

2022 -- H 7374

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY
JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS -- ALL-ELECTRIC BUILDING ACT

Introduced By: Representatives Potter, McGaw, Kislak, Felix, and Morales

Date Introduced: February 09, 2022

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 37 of the General Laws entitled "PUBLIC PROPERTY AND WORKS"
2 is hereby amended by adding thereto the following chapter:

3 CHAPTER 25

4 ALL-ELECTRIC BUILDING ACT

5 **37-25-1. Short title.**

6 This chapter shall be known and may be cited as the "All-Electric Building Act".

7 **37-25-2. Definitions.**

8 As used in this chapter:

9 (1) "All-electric building or project" means a building or project that uses a permanent
10 supply of electricity as the sole source of energy to meet building energy needs. An all-electric
11 building or project shall have no natural gas, propane, or oil heaters, boilers, piping systems,
12 fixtures or infrastructure installed to meet building energy needs.

13 (2) "All-electric ready" means a building, project, or portion thereof that contains electrical
14 systems and designs that provide sufficient capacity for a future retrofit of a mixed-fuel building to
15 an all-electric building, including sufficient space, drainage, electrical conductors or raceways, bus
16 bar capacity, and overcurrent protective devices for such retrofit. The public utilities commission
17 in conjunction with the office of housing and community development and state building code
18 commission shall promulgate guidelines for an electric-ready building on or before January 1, 2023.

19 (3) "Building energy needs" means all space conditioning including heating and cooling.

1 water heating including pools and spas, cooking appliances and clothes drying appliances.

2 (4) "Mixed-fuel building" means a building that uses a combination of electricity and
3 natural gas, propane, or oil to meet building energy needs. For the purposes of this section, "mixed-
4 fuel building" shall not include buildings that use geothermal or solar energy to meet heating and/or
5 cooling building energy needs but are otherwise all-electric buildings.

6 (5) "Mixed-use building" means a building used for both residential and commercial
7 purposes.

8 **37-25-3. All-electric building act.**

9 (a) No city or town shall issue a permit for the construction of any new commercial,
10 residential, or mixed-use building that is not an all-electric building if the initial application for
11 such permit was submitted after December 31, 2023, unless the circumstances set forth in
12 subsection (b) or (e) of this section apply. For purposes of this subsection, the initial application
13 shall be the first site or building permit application associated with the building or project.

14 (b) Notwithstanding the provisions of subsection (a) of this section, a city or town may
15 issue a permit for construction of a new mixed-fuel building upon a finding by the permitting body
16 of such city or town that constructing an all-electric building or project is physically or technically
17 infeasible and that a modification is warranted. Financial considerations shall not be a sufficient
18 basis to determine physical or technical infeasibility. Modifications shall only be issued under this
19 exception where the permitting body finds that:

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

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

24 (ii) If the building is specifically designated for occupancy by a commercial food service
25 establishment, that such establishment cannot feasibly operate using commercially available all-
26 electric appliances;

27 (2) The installation of natural gas or oil pipng systems, fixtures and/or infrastructure is
28 strictly limited to the system and area of the building for which all-electric building or project
29 design is infeasible;

30 (3) The area or service within the project where gas or oil pipng systems, fixtures and/or
31 infrastructure are installed is all-electric ready; and

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

34 (c) No local permitting body shall issue building or construction permits that would convert

1 an all-electric building or project into a mixed-fuel building where the initial application was
2 submitted after December 31, 2023.

3 (d) On or before February 1, 2023, the public utilities commission, the office of housing
4 community development and the state building code commission shall report jointly to the
5 governor, the senate president, and the speaker of the house, regarding what changes to electric rate
6 designs, new or existing subsidy programs, policies, or laws are necessary to ensure this section
7 does not diminish the production of affordable housing or the affordability of electricity for
8 customers in all-electric buildings. For the purpose of this subsection, "affordability of electricity"
9 means that electricity does not cost more than six percent (6%) of a residential customer's income.

10 (e) Exemptions. Notwithstanding the provisions of subsection (a) of this section, a city or
11 town shall issue a permit for new construction, substantial remodel, or rehabilitation of a building
12 or group of buildings, in which the use of mixed-fuel is used to meet building energy needs and
13 said building or group of buildings are for the sole use as a hospital, medical facility, laboratory for
14 biological research or restaurant.

15 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO PUBLIC PROPERTY AND WORKS -- ALL-ELECTRIC BUILDING ACT

1 This act would provide that no city or town would issue a permit for the construction of
2 new buildings that are not an all-electric building, if the initial application for a permit was
3 submitted after December 31, 2023, unless certain circumstances apply. Exceptions for restaurants,
4 hospitals, medical facilities or biolabs.

5 This act would take effect upon passage.

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