

**SENATE . . . . . No. 1396**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Diana DiZoglio*

*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:	
<i>Diana DiZoglio</i>	<i>First Essex</i>	
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>	<i>1/29/2019</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/29/2019</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	<i>2/1/2019</i>

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By Ms. DiZoglio, a petition (accompanied by bill, Senate, No. 1396) of Diana DiZoglio, William N. Brownsberger, Jason M. Lewis and Michael J. Barrett for legislation to establish the building code coordinating council. Public Safety and Homeland Security.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1317 OF 2017-2018.]

The Commonwealth of Massachusetts

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
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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.