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LC005221/SUB A/2
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO HEALTH AND SAFETY -- STATE BUILDING CODE

Introduced By: Representatives Speakman, Giraldo, Cortvriend, Potter, Morales, and
Dawson

Date Introduced: March 04, 2024

Referred To: House Municipal Government & Housing

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 23-27.3-100.1.4 and 23-27.3-100.1.5 of the General Laws in
2 Chapter 23-27.3 entitled "State Building Code" are 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)~~ A majority of the current
8 members of the board shall constitute a quorum and the vote of a majority vote of those present
9 shall be required for action. The committee shall adopt rules and regulations for procedure. The
10 state building commissioner shall serve as the executive secretary to the committee. The committee
11 shall have the power, within the limits of appropriations provided therefor, to employ such
12 assistance as may be necessary to 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 **23-27.3-100.1.5. Building code — Adoption and promulgation by committee.**

3 The state building standards committee has the authority to adopt, promulgate, and
4 administer a state building code, which shall include: (a) Provisions and amendments as necessary
5 to resolve conflicts between fire safety codes and building codes, as provided for in § 23-28.01-6;
6 and (b) A rehabilitation building and fire code for existing buildings and structures. The building
7 code may be promulgated in several sections, with a section applicable to one- ~~and two~~ two (2)-,
8 three (3)-, and four (4)-family (↔) dwellings using the 2024 International Residential Code (IRC)
9 and any subsequent version thereof; to multiple dwellings with more than four (4)- family
10 dwellings, and hotels and motels using the 2024 Commercial International Building Code (IBC)
11 and any subsequent version thereof; to general building construction; to plumbing; and to electrical.
12 The building code shall incorporate minimum standards for the location, design, construction, and
13 installation of wells that are appurtenances to a building in applicable sections. For purposes of this
14 chapter, “appurtenance” includes the installation, alteration, or repair of wells connected to a
15 structure consistent with chapter 13.2 of title 46. The building code and the sections thereof shall
16 be reasonably consistent with recognized and accepted standards adopted by national model code
17 organizations and recognized authorities. To the extent that any state or local building codes,
18 statutes, or ordinances are inconsistent with the Americans with Disabilities Act, Title III, Public
19 Accommodations and Services Operated by Private Entities, 42 U.S.C. § 12181 et seq., and its
20 regulations and standards, they are hereby repealed. The state building code standards committee
21 is hereby directed to adopt rules and regulations consistent with the Americans with Disabilities
22 Act, Title II and III (28 C.F.R. 35 and 28 C.F.R. 36, as amended), as soon as possible, but no later
23 than February 15, 2012, to take effect on or before March 15, 2012. The state building code
24 standards committee is hereby authorized and directed to update those rules and regulations
25 consistent with the future revisions of the Americans with Disabilities Act Accessibility Standards.
26 All electrical work done in the state shall be in accordance with the latest edition of the National
27 Electrical Code (NEC). The state building commission shall adopt the latest edition of the NEC,
28 including any amendments to the NEC by the commission. The adoption of the NEC by the
29 commission shall be completed so that it will take effect on the first day of July of the year the
30 edition is dated.

31 SECTION 2. This act shall take effect on January 30, 2025.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HEALTH AND SAFETY -- STATE BUILDING CODE

1 This act would amend the number of members of the building code standards committee
2 necessary to constitute a quorum and would provide for the building code to be promulgated in
3 several sections with the section applicable to one, two (2), three (3) and four (4) family dwellings
4 using the 2024 International Building Code (IBC) and for multiple dwellings with more than four
5 (4) family dwellings using the 2024 commercial International Building Code (IBC).

6 This act would take effect on January 30, 2025.

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