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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING TO HEALTH AND SAFETY -- BUILDING DECARBONIZATION ACT OF 2025

Introduced By: Representatives Kislak, Carson, Spears, Handy, Speakman, McGaw,  
Boylan, Fogarty, Potter, and McEntee

Date Introduced: February 13, 2025

Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

1 SECTION 1. Findings and purpose.

2 The purpose of this chapter is to understand and reduce the greenhouse gas emissions of  
3 buildings in Rhode Island, consistent with an Act on Climate, chapter 6.2 of title 42. Of the building  
4 stock in 2050, approximately seventy percent (70%) has already been built, and addressing these  
5 existing buildings is critical to achieving net-zero emissions by 2050. While significant retrofits to  
6 existing buildings will eventually be needed, this chapter establishes a program for the energy  
7 benchmarking of large buildings in Rhode Island and a standard for their energy performance and  
8 requires that the construction or alteration of new buildings be electric-ready. Further, the intent of  
9 the legislature is to ensure that the Executive Climate Change Coordinating Council (EC4) has  
10 dedicated resources sufficient to administer its responsibilities under this chapter to enable swift  
11 and steady progress towards Rhode Island's net-zero mandate.

12 SECTION 2. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby  
13 amended by adding thereto the following chapter:

14 CHAPTER 27.5

15 BUILDING DECARBONIZATION ACT OF 2025

16 23-27.5-1. Definitions.

17 As used in this chapter:

18 (1) "Anonymized and aggregated usage data" means, for a specified time period, an  
19 aggregation of utility usage data for a covered property whereby data from tenant meters and from

1 owner meters are combined into one collective data point for each utility type, and where any  
2 unique identifiers or other personal information related to tenants are removed. Data for a covered  
3 property may be anonymized and aggregated where there are three (3) or more unique non-  
4 residential accounts or five (5) or more unique residential accounts.

5 (2) "Building improvement tool" means an online tool to help building owners and  
6 operators improve building energy and water efficiency and reduce greenhouse gas emissions  
7 through identifying, tracking, and verifying improvements and their performance, including the  
8 capability to integrate with ENERGY STAR Portfolio Manager.

9 (3) "Building performance standard" means an objectively verifiable numeric value of a  
10 defined building performance metric that covered properties are required to achieve by specified  
11 dates.

12 (4) "Commercial building" means a building or multiple buildings on a property of which  
13 not less than fifty percent (50%) of the gross floor area, including hallways or other common space,  
14 but excluding parking, is used for commercial, retail, office, professional, educational or other  
15 nonresidential purposes, or any grouping of commercial buildings designated by the EC4 as an  
16 appropriate reporting unit for the purposes of this section; provided however, that "commercial  
17 building" shall not include a public facility or a building owned or leased by the federal government,  
18 and shall not include a facility in which the majority of energy is consumed for manufacturing, for  
19 the generation of electric power or district thermal energy to be consumed off site, for  
20 communications infrastructure, or for other process loads as determined by the EC4.

21 (5) "Condominium" means a property that combines separate ownership of individual units  
22 with common ownership of other elements such as common areas.

23 (6) "Covered property" means any of the following with at least twenty-five thousand  
24 square feet (25,000 sq. ft.) of gross floor area:

25 (i) A single building;

26 (ii) One or more buildings held in the condominium form of ownership, and governed by  
27 a single board of managers; or

28 (iii) Two (2) or more buildings that are served by the same electric or gas meter or are  
29 served by the same heating or cooling system(s), which is not a district energy system. Provided  
30 that buildings, spaces, or groups of buildings and spaces, that are sub-metered or otherwise subject  
31 to easy determination of the resource consumption attributable to each individual building, space,  
32 or group of buildings or spaces, shall be treated as separate "covered properties" as determined by  
33 the EC4.

34 (7) "District energy system" means a system serving multiple covered properties and

1 consisting of non-combusting thermal energy generation, transfer, and distribution equipment  
2 providing thermal energy in the form of heat and/or heat rejection.

3 (8) "Executive climate change coordinating council" (EC4) means the council established  
4 by the 2021 act on climate, § 42-6.2-1, et seq.

5 (9) "Gross floor area" means the total area of a covered property, measured between the  
6 outside surface of the exterior walls of the covered property building(s). The EC4 shall promulgate  
7 rules and procedures governing the calculation of gross floor area, including areas that shall be  
8 excluded from the calculation.

9 (10) "Owner" means any of the following:

10 (i) An individual or entity possessing title to a covered property;

11 (ii) The board of the owners' association, in the case of a condominium;

12 (iii) The master association, in the case of a condominium, where the powers of an owners'  
13 association are exercised by or delegated to a master association;

14 (iv) The board of directors, in the case of a cooperative apartment corporation; or

15 (v) An agent authorized to act on behalf of any of the above.

16 (11) "Performance metrics" means each of the objectively verifiable numeric measures of  
17 building performance as established by § 23-27.5-4.

18 (12) "Property type(s)" means a category of covered properties subject to the same interim  
19 and final building performance standards, as defined by the EC4. Covered properties within each  
20 property type shall have shared characteristics that facilitate the implementation and enforcement  
21 of this law. The EC4 may define one or more property types to be identical to ENERGY STAR  
22 property types.

23 (13) "Public facility" means any public institution, public facility, or any physical asset  
24 owned, including its public real-property site, leased or controlled in whole or in part by this state,  
25 a public agency, a municipality or a political subdivision, that is for public or government use and  
26 that consumes energy.

27 (14) "Residential building" means a building or multiple buildings on a property of which  
28 not less than fifty percent (50%) of the gross floor area, including hallways and other common  
29 space serving residents, but excluding parking, is used for dwelling purposes, or any grouping of  
30 residential buildings designated by the EC4 as an appropriate reporting unit for the purposes of this  
31 chapter; provided, however, that "residential building" shall not include a public facility or a  
32 building owned or leased by the federal government.

33 (15) "Tenant" means any tenant, tenant-stockholder of a cooperative apartment  
34 corporation, or condominium unit owner.

1           (16) "Utility" means a company, cooperative, association, or government entity that  
2 distributes and sells electricity, natural gas, or district energy for use in buildings.

3           **23-27.5-2. Authority.**

4           The EC4 shall be granted additional authority to administer this chapter, which shall  
5 include the authority to issue forms and guidance, promulgate rules and regulations, apply for and  
6 receive federal funds, assess and receive fees, and contract with third parties to effectuate the  
7 powers granted herein.

8           **23-27.5-3. Building benchmarking.**

9           (a) There is established an energy use benchmarking program to collect and analyze such  
10 information in support of the statewide greenhouse gas emission reduction mandate provided in  
11 chapter 6.2 of title 42 ("act on climate").

12           (b) The program shall be conducted to determine whether each building subject to the  
13 program utilizes more or less energy, and emits more or less greenhouse gases, than buildings of  
14 comparable size, occupancies and uses, and to inform a statewide analysis of energy use trends and  
15 opportunities to increase energy efficiency and reduce greenhouse gas emissions.

16           (c) Information to be collected in the benchmarking program and generally referred to as  
17 "energy use information" shall include at a minimum:

18           (1) The name, mailing address, email, and telephone number of the owner, and the operator  
19 if different from the owner;

20           (2) The address of the building and the municipality in which the building is located;

21           (3) The primary use, any additional uses, and gross floor area of the building;

22           (4) The building's total energy use in kBtu and total greenhouse gas emissions in pounds  
23 of carbon dioxide equivalent;

24           (5) The breakdown of the building's energy use by electricity, gas, and other sources, and  
25 any electricity generated by on-site renewable sources; and

26           (6) An energy performance rating or assessment score.

27           (d) The EC4 shall issue forms, guidance, or regulations as needed, to implement this section  
28 including provisions related to compliance. The EC4 shall issue provisional guidance for public  
29 facilities greater than twenty-five thousand square feet (25,000 sq. ft.) by July 1, 2026. The EC4  
30 shall propose forms, guidance, or regulations as needed, for all covered properties by March 31,  
31 2026, and shall make all efforts to issue final forms, guidance, or regulations as needed, for all  
32 covered properties by July 1, 2026.

33           (1) The EC4 may designate one or more alternative energy use benchmarking tools.

34           (2) The EC4 shall define one or more energy performance ratings or scores to aid building

1 owners, operators, the general public, and the EC4 in understanding the energy of greenhouse gas  
2 emissions performance of the building relative to similar buildings.

3 (3) The EC4 shall identify the required information which shall include at a minimum, the  
4 energy use information listed in subsection (c) of this section, and at least one of the energy  
5 performance ratings or scores defined by the EC4, as well as necessary administrative information  
6 such as the owner and operator of the building, contact information, and similar items.

7 (4) The EC4 shall promulgate regulations and procedures governing the calculation of  
8 gross floor area, including areas that shall be excluded from the calculation.

9 (5) The EC4 shall promulgate regulations and procedures for the submission of required  
10 information and may provide multiple alternatives for the form of submission, such as a paper form  
11 and submission electronically via an online portal, and shall endeavor to streamline the submission  
12 processes as appropriate.

13 (6) The EC4 shall promulgate regulations and procedures on data verification options for  
14 required information.

15 (7) The EC4 may consider modeling property types, use details and other definitions  
16 provided in the ENERGY STAR Portfolio Manager glossary.

17 (e) The EC4 shall provide technical support and guidance to owners and operators of  
18 buildings subject to this section.

19 (1) The EC4 shall identify one or more building improvement tools as voluntary  
20 complementary software or platforms that in the EC4's judgment can assist building owners and  
21 operators in improving building performance and which may be public or private sector tools.

22 (2) The EC4 shall provide technical support and assistance on the use of the energy use  
23 benchmarking tool and the building improvement tool, as well as building energy assessment,  
24 improvement, and financial tools.

25 (3) Technical support and assistance may be provided directly and through contract and the  
26 EC4 may consider a technical assistance hub.

27 (4) The EC4 may coordinate with the department of environmental management (DEM)  
28 for enforcement of the building performance standards, and the standards and requirements set forth  
29 herein.

30 (5) The EC4 may apply for relevant federal funding opportunities in support of this chapter  
31 and may partner with nonprofit organizations and associations to make such an application if  
32 beneficial.

33 (f) In administering this section, the EC4 may:

34 (1) Designate subcategories of buildings based on common characteristics such as building

1 use, and may establish different reporting requirements for subcategories; and  
2 (2) Consider whether tenant-occupied units or spaces are separately metered and may  
3 address such conditions in any forms, instructions, or responses to questions.  
4 (g) The EC4 shall provide to owners' instructions regarding tenant energy consumption  
5 data, including best practices for lease provisions and for estimates where obtaining metered data  
6 is not practicable.  
7 (h) Not later than the deadlines provided in subsections (k)(1) through (k)(3) of this section,  
8 beginning in the year indicated, the owner of each covered property shall submit to the EC4 energy  
9 use information for each covered property. Such submission shall include additional required  
10 information, if any, identified by the EC4 and shall be in the form and manner, if any, prescribed  
11 by the EC4. The failure of the EC4 to issue guidance shall not excuse owners of this obligation.  
12 (i) When an owner submits required information accompanied by evidence of data  
13 verification by a third party per regulations issued pursuant to this section, the owner shall have an  
14 additional three (3) months beyond the dates indicated in subsection (k)(2) of this section to report.  
15 (j) Within one hundred eighty (180) days of enactment of this chapter, the EC4 shall host  
16 a workshop to explain the benchmarking requirements contained within this chapter. The EC4 shall  
17 invite representatives from the Rhode Island League of Cities and Towns, the Rhode Island AFL-  
18 CIO, municipal building code officials, municipal planning officials, and other interested parties  
19 identified by the commissioner of the EC4.  
20 (k)(1) For public facilities with gross floor area greater than twenty-five thousand square  
21 feet (25,000 sq. ft), the first compliance date is March 31, 2027, for calendar year 2026 energy use  
22 information, and thereafter the annual compliance date is March 31 for the prior calendar year.  
23 (2) For covered properties with gross floor area greater than fifty thousand square feet  
24 (50,000 sq. ft), the first compliance date is March 31, 2027, for calendar year 2026 energy use  
25 information, and thereafter the annual compliance date is March 31 for the prior calendar year.  
26 (3) For covered properties with gross floor area greater than twenty-five thousand square  
27 feet (25,000 sq. ft), the first compliance date is March 31, 2028, for calendar year 2027 energy use  
28 information, and thereafter the annual compliance date is March 31 for the prior calendar year.  
29 (l) To the extent permitted by law, an electric distribution company as defined in § 39-1-  
30 2(a)(12) or gas distribution company included as a public utility in § 39-1-2(a)(20) that has greater  
31 than one hundred thousand (100,000) customers shall make available to owners of covered  
32 properties anonymized and aggregated usage data for owner's covered property for the purpose of  
33 compliance with this chapter. By nature of being aggregated, the intent is to anonymize individual  
34 tenant energy use information, and not disclose this or any other personal information related to

1 tenant customers or their accounts.

2 (m) To the extent that gas and electric companies incur new or additional expenses to  
3 collect, aggregate, organize, or provide energy use information under this chapter, prior to filing  
4 for cost recovery, must first demonstrate good faith efforts to secure federal, state, or other relevant  
5 funding options. Thereafter, such additional expenses shall be eligible for cost recovery through  
6 rates charged to customers under the appropriate cost recovery mechanisms as determined by the  
7 public utilities commission.

8 (n) Electric and gas distribution utilities shall collaborate with the EC4 to identify best  
9 practices for collecting and managing aggregated whole building data.

10 (o) The EC4 shall endeavor to ensure that electric and gas distribution companies or other  
11 energy efficiency program administrator provide owners of buildings subject to this section with  
12 up-to-date information about energy efficiency opportunities or actions available to increase energy  
13 efficiency, including incentives in utility-administered or other energy efficiency programs and  
14 changes in energy assessment technology.

15 **23-27.5-4. Municipal implementation of building energy benchmarking**  
16 **requirements.**

17 In the case of a municipality that has initiated a building energy benchmarking requirement  
18 prior to the enactment of this law, the municipality may continue such program in lieu of the  
19 benchmarking requirements to be established by the EC4. In such case, the municipality must notify  
20 the EC4 of such intent within one hundred eighty (180) days of the enactment of this chapter and  
21 must provide benchmarking data to the EC4 annually thereafter.

22 **23-27.5-5. Reporting.**

23 (a) On a regular basis, the EC4 shall evaluate data relevant to understanding the energy use  
24 and greenhouse gas emissions of buildings in Rhode Island including, but not limited to, the  
25 benchmarking data collected under this chapter. The EC4 shall publish reports summarizing the  
26 data and the status of building emissions in Rhode Island biennially. Beginning no later than August  
27 31, 2028, and annually thereafter, the EC4 shall post benchmarking data for the prior calendar year.  
28 Such posted benchmarking data shall include, at a minimum, for each covered property required to  
29 submit energy use information for the given calendar year, the address of the covered property and  
30 its energy performance rating or assessment score.

31 (b) No later than August 31, 2028, the EC4 shall publish a report including a summary of  
32 its activities and progress under this chapter and detailing recommended measures, policies and  
33 programs to achieve building emission reductions aligned with Rhode Island's net zero goal. The  
34 EC4 shall issue supplemental reports biennially for a period of twenty (20) years.

1 (c) Performance metrics shall include site energy use intensity and may also include  
2 greenhouse gas emissions or other metrics relevant to the purpose of this chapter.

3 **23-27.5-6. Building performance standard.**

4 (a) State buildings:

5 (1) Utilizing data collected on state building performance, the office of energy resources  
6 shall, with consultation from departments, develop and publish performance standards for state-  
7 owned, state-occupied facilities by March 31, 2028. The office of energy resources must receive  
8 approval from the executive climate change coordinating council before publishing the  
9 performance standards and before publishing any revision to the standards thereafter.

10 (b) Municipal, private and all other state buildings

11 (1) No later than June 30, 2029, the EC4 shall select performance metrics and set a building  
12 performance standard for each property type or subcategory covered by this section.

13 (c) The EC4 shall set final building performance standards that shall collectively cause the  
14 aggregate greenhouse gas emissions attributable to all covered properties to be reduced by eighty  
15 percent (80%) below 1990 levels by 2040 and shall cause the aggregate greenhouse gas emissions  
16 attributable to all covered properties to reach net zero by 2050.

17 (d) The EC4 Plan due December 31, 2025, in accordance with §42-6.2-2 (2)(i) shall include  
18 details of strategies to reduce carbon in buildings in Rhode Island, and shall include details of how  
19 the EC4 will develop a state building performance standard, including funding and staffing  
20 requirements.

21 **23-27.5-7. Compliance assurance.**

22 The EC4 shall establish a program to maximize owner compliance with this chapter. The  
23 EC4 shall issue forms, guidance and promulgate regulations as necessary to implement the  
24 compliance program, and shall revise such forms, guidance and regulations from time to time as  
25 needed.

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

28 **23-27.3-130. Electric-ready new buildings.**

29 The purpose of this section is to require that all new buildings be electric-ready.

30 **23-27.3-130.1. Definitions.**

31 As used in this chapter:

32 (1) "Addition" means a significant extension or increase in the conditioned space floor area,  
33 number of stories or height of a building or structure.

34 (2) "Alteration" means any construction, retrofit or renovation to an existing structure other



1 than repair or addition. Also, a change in a building, or a building's electrical, gas, mechanical or  
2 plumbing system that involves a significant extension, addition or change to the arrangement, type  
3 or purpose of the original installation that requires a permit.

4 (3) "Building energy needs" means all space conditioning including heating and cooling,  
5 water heating including pools and spas, cooking appliances and clothes drying appliances.

6 (4) "Electric ready" means a building, project, or portion thereof that contains electrical  
7 systems and designs that provide sufficient capacity for a future retrofit of a mixed-fuel building to  
8 an all-electric building, including sufficient space, drainage, electrical conductors or raceways, bus  
9 bar capacity, and overcurrent protective devices for such retrofit.

10 (5) "Initial application" means the first site or building permit application for the building  
11 or project.

12 (6) "Local approval" means a provision has been incorporated by reference into the  
13 municipal code of ordinances by the legislative body of the municipality. Provision may be  
14 included as a general or zoning ordinance or bylaws.

15 (7) "Mixed-fuel building" means a building that uses a combination of electricity and fossil  
16 fuels to meet building energy needs. For the purposes of this section, "mixed-fuel building" shall  
17 not include buildings that use geothermal or solar energy to meet heating and/or cooling building  
18 energy needs; provided, however, that they are otherwise all-electric buildings.

19 (8) "Mixed-use building" means a building used for both residential and commercial  
20 purposes.

21 (9) "NACC and AGMT" means the North American Contractor Certification and  
22 Architectural Glass and Metal Technicians Contractor Certification.

23 (10) "Repair" means the reconstruction or renewal of any part of an existing building for  
24 the purpose of its maintenance, or to upgrade or correct damage.

25 (11) "Renovation" means any major construction or retrofit to an existing structure other  
26 than a repair. Renovation also means a change in a building, or a building's electrical, gas,  
27 mechanical or plumbing system that involves a significant extension, addition, or change to the  
28 arrangement, type or purpose of the original installation that requires a permit.

29 **23-27.3-130.2. Requirement for electric-ready construction of new buildings.**

30 No city or town shall issue a permit for the new construction or alteration of any residential,  
31 commercial, or mixed-use building that is not electric-ready if the initial application for such permit  
32 was submitted after December 31, 2025, unless the circumstances set forth in § 23-27.5-130.5  
33 apply.

34 **23-27.3-130.3. Requirement for all-electric ready construction of public buildings.**

1 (a) No permit shall be issued for new public building construction or alteration projects  
2 that are not electric-ready if the initial application for such permit was submitted after December  
3 31, 2025, unless the circumstance set forth in § 23-27.5-130.5 apply.

4 (b) This subsection is applicable to the new construction or alteration of all buildings  
5 owned by the State of Rhode Island, its political subdivisions including municipalities, any quasi-  
6 public agencies, including buildings owned by the state and managed by other entities.

7 (1) The awarding authority of any project under this chapter shall take all necessary actions  
8 to ensure that each contractor and subcontractor involved in new public building construction  
9 projects or alteration projects over five million dollars (\$5,000,000) requires all contractors and  
10 subcontractor on the project to have or be affiliated with a non-provisionally approved registered  
11 apprenticeship program as defined in 29 CFR et seq. and also require that not less than fifteen  
12 percent (15%) of the total hours worked by the contractors' and subcontractors' employees to be  
13 completed by apprentices registered in registered apprenticeship programs as defined herein. The  
14 awarding agency may lower the fifteen percent (15%) requirement only if it determines in writing  
15 that compliance is not feasible or that it would be unduly cost prohibitive to the project.

16 (2) The awarding authority of any project under this chapter shall conduct an independent,  
17 objective, reasoned study, using reviewable criteria, to determine whether adoption of a project  
18 labor agreement on the proposed project or projects will help achieve the goals of the state  
19 purchases act, for all new public building construction projects or alteration projects over twenty-  
20 five million dollars (\$25,000,000).

21 **23-27.3-130.4. Exemptions.**

22 (a) Notwithstanding the provisions of this chapter, a permit for construction of a new  
23 mixed-fuel building may be issued upon a finding by the permitting body that constructing an all-  
24 electric building or project is physically or technically infeasible and that a modification is  
25 warranted. Financial considerations shall not be a sufficient basis to determine physical or technical  
26 infeasibility. Modifications shall only be issued under this exception where the permitting body  
27 finds that:

28 (1) Sufficient evidence was submitted to substantiate the infeasibility of an all-electric  
29 building or project design. Such evidence shall show that the building either:

30 (i) Cannot satisfy necessary building code requirements without the usage of gas or oil  
31 pipng systems, fixtures and/or infrastructure; or

32 (ii) If the building is specifically designated for occupancy by commercial or industrial  
33 uses which cannot feasibly operate using commercially available all-electric appliances; or

34 (iii) If mixed fuel is used to meet building energy needs and said building or group of

1 buildings are for the sole use as a hospital, medical facility, or laboratory for biological research.

2 (2) The installation of natural gas or oil piping systems, fixtures and/or infrastructure is  
3 strictly limited to the system and area of the building for which an all-electric building or project  
4 design is infeasible.

5 (3) The area or service within the project where gas or oil piping systems, fixtures and/or  
6 infrastructure are installed is all-electric ready.

7 (4) The project's modified design provides equivalent health, safety, and fire protection to  
8 an all-electric building or project design.

9 **23-27.3-130.5. Rules and regulations.**

10 The state building code commission shall promulgate rules pursuant to this chapter by  
11 November 14, 2025.

12 SECTION 4. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO HEALTH AND SAFETY -- BUILDING DECARBONIZATION ACT OF 2025

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1           This act would establish a program for the energy and water benchmarking of large  
2 buildings in Rhode Island and a standard for their energy performance. Further, the intent of the  
3 legislature is to ensure that the office of energy resources has dedicated resources sufficient to  
4 administer its responsibilities under this chapter to enable swift and steady progress towards Rhode  
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6           This act would take effect upon passage.

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