

2021 -- H 5892

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO HEALTH AND SAFETY -- STATE BUILDING CODE --
ADMINISTRATION AND ENFORCEMENT

Introduced By: Representatives Baginski, and Edwards

Date Introduced: February 24, 2021

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-27.3-109.1 of the General Laws in Chapter 23-27.3 entitled "State
2 Building Code" is hereby amended to read as follows:

3 **23-27.3-109.1. Committee's rule making authority -- Legislative report -- Legislative**
4 **committee.**

5 (a) The committee is empowered to adopt codes and standards, subject to approval pursuant
6 to subsection (c), which shall, in general, conform with nationally reorganized model building
7 codes, model 1 and 2 family dwelling codes, model plumbing codes, model mechanical codes,
8 model electrical codes, model energy codes, model property maintenance codes, accessibility for
9 persons with disabilities standards, and other such technical provisions of codes and standards
10 developed to ensure the general public's health, safety, and welfare.

11 (b) Annually the committee shall submit a report to the general assembly on the codes and
12 standards so adopted and shall provide the following information:

13 (1) Proposed amendments to the model codes and standards and supporting statement
14 therefor.

15 (2)(i) A summary of testimony received at public hearings held by the committee, on
16 adoption of the codes and standards.

17 (ii) The committee, ~~subject to approval pursuant to subsection (c),~~ shall adopt the codes
18 and standards in accordance with the Administrative Procedures Act, chapter 35 of title 42.

1 ~~(iii) The provisions of the state building code, so adopted, subject to approval pursuant to~~
2 ~~subsection (c), shall have the force and effect of law upon review and approval of the legislative~~
3 ~~regulation committee.~~

4 ~~(e)(1) There shall be established a legislative regulation committee that shall review,~~
5 ~~approve, or reject, in total or in part, the state building code regulations proposed by the building~~
6 ~~code standards committee prior to their being filed with the secretary of state.~~

7 ~~(2) The legislative regulation committee shall be comprised of four (4) members of the~~
8 ~~house of representatives, not more than three (3) from one political party, appointed by the speaker~~
9 ~~of the house of representatives; and three (3) members of the senate, not more than two (2) from~~
10 ~~one political party, appointed by the president of the senate.~~

11 ~~(3) The committee shall elect from among its members a chairperson and vice chairperson.~~

12 ~~(4) Regulations submitted to the committee shall be acted upon within sixty (60) days from~~
13 ~~the date the regulations are submitted to them by the executive secretary of the building code~~
14 ~~standards committee.~~

15 ~~(5) A majority vote of the committee's members present shall decide all votes. A quorum~~
16 ~~shall consist of a simple majority.~~

17 ~~(6) Members shall retain membership on the committee until replaced by the respective~~
18 ~~appointing authority or until they are not members of the house from which they were appointed.~~

19 ~~(7) The state building commissioner and staff shall assist the committee in its~~
20 ~~administrative duties and in scheduling meetings. The commissioner shall inform the committee of~~
21 ~~all proposed regulations prior to submission.~~

22 SECTION 2. 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 -- STATE BUILDING CODE --
ADMINISTRATION AND ENFORCEMENT

1 This act would eliminate provisions establishing a legislative regulation committee, and
2 would also repeal the provision that codes and standards adopted by the state building code
3 standards committee would be subject to approval by the legislative regulation committee.

4 This act would take effect upon passage.

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