

2021 -- H 5680

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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

Introduced By: Representative Joseph M. McNamara

Date Introduced: February 24, 2021

Referred To: House Finance

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.

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.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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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.

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