

2025 -- H 5803 SUBSTITUTE A AS AMENDED

LC002163/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO HEALTH AND SAFETY -- STATE BUILDING CODE

Introduced By: Representatives Shekarchi, Casey, Tanzi, Blazejewski, Speakman,
Cotter, Dawson, Stewart, Finkelman, and Hull
Date Introduced: February 27, 2025
Referred To: House Municipal Government & Housing

It is enacted by the General Assembly as follows:

- 1
- SECTION 1. Sections 23-27.3-100.0, 23-27.3-100.1 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
- 23-27.3-100.0. Scope.**
- 4
- [This chapter governs the state building code and the establishment, operation and](#)
- 5
- [maintenance of electronic permitting platforms for state and local permitting.](#)
- 6
- 23-27.3-100.1. Short title — Applicability.**
- 7
- This act shall be known as the “Rhode Island state building code” referred to throughout
- 8
- this chapter as “this code”, which includes a rehabilitation building and fire code for existing
- 9
- buildings and structures. In accordance with this chapter, this act controls:
- 10
- (1) The construction, reconstruction, alteration, repair, demolition, removal, inspection,
- 11
- issuance, and revocation of permits or licenses, installation of equipment, classification, and
- 12
- definition of any building or structure, and use or occupancy of all buildings and structure and parts
- 13
- of them;
- 14
- (2) The rehabilitation and maintenance of existing buildings;
- 15
- (3) The standards or requirements for materials to be used in connection with buildings and
- 16
- structures, including but not limited for safety, ingress and egress, energy conservation, and sanitary
- 17
- conditions;
- 18
- (4) The establishment of reasonable fees for the issuance of licenses and permits in
- 19
- connection with buildings and structures;

1 (5) The establishment and maintenance of an electronic permitting platforms and
2 regulations related to the use of the platforms for all matters related to the applications and review
3 for state and local building permits, municipal zoning applications, municipal planning
4 applications, applications and permits for the department of environmental management,
5 applications and permits for the department of transportation and applications and permits for the
6 coastal resources management council.

7 Except as those matters are otherwise provided for in the general laws or in the rules and
8 regulations authorized for promulgation under the provisions of this code.

9 **23-27.3-108.2. Duties of the state building code commissioner. [Effective January 1,**
10 **2025.]**

11 (a) The state building code commissioner shall have the authority to enforce and perform
12 the duties required by the state building code, chapter 27.3 of this title, and all codes referenced
13 therein and adopted thereunder, and all other provisions of the general laws and public laws insofar
14 as such powers and duties relate to building codes and building inspection; provided, however, that
15 for the purposes of this section structures constituting tents and/or membrane frame structures as
16 defined in this state building code and any regulations promulgated hereunder shall be subject to
17 an annual certification process to be established by the state building commissioner in conjunction
18 with the state fire marshal and shall not be subject to recurring permit and fee requirements as
19 otherwise required by this code.

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

23 (c) Permit fees. Permit fees for the ~~projects~~ construction under this chapter shall be
24 established by the committee. The fees shall be deposited as general revenues.

25 ~~(d)~~(1) Building permit fees. The state building official or the local cities and towns, as
26 applicable, shall charge each permit applicant an additional one-tenth percent (0.1%) levy of the
27 total construction cost for each commercial permit issued, and two-tenths percent (0.2%) levy of
28 the total construction cost for each residential permit issued. The levy shall be limited to a
29 maximum of one hundred dollars (\$100) for each of the permits issued for one- and two-family (2)
30 dwellings. This additional levy shall be transmitted monthly to the state building office at the
31 department of business regulation; and

32 (i) Fifty percent (50%) of this additional levy on residential permits and one hundred
33 percent (100%) of this additional levy on commercial permits shall be used to staff and support the
34 purchase or lease and operation of a web-accessible service and/or system to be utilized by the state

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

4 (ii) Fifty percent (50%) of this additional levy on residential permits shall be transferred to
5 the department of labor and training and shall be deposited into the contractor training restricted
6 receipt account, which shall be exempt from the indirect cost recovery provisions of § 35-4-27.
7 Subject to appropriation by the general assembly, these funds shall be used to provide contractor
8 training grants for programs that shall include, but are not limited to, minority business enterprises
9 and state local building officials.

10 (2) Fees for electronic permitting from other state agencies and cities and towns. The local
11 cities and towns and any state agency utilizing an electronic permitting platform, except as set forth
12 in this section, shall charge each applicant in accordance with §§ 42-13-10, 42-17.1-46, 45-23-36.1,
13 45-24-58.1, 45-53-16 and 46-23-47 as applicable.

14 (d) Electronic permitting.

15 (1) For purposes of this section, "electronic permitting" means the use of computer-based
16 tools and services through a platform which automates and streamlines the application and permit
17 process to include, but not be limited to, task-specific tools for applications, submission of plans,
18 checklists, reports and other documents, reviews, permitting, scheduling, review and project
19 tracking, comments from staff and committees, fee calculation and collection; and workflow and
20 report management

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

26 (3) On or before December 1, 2013, the building commissioner shall implement the
27 standard statewide process for electronic plan review, permit management, and inspection. In
28 addition, the building commissioner shall develop a technology and implementation plan for a
29 standard web-accessible service or system to be utilized by the state and municipalities for uniform,
30 statewide electronic plan review, permit management, and inspection for building permits. The plan
31 shall include, but not be limited to: applications; submission of building plans and plans for
32 developments and plots; plan review; permitting; inspections; inspection scheduling; project
33 tracking; fee calculation and collections; and workflow and report management.

34 (4) The building commissioner shall implement the standard statewide process for

1 [electronic permitting to be utilized pursuant to this section and §§ 23-27.3-115.6, 42-13-10, 42-](#)
2 [17.1-46, 45-23-36.1, 45-24-58.1, 45-53-16 and 46-23-27.](#) In addition, the building commissioner
3 [shall develop a technology and implementation plan for a web-accessible service or system to be](#)
4 [utilized by the state and municipalities for these purposes and shall cause the purchase or lease and](#)
5 [operation of a web-accessible service and/or system to be utilized by the state and municipalities](#)
6 [for electronic permitting \(“electronic permitting platform”\).](#)

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

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

20 (e) The building commissioner shall, upon request by any state contractor described in §
21 37-2-38.1, review, and when all conditions for certification have been met, certify to the state
22 controller that the payment conditions contained in § 37-2-38.1 have been met.

23 (f) The building commissioner shall coordinate the development and implementation of this
24 section with the state fire marshal to assist with the implementation of § 23-28.2-6. On or before
25 January 1, 2022, the building commissioner shall promulgate rules and regulations to implement
26 the provisions of this section and §§ [23-27.3-115.6, 42-13-10, 42-17.1-46, 45-23-36.1, 45-24-58.1,](#)
27 [45-53-16, and 46-23-27.](#)

28 (g) The building commissioner shall submit, in coordination with the state fire marshal, a
29 report to the governor and general assembly on or before April 1, 2013, and each April 1 thereafter,
30 providing the status of the web-accessible ~~service~~ [service\(s\)](#) and/or ~~system~~ [system\(s\)](#)
31 implementation and any recommendations for process or system improvement. In every report
32 submitted on or after April, 2024, the building commissioner shall provide the following
33 information:

34 (1) The identity of every municipality [and state agencies, as applicable](#) in full compliance

with the provisions of § 23-27.3-115.6, [42-13-10](#), [42-17.1-46](#), [45-23-36.1](#), [45-24-58.1](#), [45-53-16](#) and [46-23-27](#) and the rules and regulations promulgated pursuant to the provisions of this section;

(2) The identity of every municipality [or state agencies, as applicable](#), failing to fully implement and comply with the provisions of § 23-27.3-115.6, [42-13-10](#), [42-17.1-46](#), [45-23-36.1](#), [45-24-58.1](#), [45-53-16](#) and [46-23-27](#) and/or the rules and regulations promulgated pursuant to the provisions of this section, and the nature, extent, and basis or reason for the failure or noncompliance; and

(3) Recommendations to achieve compliance by all municipalities [or state agencies as applicable](#) with the provisions of § 23-27.3-115.6, [42-13-10](#), [42-17.1-46](#), [45-23-36.1](#), [45-24-58.1](#), [45-53-16](#) and [46-23-27](#) and the rules and regulations promulgated pursuant to this section.

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

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

(j) In addition to the state building code commissioner's other duties as set forth in this chapter, and notwithstanding the same, the state building code commissioner and the commissioner's staff shall assume the authority for the purposes of enforcing the provisions of the state building code in a municipality where there is no local building official or alternate as detailed in § 23-27.3-107.2, or where there are no local building inspectors.

SECTION 2. Section 45-23-36.1 of the General Laws in Chapter 45-23 entitled "Subdivision of Land" is hereby amended to read as follows:

45-23-36.1. Electronic permitting.

(a) On or before October 1, 2025, every municipality in the state shall adopt and implement [one](#) electronic permitting [platform established pursuant to § 23-27.3-108.2 to utilize](#) for all development applications filed under this chapter. For purposes of this section, "electronic permitting" means use of computer-based tools and services that automate and streamline the application process to include, but not be limited to, task-specific tools for: applications; submission of plans; completed checklists and checklist documents; reports; plan review; permitting; scheduling; certificates of completeness and incompleteness; supplemental submissions; project tracking; staff and technical review committee comments; fee calculation and collection.

(b) The state building commissioner, with the assistance of the office of regulatory reform and the division of statewide planning, pursuant to the provisions of § 23-27.3-108.2 may promulgate rules and regulations to implement the provisions of this section.

(c) The local towns and cities shall charge each applicant an additional one-tenth ~~of one~~

1 percent ~~(.001%)~~ (.1%) of the total application fee for each application submitted. This additional
2 amount shall be transmitted monthly to the state building office at the department of business
3 regulation, and shall be used to staff and support the purchase or lease and operation of one web-
4 accessible service and/or system to be utilized by the state and municipalities for the uniform,
5 statewide electronic submission, review and processing of development applications as set forth in
6 this section.

7 (d) On or before October 1, 2025, notwithstanding any other provision of this chapter to
8 the contrary, all acts, requirements, filings, and documents necessary to comply with the application
9 process shall be conducted by means of electronic permitting.

10 (e) The department of business regulation shall reimburse annual fees and costs associated
11 with compliance with this program in accordance with procedures established by the department.

12 SECTION 3. Section 45-24-58.1 of the General Laws in Chapter 45-24 entitled "Zoning
13 Ordinances" is hereby amended to read as follows:

14 **45-24-58.1. Electronic permitting.**

15 (a) On or before October 1, 2025, every municipality in the state shall adopt and implement
16 one electronic permitting platform established pursuant to § 23-27.3-108.2 to utilize for all
17 development applications under this chapter. For purposes of this section, "electronic permitting"
18 means use of computer-based tools and services that automate and streamline the application
19 process to include, but not be limited to, task-specific tools for: applications; submission of plans;
20 completed checklists and checklist documents; reports; plan review; permitting; scheduling; project
21 tracking; staff and technical review committee comments; fee calculation and collection.

22 (b) The state building commissioner, with the assistance of the office of regulatory reform
23 and the division of statewide planning, pursuant to the provisions of § 23-27.3-108.2 may
24 promulgate rules and regulations to implement the provisions of this section.

25 (c) The local towns and cities shall charge each applicant an additional one-tenth ~~of one~~
26 percent ~~(.001%)~~ (.1%) of the total application fee for each application submitted. This additional
27 amount shall be transmitted monthly to the state building office at the department of business
28 regulation, and shall be used to staff and support the purchase or lease and operation of one web-
29 accessible service and/or system to be utilized by the state and municipalities for the uniform,
30 statewide electronic submission, review and processing of development applications as set forth in
31 this section.

32 (d) On or before October 1, 2025, notwithstanding any other provision of this chapter to
33 the contrary, all acts, requirements, filings, and documents necessary to comply with the application
34 process shall be conducted by means of electronic permitting.

(e) The department of business regulation shall reimburse annual fees and costs associated with compliance with this program in accordance with procedures established by the department.

SECTION 4. Section 45-53-16 of the General Laws in Chapter 45-53 entitled "Low and Moderate Income Housing" is hereby amended to read as follows:

45-53-16. Electronic permitting.

(a) On or before October 1, 2025, every municipality in the state shall adopt and implement one electronic permitting platform established pursuant to § 23-27.3-108.2 to utilize for all development applications under this chapter. For purposes of this section, "electronic permitting" means use of computer-based tools and services that automate and streamline the application process to include, but not be limited to, task-specific tools for: applications; submission of plans; completed checklists and checklist documents; reports; plan review; permitting; scheduling; project tracking; staff and technical review committee comments; fee calculation and collection.

(b) The state building commissioner, with the assistance of the office of regulatory reform and the division of statewide planning, pursuant to the provisions of § 23-27.3-108.2 may promulgate rules and regulations to implement the provisions of this section.

(c) The local towns and cities shall charge each applicant an additional one-tenth ~~of one~~ percent ~~(.001%)~~ (.1%) of the total application fee for each application submitted. This additional amount shall be transmitted monthly to the state building office at the department of business regulation, and shall be used to staff and support the purchase or lease and operation of one web-accessible service and/or system to be utilized by the state and municipalities for the uniform, statewide electronic submission, review and processing of development applications as set forth in this section.

(d) On or before October 1, 2025, notwithstanding any other provision of this chapter to the contrary, all acts, requirements, filings, and documents necessary to comply with the application process shall be conducted by means of electronic permitting.

(e) The department of business regulation shall reimburse annual fees and costs associated with compliance with this program in accordance with procedures established by the department.

SECTION 5. Section 23-27.3-100.1.1 of the General Laws in Chapter 23-27.3 entitled "State Building Code" is hereby repealed.

~~**23-27.3-100.1.1. Chapter title — Applicability.**~~

~~This chapter shall be known as the Rhode Island State Building Code hereinafter referred to as this code. This chapter shall control:~~

~~(1) The construction, reconstruction, alteration, repair, demolition, removal, inspection, issuance, and revocation of permits or licenses, installation of equipment, classification and~~

~~definition of any building or structure, and use or occupancy of all buildings and structure and parts thereof;~~

~~(2) The rehabilitation and maintenance of existing buildings;~~

~~(3) The standards or requirements for materials to be used in connection therewith, including, but not limited, for safety, ingress and egress, energy conservation, and sanitary conditions;~~

~~(4) The establishment of reasonable fees for the issuance of licenses and permits in connection therewith;~~

~~except as such matters are otherwise provided for in the general laws, or in the rules and regulations authorized for promulgation under the provisions of this code.~~

SECTION 6. Chapter 42-13 of the General Laws entitled "Department of Transportation" is hereby amended by adding thereto the following section:

42-13-10. Electronic Permitting.

(a) On or before October 1, 2026, the department of transportation shall adopt and implement an electronic permitting platform pursuant to § 23-27.3-108.2 to utilize for all applications filed under this chapter. For purposes of this section, "electronic permitting" means use of computer-based tools and services that automate and streamline the application process to include, but not be limited to, task-specific tools for: applications; submission of plans; documents; reports; plan review; permitting; scheduling; supplemental submissions; project tracking; staff and committee comments; fee calculation and collection.

(b) The state building commissioner, with the assistance of the office of regulatory reform and the division of statewide planning, pursuant to the provisions of § 23-27.3-108.2 may promulgate rules and regulations to implement the provisions of this section.

(c) The department of transportation shall charge each applicant an additional one-tenth percent (.1%) of the total application fee for each application submitted. This additional amount shall be transmitted monthly to the state building office and shall be used to staff and support the purchase or lease and operation of one web-accessible service and/or system to be utilized for the uniform, statewide electronic submission, review and processing of applications for permits and approvals.

(d) On or before October 1, 2026, notwithstanding any other provision of this chapter to the contrary, all acts, requirements, filings, and documents necessary to comply with the application process shall be conducted by means of electronic permitting.

SECTION 7. Chapter 42-17.1 of the General Laws entitled "Department of Environmental Management" is hereby amended by adding thereto the following section:

1 **42-17.1-46. Electronic Permitting.**

2 (a) On or before October 1, 2026, the department of environmental management shall adopt
3 and implement an electronic permitting platform pursuant to § 23-27.3-108.2 to utilize for all
4 applications filed under this chapter. For purposes of this section, “electronic permitting” means
5 use of computer-based tools and services that automate and streamline the application process to
6 include, but not be limited to, task-specific tools for: applications; submission of plans; documents;
7 reports; plan review; permitting; scheduling; supplemental submissions; project tracking; staff and
8 committee comments; fee calculation and collection.

9 (b) The state building commissioner, with the assistance of the office of regulatory reform
10 and the division of statewide planning, pursuant to the provisions of § 23-27.3-108.2 may
11 promulgate rules and regulations to implement the provisions of this section.

12 (c) The department of environmental management shall charge each applicant an additional
13 one-tenth percent (.1%) of the total application fee for each application submitted. This additional
14 amount shall be transmitted monthly to the state building office and shall be used to staff and
15 support the purchase or lease and operation of one web-accessible service and/or system to be
16 utilized for the uniform, statewide electronic submission, review and processing of applications for
17 permits and approvals.

18 (d) On or before October 1, 2026, notwithstanding any other provision of this chapter to
19 the contrary, all acts, requirements, filings, and documents necessary to comply with the application
20 process shall be conducted by means of electronic permitting.

21 SECTION 8. Chapter 46-23 of the General Laws entitled "Coastal Resources Management
22 Council" is hereby amended by adding thereto the following section:

23 **46-23-27. Electronic Permitting.**

24 (a) On or before October 1, 2026, the coastal resources management council shall adopt
25 and implement an electronic permitting platform pursuant to § 23-27.3-108.2 to utilize for all
26 applications filed under this chapter. For purposes of this section, “electronic permitting” means
27 use of computer-based tools and services that automate and streamline the application process to
28 include, but not be limited to, task-specific tools for: applications; submission of plans; documents;
29 reports; plan review; permitting; scheduling; supplemental submissions; project tracking; staff and
30 committee comments; fee calculation and collection.

31 (b) The state building commissioner, with the assistance of the office of regulatory reform
32 and the division of statewide planning, pursuant to the provisions of § 23-27.3-108.2 may
33 promulgate rules and regulations to implement the provisions of this section.

34 (c) The coastal resources management council shall charge each applicant an additional

1 one-tenth percent (.1%) of the total application fee for each application submitted. This additional
2 amount shall be transmitted monthly to the state building office and shall be used to staff and
3 support the purchase or lease and operation of a web-accessible service and/or system to be utilized
4 for the uniform, statewide electronic submission, review and processing of applications for permits
5 and approvals.

6 (d) On or before October 1, 2026, notwithstanding any other provision of this chapter to
7 the contrary, all acts, requirements, filings, and documents necessary to comply with the application
8 process shall be conducted by means of electronic permitting.

9 (e) The department of business regulation shall reimburse annual fees and costs associated
10 with compliance with this program in accordance with procedures established by the department.

11 SECTION 9. This act shall take effect upon passage.

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LC002163/SUB A
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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 provide for the establishment and operation of an electronic permitting
2 platform for all state and local permitting.
3 This act would take effect upon passage.

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LC002163/SUB A
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