

**HOUSE . . . . . No. 3404**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Matthew A. Beaton***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to changes to state building codes.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Matthew A. Beaton</i>	<i>11th Worcester</i>	<i>1/18/2013</i>

**HOUSE . . . . . No. 3404**

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By Mr. Beaton of Shrewsbury, a petition (accompanied by bill, House, No. 3404) of Matthew A. Beaton relative to amendments to the State Building Code which impose additional costs. State Administration and Regulatory Oversight.

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Thirteen**  
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An Act relative to changes to state building codes.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 143 of the General Laws is hereby amended by striking out section  
2 97, as appearing in the 2010 Official Edition, and inserting in place thereof the following  
3 section:-

4 97 (a) Except for the specialized codes, as defined in section ninety-six, which codes  
5 shall be amended only by the respective boards, commissions, departments or agencies  
6 authorized to do so by law, any person may propose amendments to the state building code.  
7 Public hearings shall be held in the city of Boston in May and November of each year, and at  
8 such other times and places as the board may determine, to consider petitions for such  
9 amendments. Petitions shall be submitted to the board no less than sixty days prior to the public  
10 hearing. The subject matter of a petition to be considered shall be indicated in all the required  
11 notices. The petitions shall be available for inspection at the office of the board and at the  
12 hearing. Any significant changes to the petition shall be the subject of a further public hearing  
13 before adoption. Adoption of an amendment to the state building code shall occur upon an  
14 affirmative vote by a majority of the members of the board at a regularly convened meeting  
15 within ninety days of the final public hearing on the given amendment.

16 The board shall send a copy of any amendments to the state building code which are  
17 adopted to each inspector of buildings or building commissioner, as defined by section one of  
18 chapter one hundred and forty-three, and to the secretary of the executive office of public safety  
19 within a reasonable time after filing said amendments with the state secretary.

20 (b) Before the board adopts any amendment to the state building code, it shall include a  
21 study or fiscal note that clearly explains whether or not there will be an additional cost imposed  
22 as a result of the proposed amendment, including but not limited to the cost of materials,  
23 construction, administration, operation and maintenance.

24 (c) The board shall not adopt any amendment that imposes an additional cost until 60  
25 days after it files a copy of the amendment, along with a detailed explanation of the impacts of  
26 and reasons for the amendment, with the clerk of the house of representatives. The clerk shall  
27 refer the amendment to the joint committee on state administration and regulatory oversight.  
28 The committee shall study the amendment and may offer suggestions, recommendations,  
29 explanations or comments to the board as it sees fit.