

HOUSE No. 2196

The Commonwealth of Massachusetts

PRESENTED BY:

Chris Walsh

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 establishing the building code coordinating council.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Chris Walsh</i>	<i>6th Middlesex</i>	<i>1/15/2015</i>
<i>Stephen Kulik</i>	<i>1st Franklin</i>	<i>10/28/2019</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>10/28/2019</i>
<i>Diana DiZoglio</i>	<i>14th Essex</i>	<i>1/28/2015</i>
<i>Karen E. Spilka</i>	<i>Second Middlesex and Norfolk</i>	<i>10/28/2019</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>	<i>1/28/2015</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	<i>10/28/2019</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>10/28/2019</i>
<i>William C. Galvin</i>	<i>6th Norfolk</i>	<i>10/28/2019</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>10/28/2019</i>
<i>Timothy J. Toomey, Jr.</i>	<i>26th Middlesex</i>	<i>10/28/2019</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>10/28/2019</i>
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>	<i>10/28/2019</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>	<i>10/28/2019</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>	<i>10/28/2019</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>10/28/2019</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>10/28/2019</i>

Daniel M. Donahue

16th Worcester

10/28/2019

Paul Brodeur

32nd Middlesex

10/28/2019

HOUSE No. 2196

By Mr. Walsh of Framingham, a petition (accompanied by bill, House, No. 2196) of Chris Walsh and others for legislation to establish the building code coordinating council. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act establishing the building code coordinating council.

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. Section 94 of Chapter 143 of the General Laws, as appearing in the 2012
2 Official Edition, is hereby amended by striking out subsection (f).

3 SECTION 2. Chapter 143 of the General Laws is hereby amended by adding the
4 following section:

5 Section 101. In this section, the following words and phrases shall have the following
6 meanings:

7 “Adopting agencies”, agencies, boards or commissions in the Commonwealth authorized
8 by the general court to promulgate codes and regulations that apply to the construction and
9 rehabilitation of homes, buildings, and structures in the Commonwealth.

10 “Construction codes”, collectively, the state building code and any specialized
11 construction codes, rules or regulations pertaining to building construction, reconstruction,

12 alteration, repair or demolition promulgated by and under the authority of the various boards
13 which have been authorized from time to time by the general court, including, but not be limited
14 to, the state plumbing code, electrical code, architectural barriers regulations, fire safety code,
15 fire prevention regulations, sheet metal regulations and elevator regulations.

16 “Proposed regulation”, a proposal by an adopting agency to adopt, amend or repeal an
17 existing regulation.

18 (a) There shall be in the department of public safety a building code coordinating council,
19 hereinafter referred to as the BCCC.

20 (b) The BCCC shall review, compare and coordinate all existing and proposed
21 construction codes in order to eliminate redundancy, minimize inconsistencies and conflicts and
22 maximize the efficiency of the code promulgation process.

23 (c) The BCCC shall review all proposed regulations made by adopting agencies to adopt,
24 modify or repeal a construction code, as a precursor to submission to the secretary of state
25 pursuant to chapter 30A of the General Laws.

26 (d) The BCCC shall have the authority to reject, by majority vote, proposed regulations
27 that are inconsistent, redundant, conflicting or overlapping with any other existing or proposed
28 construction codes. When a proposed regulation is rejected, the BCCC shall inform the adopting
29 agency that proposed the regulation of the specific reasons for the rejection and allow the
30 adopting agency to revise and resubmit the proposed regulation. An adopting agency may not
31 submit a proposed regulation to the secretary of state pursuant to chapter 30A of the General
32 Laws until it has been approved by the BCCC.

33 (e) Consistent with the duties set forth above, the BCCC shall establish procedures for the
34 following:

35 (1) the submission and consideration of public comment in the review process

36 (2) the process for submission and approval of proposed regulations

37 (f) The BCCC shall consist of the following members: the Chairman of the Board of Fire
38 Prevention Regulations, or a designee; the Chairman of the State Board of Electrical Examiners,
39 or a designee; the Chairman of the Board of Building Regulations and Standards, or a designee;
40 the Chairman of the State Board of Plumbers and Gasfitters, or a designee; the Commissioner of
41 the Department of Public Health, or a designee; the Chairman of the Architectural Access Board,
42 or a designee; the Commissioner of the Department of Environmental Protection, or a designee;
43 the Chairman of the Board of Elevator Regulations, or a designee; the Chairman of the Bureau of
44 Pipefitter, Refrigeration Technicians and Sprinklerfitters, or a designee; the Chairman of the
45 Board of State Examiners of Sheet Metal Workers, or a designee; the Chairman of the
46 Massachusetts Historical Commission, or a designee; and the Chairman of the Board of Boiler
47 Rules, or a designee.

48 (g) The BCCC shall elect one of its members to serve as chair and one to serve as vice-
49 chair, provided, however, that no member may serve as chair for more than two consecutive
50 terms, the length of which shall be established at the first meeting of the BCCC. The vice chair
51 shall assist the chair and serve as chair in the chair's absence.

52 (h) The chair shall be responsible for directing the tasks to be undertaken by the BCCC.
53 In addition to the tasks contained in this section, the BCCC shall identify and address such

54 additional tasks and advisory subcommittees that may be necessary for the BCCC to meet its
55 objectives.

56 (i) The BCCC shall meet at such times and places as established by the chair in order to
57 review proposed regulations efficiently.