

SENATE No. 1396

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>

SENATE No. 1396

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.

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

The Commonwealth of Massachusetts

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

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.

“Construction codes”, collectively, the state building code and any specialized construction codes, rules or regulations pertaining to building construction, reconstruction, alteration, repair or demolition promulgated by and under the authority of the various boards which have been authorized from time to time by the general court, including, but not be limited to, the state plumbing code, electrical code, architectural barriers regulations, fire safety code, fire prevention regulations, sheet metal regulations and elevator regulations.

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

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

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

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

(d) The BCCC shall have the authority to reject, by majority vote, proposed regulations that are inconsistent, redundant, conflicting or overlapping with any other existing or proposed construction codes. When a proposed regulation is rejected, the BCCC shall inform the adopting agency that proposed the regulation of the specific reasons for the rejection and allow the adopting agency to revise and resubmit the proposed regulation. An adopting agency may not

submit a proposed regulation to the secretary of state pursuant to chapter 30A of the General Laws until it has been approved by the BCCC.

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

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

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

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

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