

2021 -- S 0981

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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: Senator Roger Picard

Date Introduced: June 25, 2021

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 23-27.3-108.2 of the General Laws in Chapter 23-27.3 entitled  
2 "State Building Code" are 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 percent levy of the total construction cost for each permit issued. The levy shall be limited to a  
13 maximum of fifty dollars (\$50.00) for each of the permits issued for one- and two-family (2)  
14 dwellings. This additional levy shall be transmitted monthly to the state building office at the  
15 department of business regulation, and shall be used to staff and support the purchase or lease and  
16 operation of a web-accessible service and/or system to be utilized by the state and municipalities  
17 for uniform, statewide electronic plan review, permit management, and inspection system and other  
18 programs described in this chapter. The fee levy shall be deposited as general revenues.

19 (2) On or before July 1, 2013, the building commissioner shall develop a standard statewide

1 process for electronic plan review, permit management, and inspection. The process shall include,  
2 but not be limited to: applications; submission of building plans and plans for developments and  
3 plots; plan review; permitting; inspections; inspection scheduling; project tracking; fee calculation  
4 and collections; and workflow and report management.

5 (3) On or before December 1, 2013, the building commissioner, with the assistance of the  
6 office of regulatory reform, shall implement the standard statewide process for electronic plan  
7 review, permit management, and inspection. In addition, the building commissioner shall develop  
8 a technology and implementation plan for a standard web-accessible service or system to be utilized  
9 by the state and municipalities for uniform, statewide electronic plan review, permit management,  
10 and inspection. The plan shall include, but not be limited to: applications; submission of building  
11 plans and plans for developments and plots; plan review; permitting; inspections; inspection  
12 scheduling; project tracking; fee calculation and collections; and workflow and report management.

13 (d) The building commissioner shall, upon request by any state contractor described in §  
14 37-2-38.1, review, and when all conditions for certification have been met, certify to the state  
15 controller that the payment conditions contained in § 37-2-38.1 have been met.

16 (e) The building commissioner shall coordinate the development and implementation of  
17 this section with the state fire marshal to assist with the implementation of § 23-28.2-6. On or before  
18 January 1, 2022, the building commissioner shall promulgate rules and regulations to implement  
19 the provisions of this section and § 26-27.3-115.6.

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. In every report submitted on or after  
24 April, 2024, the building commissioner shall provide the following information:

25 (1) The identity of every municipality in full compliance with the provisions § 23-27.3-  
26 115.6 and the rules and regulations promulgated pursuant to the provisions of this section;

27 (2) The identity of every municipality failing to fully implement and comply with the  
28 provisions of § 23-27.3-115.6 and/or the rules and regulations promulgated pursuant to the  
29 provisions of this section, and the nature, extent, and basis or reason for the failure or  
30 noncompliance; and

31 (3) Recommendations to achieve compliance by all municipalities with the provisions of §  
32 23-27.3-115.6 and the rules and regulations promulgated pursuant to this section.

33 SECTION 2. Chapter 23-27.3 of the General Laws entitled "State Building Code" is hereby  
34 amended by adding thereto the following section:

1           **23-27.3-115.6. Electronic construction permitting.**

2           (a) Every municipality in the state, on or before July 1, 2023, shall adopt and implement  
3 electronic construction permitting. For purposes of this section, "electronic construction  
4 permitting" means use of computer-based tools and services that automate and streamline the  
5 building permit process to include, but not limited to, task-specific tools for: applications;  
6 submission of building plans and plans for developments and plots; plan review; permitting;  
7 inspections; inspection scheduling; project tracking; fee calculation and collection; and workflow  
8 and report management.

9           (b) The state building commissioner pursuant to the provisions of § 23-27.3-108.2 shall  
10 promulgate rules and regulations to implement the provisions of this section.

11           (c) On or before July 1, 2023, pursuant to rules and regulations promulgated by the state  
12 building commissioner, notwithstanding any other provision of this chapter to the contrary, all acts,  
13 requirements, filings and documents necessary to comply with the building permit process shall be  
14 conducted by means of electronic construction permitting. Provided, however, a municipality may  
15 elect to delay implementation of the requirements of this section for a period of one year by giving  
16 written notice to the state building commissioner prior to July 1, 2023. Any municipality electing  
17 to delay implementation shall comply with the provisions of this section on or before July 1, 2024.

18           SECTION 3. 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

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1           This act would provide that municipalities on or before July 1, 2023, shall adopt and  
2   implement an electronic construction permitting (E-permitting) process for submission and  
3   approval of building permits, plans, inspection scheduling, project tracking and fee collection. The  
4   act further provides that the state building code standards committee shall promulgate rules and  
5   regulations to implement the E-permitting process.

6           This act would take effect upon passage.

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