

2022 -- H 7332

=====
LC004231
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

—————
A N A C T

RELATING TO HEALTH AND SAFETY – STATE BUILDING CODE

Introduced By: Representative Joseph M. McNamara

Date Introduced: February 04, 2022

Referred To: House Corporations

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 ~~+(.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. 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 (d) 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 (e) The building commissioner shall coordinate the development and implementation of
24 this 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.

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

32 (1) The identity of every municipality in full compliance with the provisions § 23-27.3-
33 115.6 and the rules and regulations promulgated pursuant to the provisions of this section;

34 (2) The identity of every municipality failing to fully implement and comply with the

1 provisions of § 23-27.3-115.6 and/or the rules and regulations promulgated pursuant to the
2 provisions of this section, and the nature, extent, and basis or reason for the failure or
3 noncompliance; and

4 (3) Recommendations to achieve compliance by all municipalities with the provisions of §
5 23-27.3-115.6 and the rules and regulations promulgated pursuant to this section.

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

8 **35-4-27. Indirect cost recoveries on restricted receipt accounts.**

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

17 Executive Office of Health and Human Services

18 Organ Transplant Fund

19 HIV Care Grant Drug Rebates

20 Health System Transformation Project

21 Department of Human Services

22 Veterans' home -- Restricted account

23 Veterans' home -- Resident benefits

24 Pharmaceutical Rebates Account

25 Demand Side Management Grants

26 Veteran's Cemetery Memorial Fund

27 Donations -- New Veterans' Home Construction

28 Department of Health

29 Pandemic medications and equipment account

30 Miscellaneous Donations/Grants from Non-Profits

31 State Loan Repayment Match

32 Healthcare Information Technology

33 Department of Behavioral Healthcare, Developmental Disabilities and Hospitals

34 Eleanor Slater non-Medicaid third-party payor account

1 Hospital Medicare Part D Receipts
2 RICLAS Group Home Operations
3 Commission on the Deaf and Hard of Hearing
4 Emergency and public communication access account
5 Department of Environmental Management
6 National heritage revolving fund
7 Environmental response fund II
8 Underground storage tanks registration fees
9 De Coppet Estate Fund
10 Rhode Island Historical Preservation and Heritage Commission
11 Historic preservation revolving loan fund
12 Historic Preservation loan fund -- Interest revenue
13 Department of Public Safety
14 E-911 Uniform Emergency Telephone System
15 Forfeited property -- Retained
16 Forfeitures -- Federal
17 Forfeited property -- Gambling
18 Donation -- Polygraph and Law Enforcement Training
19 Rhode Island State Firefighter's League Training Account
20 Fire Academy Training Fees Account
21 Attorney General
22 Forfeiture of property
23 Federal forfeitures
24 Attorney General multi-state account
25 Forfeited property -- Gambling
26 Department of Administration
27 OER Reconciliation Funding
28 Health Insurance Market Integrity Fund
29 RI Health Benefits Exchange
30 Information Technology Investment Fund
31 Restore and replacement -- Insurance coverage
32 Convention Center Authority rental payments
33 Investment Receipts -- TANS
34 OPEB System Restricted Receipt Account

1 Car Rental Tax/Surcharge-Warwick Share
2 Grants Management Administration
3 Executive Office of Commerce
4 Housing Resources Commission Restricted Account
5 Housing Production Fund
6 Department of Revenue
7 DMV Modernization Project
8 Jobs Tax Credit Redemption Fund
9 Legislature
10 Audit of federal assisted programs
11 Department of Children, Youth and Families
12 Children's Trust Accounts -- SSI
13 Military Staff
14 RI Military Family Relief Fund
15 RI National Guard Counterdrug Program
16 Treasury
17 Admin. Expenses -- State Retirement System
18 Retirement -- Treasury Investment Options
19 Defined Contribution -- Administration - RR
20 Violent Crimes Compensation -- Refunds
21 Treasury Research Fellowship
22 Business Regulation
23 Banking Division Reimbursement Account
24 Office of the Health Insurance Commissioner Reimbursement Account
25 Securities Division Reimbursement Account
26 Commercial Licensing and Racing and Athletics Division Reimbursement Account
27 Insurance Division Reimbursement Account
28 Historic Preservation Tax Credit Account
29 Judiciary
30 Arbitration Fund Restricted Receipt Account
31 Third-Party Grants
32 RI Judiciary Technology Surcharge Account
33 Department of Elementary and Secondary Education
34 Statewide Student Transportation Services Account

- 1 School for the Deaf Fee-for-Service Account
- 2 School for the Deaf -- School Breakfast and Lunch Program
- 3 Davies Career and Technical School Local Education Aid Account
- 4 Davies -- National School Breakfast & Lunch Program
- 5 School Construction Services
- 6 Office of the Postsecondary Commissioner
- 7 Higher Education and Industry Center
- 8 Department of Labor and Training
- 9 Job Development Fund
- 10 Rhode Island Council on the Arts
- 11 Governors' Portrait Donation Fund
- 12 Statewide records management system account
- 13 [Construction Workforce Training Account](#)
- 14 SECTION 3. This act shall take effect upon passage.

=====
LC004231
=====

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 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.

=====
LC004231
=====