the jurisdiction~~
9 ~~of the state or any of its departments, commissions, agencies, or authorities established by an act~~
10 ~~of the general assembly, and as to any structures or buildings or parts thereof that are built upon~~
11 ~~any land owned by or under the jurisdiction of the state.~~ The state building code commissioner shall
12 have the authority to enforce and perform the duties required by the state building code, chapter 27
13 of this title, and all codes referenced therein and adopted thereunder, and all other provisions of the
14 general laws and public laws insofar as such powers and duties relate to building codes and building
15 inspection.

16 (b) The state building code commissioner shall work to standardize building code
17 interpretations across the state with input from the Rhode Island League of Cities and Towns and
18 ensure consistent enforcement of the code throughout the state.

19 ~~(c)~~ (c) Permit fees for the projects shall be established by the committee. The fees shall be
20 deposited as general revenues.

21 ~~(d)~~ (d)(1) The local cities and towns shall charge each permit applicant an additional .1
22 (.001) percent levy of the total construction cost for each permit issued. The levy shall be limited
23 to a maximum of fifty dollars (\$50.00) for each of the permits issued for one- and two-family (2)
24 dwellings. This additional levy shall be transmitted monthly to the state building office at the
25 department of business regulation, and shall be used to staff and support the purchase or lease and
26 operation of a web-accessible service and/or system to be utilized by the state and municipalities
27 for uniform, statewide electronic plan review, permit management, and inspection system and other
28 programs described in this chapter. The fee levy shall be deposited as general revenues.

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

34 (3) On or before December 1, 2013, the building commissioner, with the assistance of the

1 office of regulatory reform, shall implement the standard statewide process for electronic plan
2 review, permit management, and inspection. In addition, the building commissioner shall develop
3 a technology and implementation plan for a standard web-accessible service or system to be utilized
4 by the state and municipalities for uniform, statewide electronic plan review, permit management,
5 and inspection. The plan shall include, but not be limited to: applications; submission of building
6 plans and plans for developments and plots; plan review; permitting; inspections; inspection
7 scheduling; project tracking; fee calculation and collections; and workflow and report management.

8 ~~(e)~~(e) The building commissioner shall, upon request by any state contractor described in
9 § 37-2-38.1, review, and when all conditions for certification have been met, certify to the state
10 controller that the payment conditions contained in § 37-2-38.1 have been met.

11 ~~(f)~~(f) The building commissioner shall coordinate the development and implementation of
12 this section with the state fire marshal to assist with the implementation of § 23-28.2-6. On or before
13 January 1, 2022, the building commissioner shall promulgate rules and regulations to implement
14 the provisions of this section and § 23-27.3-115.6.

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

20 (1) The identity of every municipality in full compliance with the provisions § 23-27.3-
21 115.6 and the rules and regulations promulgated pursuant to the provisions of this section;

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

26 (3) Recommendations to achieve compliance by all municipalities with the provisions of §
27 23-27.3-115.6 and the rules and regulations promulgated pursuant to this section.

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

30 (i) The state building code commissioner shall serve as the executive secretary to the state
31 building code standards committee.

32 (j) In addition to the state building code commissioner's other duties as set forth in this
33 chapter, and notwithstanding the same, the state building code commissioner and the
34 commissioner's staff shall assume the authority for the purposes of enforcing the provisions of the

1 [state building code in a municipality where there is no local building official or alternate as detailed](#)
2 [in § 23-27.3-107.2, or where there are no local building inspectors.](#)

3 SECTION 2. Chapter 23-27.3 of the General Laws entitled "State Building Code" is hereby
4 amended by adding thereto the following section:

5 **23-27.3-108.3. State building code education and training academy.**

6 [\(a\) There shall be a building code education and training program within the state building](#)
7 [code office, which shall be overseen by the state building code commissioner or the commissioner's](#)
8 [designee.](#)

9 [\(b\) The training program shall be responsible for implementing uniform building code](#)
10 [education and training programs, with the Rhode Island League of Cities and Towns, for all](#)
11 [building officials and inspectors statewide.](#)

12 SECTION 3. This act shall take effect on January 1, 2025.

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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 various provisions relative to the duties of the state building
2 commissioner and would establish a building code education and training program to educate
3 building officials and inspectors statewide.

4 This act would take effect on January 1, 2025.

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