

JOINT COMMITTEE ON TELECOMMUNICATIONS, UTILITIES, AND ENERGY

BILL SUMMARY

BILL NO. H.3523

TITLE: An Act relative to the electrification of new and substantially remodeled or rehabilitated buildings

SPONSOR: Representative Jay D. Livingstone

COMMITTEE: Telecommunications, Utilities, and Energy

HEARING DATE: September 25, 2025

PRIOR HISTORY: 2023-2024: H.3183 heard by committee, accompanied a study order, see H.4778.
2021-2022: H.4477 heard by committee, no further action taken.

CURRENT LAW:

Chapter 143 of the General Laws pertains to the inspection and regulation of, and licenses for, buildings, elevators, and cinematographs. Chapter 143 was most recently amended by Chapter 8 of the Acts of 2021 to require the Department of Energy Resources (DOER) to develop a municipal opt-in specialized energy stretch code that includes net-zero building performance standards and a definition of a net-zero building not later than 18 months from the passage of the Act (December 2023). These changes further authorized the Department of Energy Resources (DOER) to phase in requirements for this specialized code based on building types, uses, or load profiles. The Act additionally made changes to the Board of Building Regulations and Standards (BBRS) by adding the DOER commissioner and three building energy efficiency experts to the BBRS to energy efficiency input in the state building code.

Section 84 of Chapter 179 of the Acts of 2022 authorizes ten cities and towns to require fossil fuel-free new construction, but with two important provisos: (1) each community must first meet the 10% affordable housing target set by state law (chapter 40B); and (2) each must exempt life sciences labs and health care facilities from the all-electric requirement.

SUMMARY:

Section 1(a) adds section 96A to chapter 143 of the General Laws and establishes definitions for biolab, carbon dioxide equivalent or CO₂e, department, gross building floor area, hospital, newly constructed building, and substantially remodeled or rehabilitated.

Section 1(b) states that notwithstanding any general or special law, code, appendix to any code, ordinance, bylaw, rule, or regulation to the contrary, any substantially remodeled or rehabilitated commercial building, any substantially remodeled or rehabilitated building containing a residential dwelling unit, and any newly constructed building must use electricity for space heating and cooling, cooking, and clothes drying and electricity or thermal solar for hot water.

Section 1(c) requires a newly constructed or substantially remodeled or rehabilitated biolab or hospital to meet the following emissions criteria, unless granted a waiver (by DOER):

- Achieve net zero CO₂e by 2050
- For biolabs, use a HVAC system that doesn't use fossil fuel combustion for the first stage of heating, and only uses fossil fuel combustion for subsequent stages of heating under certain parameters
- For hospitals, comply with a schedule reducing CO₂e limits every five years from 2025 through 2049

Section 1(d) requires DOER to promulgate regulations for implementation and compliance with this section, including use of RECs for compliance purposes and periodic updates to the 5 Btu per hour gross square foot standard for biolabs.

Section 1(e) states that this section shall not prohibit municipalities from adopting a bylaw or ordinance regarding the reporting and CO₂e reduction requirements for existing hospitals, biolabs, or other facilities.

Section 1(f) stipulates that this section shall not apply to freestanding cooking appliances and freestanding outdoor heating appliances not connected to a building's natural gas or propane infrastructure; emergency generators; and commercial hot water heaters if a cost-effective electric version is unavailable.

Section 1(g) authorizes DOER to grant waivers if this section's requirements make a project impractical but still requires projects to propose emissions limits consistent with the Chapter 21N limits and sublimits. It further states that DOER shall issue waivers for portions of projects rather than entire projects where possible.

Section 1(h) directs the Department of Public Utilities (DPU) to require the gas companies to provide a plan for a just transition for their workforce, outlining provisions for displaced workers and environmental justice communities, including a safety net and training for employment in the clean energy sector.

Section 1(i) authorizes municipalities, by bylaw or municipal ordinance, to impose a reasonable penalty for violations of this section.

Section 2 states that this Act's requirements shall take effect on January 1, 2026.