

2023 -- H 5386

LC000830

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO HEALTH AND SAFETY -- STATE BUILDING CODE

Introduced By: Representative Jacquelyn M. Baginski

Date Introduced: February 03, 2023

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-27.3-100.1.4 of the General Laws in Chapter 23-27.3 entitled  
2 "State Building Code" is hereby amended to read as follows:

3 **23-27.3-100.1.4. Appointment and qualifications of the committee.**

4 (a) The building code standards committee shall be composed of twenty-five (25)  
5 members, residents of the state who shall be appointed by the governor with the advice and consent  
6 of the senate. Eight (8) members are to be appointed for terms of one year each, seven (7) for a  
7 term of two (2) years each, and ten (10) for terms of three (3) years each. Annually, thereafter, the  
8 governor, with the advice and consent of the senate, shall appoint members to the committee to  
9 succeed those whose terms expired; the members to serve for terms of three (3) years each and until  
10 their successors are appointed and qualified. Two (2) members shall be architects registered in the  
11 state; three (3) shall be professional engineers registered in the state, one specializing in  
12 mechanical, one specializing in structural, and one specializing in electrical engineering; one  
13 landscape architect, registered in the state; one full-time certified electrical inspector; two (2) shall  
14 be builders or superintendents of building construction; one shall be a public health official; one  
15 shall be a qualified fire code official; two (2) shall be from the Rhode Island building trades council;  
16 two (2) shall be from the Rhode Island Builders Association; one shall be a holder of Class "A"  
17 electrician's license; one shall be a master plumber; two (2) shall be from the general public; three  
18 (3) shall be building officials in office, one from a municipality with a population of sixty thousand  
19 (60,000) persons or more, one from a municipality with a population of over twenty thousand

1 (20,000) persons but less than sixty thousand (60,000), and one from a municipality with a  
2 population of less than twenty thousand (20,000) persons; one shall be a minimum housing official  
3 in office from one of the local municipalities; and two (2) residents of the state who shall be persons  
4 with disabilities as defined in § 42-87-1.

5 (b) All members shall have no less than five (5) years practical experience in their  
6 profession or business. The committee shall elect its own chairperson and may elect from among  
7 its members such other officers as it deems necessary. Thirteen (13) members of the board shall  
8 constitute a quorum and the vote of a majority vote of those present shall be required for action.  
9 The committee shall adopt rules and regulations for procedure. The state building commissioner  
10 shall serve as the executive secretary to the committee. The committee shall have the power, within  
11 the limits of appropriations provided therefor, to employ such assistance as may be necessary to  
12 conduct business.

13 (c) Members of the committee shall be removable by the governor pursuant to § 36-1-7  
14 and for cause only, and removal solely for partisan or personal reasons unrelated to capacity or  
15 fitness for the office shall be unlawful.

16 (d) The state housing and property maintenance code subcommittee shall be composed of  
17 nine (9) members, residents of the state. Five (5) of these members are to be current members of  
18 the state building code standards committee and are to be appointed by that committee. The four  
19 (4) remaining members are to be appointed by the governor, with the advice and consent of the  
20 senate. The four (4) appointed by the governor, with the advice and consent of the senate, shall  
21 initially be appointed on a staggered term basis, one for one year, one for two (2) years, and two  
22 (2) for three (3) years. Annually thereafter, the building code standards committee, and the  
23 governor, with the advice and consent of the senate, shall appoint the subcommittee members, for  
24 which they are respectively responsible, to succeed those whose terms have expired; the members  
25 to serve for terms of three (3) years each and until their successors are appointed and qualified. Of  
26 the members appointed by the committee, one shall be a full-time certified electrical inspector; one  
27 shall be a master plumber and mechanical equipment expert; one shall be a builder or  
28 superintendent of building construction; one member shall be a qualified state fire code official;  
29 one shall be a property manager; and one shall be a current minimum housing official from a local  
30 municipality. The four (4) members to be appointed by the governor, with the advice and consent  
31 of the senate, shall all be current minimum housing officials from local municipalities. One shall  
32 be from a municipality with a population of sixty thousand (60,000) persons or more, two (2) from  
33 municipalities with a population of over twenty thousand (20,000) persons but less than sixty  
34 thousand (60,000), and one from a municipality with a population of less than twenty thousand

1 (20,000) persons.

2 (e) At the request of the chairperson of the commission, the governor shall remove a  
3 member of the commission in accordance with the provisions of subsection (c) of this section  
4 whenever that member shall have missed three (3) consecutive meetings without providing  
5 notification to the chairperson of the reasons requiring the member's absences from those meetings.

6 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

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1           This act would require that the governor remove a member of the commission upon the  
2 request of the chairperson after the member's absence from three (3) consecutive meetings without  
3 providing notice to the chairperson.

4           This act would take effect upon passage.

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