

2021 -- S 0551

LC002170

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO HEALTH AND SAFETY – STATE BUILDING CODE

Introduced By: Senator Hanna M. Gallo

Date Introduced: March 04, 2021

Referred To: Senate Labor

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.

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

11 (c)(1) The local cities and towns shall charge each permit applicant an additional ~~1(.001)~~  
12 two-tenths percent (0.2%) levy of the total construction cost for each permit issued. The levy shall  
13 be limited to a maximum of fifty dollars (\$50.00) for each of the permits issued for one- and two-  
14 family (2) dwellings. This additional levy shall be transmitted monthly to the state building office  
15 at the department of business regulation, and:

16 (i) Fifty percent (50%) of this additional levy shall be used to staff and support the purchase  
17 or lease and operation of a web-accessible service and/or system to be utilized by the state and  
18 municipalities for uniform, statewide electronic plan review, permit management, and inspection  
19 system and other programs described in this chapter. ~~The~~ This portion of the fee levy shall be

1 deposited as general revenues.

2 (ii) Fifty percent (50%) of this additional levy shall be transferred to the department of  
3 labor and training and shall be deposited into the construction workforce training account, which  
4 shall be exempt from the indirect cost recovery provisions of § 35-4-27, and shall be used to provide  
5 workforce training program grants for the residential and commercial construction industries, and  
6 for state and local building officials.

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.

9 (3) On or before December 1, 2013, the building commissioner, with the assistance of the  
10 office of regulatory reform, shall implement the standard statewide process for electronic plan  
11 review, permit management, and inspection. In addition, the building commissioner shall develop  
12 a technology and implementation plan for a standard web-accessible service or system to be utilized  
13 by the state and municipalities for uniform, statewide electronic plan review, permit management,  
14 and inspection.

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

18 (e) The building commissioner shall coordinate the development and implementation of  
19 this section with the state fire marshal to assist with the implementation of § 23-28.2-6.

20 (f) The building commissioner shall submit, in coordination with the state fire marshal, a  
21 report to the governor and general assembly on or before April 1, 2013, and each April 1st  
22 thereafter, providing the status of the web-accessible service and/or system implementation and  
23 any recommendations for process or system improvement.

24 SECTION 2. Section 35-4-27 of the General Laws in Chapter 35-4 entitled "State Funds"  
25 is hereby amended to read as follows:

26 **35-4-27. Indirect cost recoveries on restricted receipt accounts.**

27 Indirect cost recoveries of ten percent (10%) of cash receipts shall be transferred from all  
28 restricted-receipt accounts, to be recorded as general revenues in the general fund. However, there  
29 shall be no transfer from cash receipts with restrictions received exclusively: (1) From contributions  
30 from nonprofit charitable organizations; (2) From the assessment of indirect cost-recovery rates on  
31 federal grant funds; or (3) Through transfers from state agencies to the department of administration  
32 for the payment of debt service. These indirect cost recoveries shall be applied to all accounts,  
33 unless prohibited by federal law or regulation, court order, or court settlement. The following  
34 restricted receipt accounts shall not be subject to the provisions of this section:

1 Executive Office of Health and Human Services  
2 Organ Transplant Fund  
3 HIV Care Grant Drug Rebates  
4 Health System Transformation Project  
5 Department of Human Services  
6 Veterans' home -- Restricted account  
7 Veterans' home -- Resident benefits  
8 Pharmaceutical Rebates Account  
9 Demand Side Management Grants  
10 Veteran's Cemetery Memorial Fund  
11 Donations -- New Veterans' Home Construction  
12 Department of Health  
13 Pandemic medications and equipment account  
14 Miscellaneous Donations/Grants from Non-Profits  
15 State Loan Repayment Match  
16 Healthcare Information Technology  
17 Department of Behavioral Healthcare, Developmental Disabilities and Hospitals  
18 Eleanor Slater non-Medicaid third-party payor account  
19 Hospital Medicare Part D Receipts  
20 RICLAS Group Home Operations  
21 Commission on the Deaf and Hard of Hearing  
22 Emergency and public communication access account  
23 Department of Environmental Management  
24 National heritage revolving fund  
25 Environmental response fund II  
26 Underground storage tanks registration fees  
27 De Coppet Estate Fund  
28 Rhode Island Historical Preservation and Heritage Commission  
29 Historic preservation revolving loan fund  
30 Historic Preservation loan fund -- Interest revenue  
31 Department of Public Safety  
32 E-911 Uniform Emergency Telephone System  
33 Forfeited property -- Retained  
34 Forfeitures -- Federal

1 Forfeited property -- Gambling  
2 Donation -- Polygraph and Law Enforcement Training  
3 Rhode Island State Firefighter's League Training Account  
4 Fire Academy Training Fees Account  
5 Attorney General  
6 Forfeiture of property  
7 Federal forfeitures  
8 Attorney General multi-state account  
9 Forfeited property -- Gambling  
10 Department of Administration  
11 OER Reconciliation Funding  
12 Health Insurance Market Integrity Fund  
13 RI Health Benefits Exchange  
14 Information Technology Investment Fund  
15 Restore and replacement -- Insurance coverage  
16 Convention Center Authority rental payments  
17 Investment Receipts -- TANS  
18 OPEB System Restricted Receipt Account  
19 Car Rental Tax/Surcharge-Warwick Share  
20 Executive Office of Commerce  
21 Housing Resources Commission Restricted Account  
22 Department of Revenue  
23 DMV Modernization Project  
24 Jobs Tax Credit Redemption Fund  
25 Legislature  
26 Audit of federal assisted programs  
27 Department of Children, Youth and Families  
28 Children's Trust Accounts -- SSI  
29 Military Staff  
30 RI Military Family Relief Fund  
31 RI National Guard Counterdrug Program  
32 Treasury  
33 Admin. Expenses -- State Retirement System  
34 Retirement -- Treasury Investment Options

- 1 Defined Contribution -- Administration - RR
- 2 Violent Crimes Compensation -- Refunds
- 3 Treasury Research Fellowship
- 4 Business Regulation
- 5 Banking Division Reimbursement Account
- 6 Office of the Health Insurance Commissioner Reimbursement Account
- 7 Securities Division Reimbursement Account
- 8 Commercial Licensing and Racing and Athletics Division Reimbursement Account
- 9 Insurance Division Reimbursement Account
- 10 Historic Preservation Tax Credit Account
- 11 Judiciary
- 12 Arbitration Fund Restricted Receipt Account
- 13 Third-Party Grants
- 14 RI Judiciary Technology Surcharge Account
- 15 Department of Elementary and Secondary Education
- 16 Statewide Student Transportation Services Account
- 17 School for the Deaf Fee-for-Service Account
- 18 School for the Deaf -- School Breakfast and Lunch Program
- 19 Davies Career and Technical School Local Education Aid Account
- 20 Davies -- National School Breakfast & Lunch Program
- 21 School Construction Services
- 22 Office of the Postsecondary Commissioner
- 23 Higher Education and Industry Center
- 24 Department of Labor and Training
- 25 Job Development Fund
- 26 [Construction Workforce Training Account](#)
- 27 SECTION 3. This act shall take effect upon passage.

---

---

LC002170

---

---

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

\*\*\*

1           This act would increase the levy on total construction costs for building permits and direct  
2 fifty percent (50%) of such levy be transmitted monthly to the department of labor and training and  
3 deposited into the construction workforce training account restricted receipt account to be used for  
4 workforce training grants to the residential and commercial construction industries and for state  
5 and local building officials, and exempt such account from the indirect cost recoveries of restricted  
6 receipt accounts.

7           This act would take effect upon passage.

=====  
LC002170  
=====