

CONSENT CALENDAR

March 1, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Executive Departments and Administration to which was referred HB 1681-FN,

AN ACT relative to the state building code. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Stephen Pearson

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Executive Departments and Administration
Bill Number:	HB 1681-FN
Title:	relative to the state building code.
Date:	March 1, 2022
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2022-0422h

STATEMENT OF INTENT

This bill as amended brings NH into the 2018 set of national codes. This includes the building code, plumbing code, mechanical code, energy conservation code, swimming pool and spa code and residential code. The amendment adds in the inadvertently omitted Fire Code. These codes work in conjunction with each other. This bill would put NH one code cycle behind, which has been common practice for the State of NH for many years. The committee heard testimony from all of the various trade organizations who all testified in favor of the adoption of this code set.

Vote 18-0.

Rep. Stephen Pearson
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Executive Departments and Administration

HB 1681-FN, relative to the state building code. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen Pearson for Executive Departments and Administration. This bill as amended brings NH into the 2018 set of national codes. This includes the building code, plumbing code, mechanical code, energy conservation code, swimming pool and spa code and residential code. The amendment adds in the inadvertently omitted Fire Code. These codes work in conjunction with each other. This bill would put NH one code cycle behind, which has been common practice for the State of NH for many years. The committee heard testimony from all of the various trade organizations who all testified in favor of the adoption of this code set. **Vote 18-0.**

Original: House Clerk

Cc: Committee Bill File

Amendment to HB 1681-FN

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to the state building code and the state fire code.

4

5 Amend the bill by replacing all after section 8 with the following:

6

7 9 New Hampshire Fire Code. Amend RSA 153:1, VI-a to read as follows:

8 VI-a. "New Hampshire fire code" or "state fire code" means the adoption by reference of the
9 Life Safety Code, [2015] *NFPA 101*, 2018 edition, and the Uniform Fire Code NFPA 1, [2015] 2018
10 edition, as published by the National Fire Protection Association and as amended by the state board
11 of fire control and ratified by the general court pursuant to RSA 153:5. The provisions of any other
12 national code, model code, or standard referred to within a code listed in this definition shall be
13 included in the state fire code unless amended in accordance with RSA 153:5.

14 10 State Fire Code; Ratification of Amendments; State Board of Fire Control. Pursuant to RSA
15 153:5, I, the general court hereby ratifies all amendments reviewed and approved by the board of fire
16 control as of January 30, 2021.

17 11 Effective Date. This act shall take effect 60 days after its passage.

**Amendment to
- Page 2 -**

2022-0422h

AMENDED ANALYSIS

This bill:

- I. Revises the definition of the state building code.**
- II. Addresses the version of the building code applicable immediately following adoption of an updated edition, and clarifies the role of the state building code review board.**
- III. Requires municipalities to submit local building ordinances to the state building code review board for informational purposes.**
- IV. Revises the definition of the New Hampshire fire code.**
- V. Ratifies amendments to the state fire code.**

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 1681-FN

BILL TITLE: relative to the state building code.

DATE: February 7, 2022

LOB ROOM: 302-304

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. S. Pearson Seconded by Rep. McGuire AM Vote: 18-0

Amendment # 2022-0422h

Moved by Rep. S. Pearson Seconded by Rep. McGuire Vote: 18-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep John Sytek, Clerk



2021 SESSION *PEAR/MEG*

Executive Departments and Administration

Bill #: HB 1681 Motion: ADOPT AMEND AM #: 0422H Exec Session Date: 2-7-22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	X		
Roy, Terry Vice Chairman <i>RHOESS</i>	X		
Sytek, John Clerk	X		
Pearson, Stephen C.	X		
Yakubovich, Michael	X		
Lekas, Tony	X		
Alliegro, Mark C.	X		
Bailey, Glenn	X		
Lanzara, Tom E.	X		
Santonastaso, Matthew	X		
Goley, Jeffrey P.	X		
Schuett, Dianne E.	X		
Judy, Jean L.	X		
Schmidt, Peter B.			
Schultz, Kristina M. <i>MARSH</i>	X		
Fellows, Sallie D.	X		
Fontneau, Timothy J.	X		
Grote, Jaci L.	X		
O'Brien, Michael B.	X		
TOTAL VOTE:			

15-0



2021 SESSION

PER/ME

Executive Departments and Administration

Bill #: HB 1681 Motion: OTPA AM #: _____ Exec Session Date: 2-7-22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	X		
Roy Terry Vice Chairman <i>RHODES</i>	X		
Sytek, John Clerk	X		
Pearson, Stephen C.	X		
Yakubovich, Michael	X		
Lekas, Tony	X		
Alliegro, Mark C.	X		
Bailey, Glenn	X		
Lanzara, Tom E.	X		
Santonastaso, Matthew	X		
Goley, Jeffrey P.	X		
Schuett, Dianne E.	X		
Jeudy, Jean L.	X		
Schmidt, Peter B.			
Schultz, Kristina M. <i>MARSH</i>	X		
Fellows, Sallie D.	X		
Fontneau, Timothy J.	X		
Grote, Jaci L.	X		
O'Brien, Michael B.	X		
TOTAL VOTE:			

18-0

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 1681-FN

BILL TITLE: relative to the state building code.

DATE: January 31, 2022

LOB ROOM: 302-304 **Time Public Hearing Called to Order:** 1:00 p.m.

Time Adjourned: 1:35 p.m.

Committee Members: Reps. McGuire, Rhodes, Sytek, S. Pearson, T. Lekas, Alliegro, Bailey, Lanzara, Santonastaso, Goley, Schuett, Fellows, Grote, O'Brien and Marsh

Bill Sponsors:

Rep. McGuire
Sen. Carson

Rep. Pimentel
Sen. Cavanaugh

Sen. Reagan
Sen. Prentiss

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. McGuire introduced the bill and spoke in favor. She said this was a recommendation of the Committee to Study Changes to the State Building Code. She explained the provisions of the bill such as updated the NFPA building code to the 2018 version, issues of sprinklers, arc-fault issues, circumstances under which a contractor can use either code version, forwarding local changes to the state board for information, requirements for periodic reviews of the building code. She took Committee questions. She added that an update to the state fire code had been intended but was inadvertently omitted from the bill. She said she would be drafting an amendment.

Sean Toomey, State Fire Marshall, spoke in favor. He explained how his office was involved in the development of the bill and explained the changes enumerated in the bill.

Steve Rancourt, Executive Director of the Electrical Contractors Business Ass'n, spoke in favor. He described the development of the bill and how this bill made various updates and corrections. He took Committee questions.

Philip Sherman, NH Building Code Review Board, spoke in favor. He explained the importance of the bill and provided additional details, expressed concern about the length of the grace period and the overlap with SB 433. He took Committee questions.

William McKinney, President of the NH Building Officials Ass'n, spoke in support. He expressed similar concerns as previous speakers. He took Committee questions.

Ari Pollack, an attorney with Gallagher, Callahan & Gartrell, PC, as lobbyist for the NH Home Builders, spoke in favor. He described how certain compromises were incorporated into the bill.

Chris Skoglund, Director of Transition, Clean Energy NH, spoke in favor. He said he appreciated the energy component of the updated code.

House Remote Testify

Executive Departments and Administration Committee Testify List for Bill HB1681 on 2022-01-31

Support: 3 Oppose: 8 Neutral: 0 Total to Testify: 0

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Reagan, Senator John	Deerfield, NH kathryn.cummings@leg.state.nh.us	An Elected Official	Senate District 17	Support	No	No	1/25/2022 9:28 AM
Buttrick, Bruce	Goffstown, NH bbuttrick8468@comcast.net	A Member of the Public	Myself	Oppose	No	No	1/27/2022 11:35 AM
Pollack, Ari	Concord, NH pollack@gcglaw.com	A Lobbyist	NH Homebuilders	Support	No	No	1/28/2022 2:19 PM
Greyes, Natch	Concord, NH ngreyes@nhmunicipal.org	A Lobbyist	New Hampshire Municipal Association	Support	No	No	1/28/2022 4:12 PM
Klein, Catherine	Laconia, NH Kklein12345@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/28/2022 9:08 PM
Marcoux, Daniel	Northfield, NH danmarcoux90@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/30/2022 8:21 PM
Marcoux, Sarah	Northfield, NH marcouxhouse@yahoo.com	A Member of the Public	Myself	Oppose	No	No	1/30/2022 8:21 PM
Marcoux, Joseph	Northfield, NH Joeymarcoux@yahoo.com	A Member of the Public	Myself	Oppose	No	No	1/30/2022 8:21 PM
Robinson, Steven	Northwood, NH Nikkiandme@yahoo.com	A Member of the Public	Myself	Oppose	No	No	1/31/2022 3:43 AM
Robinson, Karen	Northwood, NH Bdabng12@yahoo.com	A Member of the Public	Myself	Oppose	No	No	1/31/2022 3:44 AM
White, Laurie	Pelham, NH Laurie8j@aol.com	A Member of the Public	Myself	Oppose	No	No	1/31/2022 1:38 PM

Archived: Thursday, May 19, 2022 9:57:09 AM
From: [Chris Skoglund](#)
Sent: Monday, January 31, 2022 12:32:08 PM
To: ~House Executive Departments and Administration
Subject: CENH Testimony - HB1681 - relative to the state building code
Importance: Normal

Chair McGuire and Members of the Executive Departments and Administration Committee,

Please find attached the testimony that was delivered today by Clean Energy NH (CENH) on House Bill 1681, relative to the state building code.

As noted in the letter and our verbal remarks, CENH supports the HB1681 as written as it builds upon the stakeholder discussions, which have included members of the House and Senate, over the last six years. The bill represents the consensus agreement of stakeholder discussions before the Building Code Review Board in 2021, and is in keeping with the recommendations of the legislative code committee that met this fall.

Please contact me if you have any questions.

Sincerely,

Chris Skoglund
Director of Energy Transition
Clean Energy NH
Chris@cleanenergynh.org | 603-918-8353
www.cleanenergynh.org





CLEAN ENERGY NH

Your Voice in All Energy Matters

14 Dixon Ave, Suite 202 | Concord, NH 03301 | 603.226.4732

January 31, 2022

The Honorable Carol McGuire, Chair
Executive Departments and Administration Committee
Legislative Office Building, Room 306
Concord, New Hampshire 03301

Testimony on HB1681, relative to the state building code.

Dear Chair McGuire and members of the Committee,

Clean Energy NH (CENH) is a non-profit member-based organization. We are New Hampshire's leading clean energy advocate that is dedicated to supporting policies and programs that strengthen our state's economy by encouraging a transition to renewable energy and promoting energy efficiency.

CENH supports adoption of HB1681. This bill amends the definition of the state building code in RSA 155-A:1, I to include each of the chapters of the 2018 International Codes developed by the International Code Council, including the 2018 International Energy Conservation Code (IECC), as amended by the NH Building Code Review Board (BCRB). CENH supports adoption of the full suite of codes approved by the BCRB and offers the following information for the committee's consideration on building energy efficiency, which was highlighted as the state's cheapest and cleanest energy resource in the Governor's 2018 State Energy Strategy.¹

Energy for heating, cooling, and electrical use in residential and commercial buildings accounts for about half of all energy consumed in the state. By reducing building-energy consumption, energy-efficiency measures have a direct, positive impact on public health and the quality of our natural environment. Modern building-energy codes are recognized as one of

¹ OSI (2018). New Hampshire 10-Year State Energy Strategy, New Hampshire Office of Strategic Initiatives, <https://www.nh.gov/osi/energy/programs/documents/2018-10-year-state-energy-strategy.pdf>.

the most cost-effective measures to reduce energy demand in the commercial and residential building sector.^{2,3}

The adoption of the 2015 IECC by the state in 2019 resulted in a significant improvement in the energy performance of new buildings and major renovations. This increase in energy efficiency, for both HVAC and electricity use, provided an immediate energy-cost savings to building occupants and businesses. An analysis conducted by the US Department of Energy projected that residential buildings in New Hampshire, including both single and multi-family dwellings, would experience a 20.8 percent reduction in energy consumption if built to the 2015 IECC when compared to the 2009 IECC.⁴

The reduced energy consumption equated to an average annual avoided-energy cost of \$542 across single and multi-family homes in the southern tier of the state, and an average annual avoided-energy cost of \$693 in the northern tier.⁵ The analysis found that the energy-cost savings would result in cash positive situations within three months and would pay for the energy-efficiency measures in just three to four years.⁶ Over the life of a 30-year mortgage, homeowners were projected to realize \$8,575 in avoided-energy costs in southern New Hampshire and \$10,258 in northern areas.

Adoption of the 2018 IECC would maintain that level of energy performance and energy cost savings. As energy prices rise, as we have seen this year across all fuels, the avoided-energy cost associated with the 2018 IECC will only continue to increase. Energy codes, therefore, provide energy and economic security to building occupants, as well as the state as a whole.

Achieving these benefits is contingent on installing the appropriate measures during initial construction or major renovations. Not only do owners and occupants realize benefits from day one but incorporating energy efficiency measures at the time of construction is one of the most

² The 2009 New Hampshire Climate Action Plan² (“the Plan”) recognized the importance of building codes as a strategy in mitigating climate change impacts. CCPTF (2009). The 2009 NH Climate Action Plan: A Plan for New Hampshire’s Energy, Environmental and Economic Development Future, http://des.nh.gov/organization/divisions/air/tsb/tps/climate/action_plan/nh_climate_action_plan.htm.

³ The Edison Foundation. Utilities and Building Energy Codes: Air Quality and Energy Savings Opportunities. Available at: http://www.imt.org/uploads/resources/files/IEE-IMT-UtilitiesAndBuildingEnergyCodes_FactSheet.pdf. (Describing the cost of energy codes and standards as 1.1 cents/kWh, or 1/3 the cost of the average residential program.

⁴ US DOE (2015). National Cost-Effectiveness of the Residential Provisions of the 2015 IECC, Pacific Northwest National Labs, https://www.energycodes.gov/sites/default/files/documents/2015IECC_CE_Residential.pdf.

⁵ This assumes \$2.96/gallon of heating oil, \$1.28/therm of natural gas, and \$0.18/kWh. Information was obtained from the New Hampshire Office of Strategic Initiatives “Fuel Prices” website: <https://www.nh.gov/osi/energy/energy-nh/fuel-prices/index.htm> on March 12, 2018.

⁶ US DOE (2015). Cost-Effectiveness Analysis of the Residential Provisions of the 2015 IECC for New Hampshire, Pacific Northwest National Labs, https://www.energycodes.gov/sites/default/files/documents/NewHampshireResidentialCostEffectiveness_2015.pdf.

cost-effective strategies for reducing fuel and utility costs otherwise borne by the consumer.⁷ Every building that is constructed in an inefficient manner is a lost opportunity to keep more of our energy dollars in state and retrofitting a building later costs more than building it efficiently from the start.

By adopting the 2018 IECC into state statute, the legislature establishes a floor for all new buildings needed to meet, guaranteeing significant benefits for the life of those buildings. In addition to saving money for owners and occupants, the reduced energy demand can reduce energy costs for all New Hampshire ratepayers by delaying or eliminating the need for additional electric generation facilities or transmission upgrades. In turn, those saved energy dollars may be spent on goods and services that more directly support the local economy.

In previous code adoption cycle, concerns were raised about the cost to implement the 2015 IECC compared to the existing code at the time, the 2009 IECC. Much of that cost increase was a result of the significant gain in efficiency between the two codes as New Hampshire had not adopted the 2012 IECC; the increased cost of code compliance was a result of New Hampshire moving up two codes. The 2018 IECC, however, requires a much more modest increase in energy efficiency compared to the 2015 IECC,⁸ and therefore not result in significant costs to implement.

For the reasons described above, CENH asks you to find that HB1681, relative to the state building code, ought to pass.

Sincerely,



Chris Skoglund
Director of Energy Transition
Clean Energy NH
chris@cleanenergynh.org
603-918-8353

⁷ The Edison Foundation. [Utilities and Building Energy Codes: Air Quality and Energy Savings Opportunities](http://www.imt.org/uploads/resources/files/IEE-IMT-UtilitiesAndBuildingEnergyCodes_FactSheet.pdf). Available at: http://www.imt.org/uploads/resources/files/IEE-IMT-UtilitiesAndBuildingEnergyCodes_FactSheet.pdf. (Describing the cost of energy codes and standards as 1.1 cents/kWh, or 1/3 the cost of the average residential program.

⁸ DOE Analysis Finds the 2018 IECC Increases Energy Efficiency, <https://www.iccsafe.org/building-safety-journal/bsj-hits/doe-analysis-finds-the-2018-iecc-increases-energy-efficiency/>.

Archived: Thursday, May 19, 2022 9:57:09 AM

From: [Adam Schmidt](#)

Sent: Monday, January 31, 2022 9:44:59 AM

To: ~[House Executive Departments and Administration](#)

Subject: NH Association of Fire Chiefs - Support for HB 1681 - relative to the state building code

Importance: Normal

Chair McGuire and Members of the House Executive Departments and Administration Committee:

Our firm represents the NH Association of Fire Chiefs (NHAFC). NHAFC was recently made aware of the need to amend HB 1681. The Association is fully supportive of the amendment which we understand may be presented during the hearing on the bill later today. I have included a brief note from Chief Kirk Beattie from the City of Laconia below confirming their support for the bill and the amendment we are anticipating. Unfortunately, we were unable to coordinate an NHAFC member to attend today's hearing but did want the Committee to be aware of the support from the Association.

Please contact me with any questions.

Thank you.

Adam Schmidt

EMAIL FROM CHIEF BEATTIE:

From: Kirk Beattie

Sent: Monday, January 31, 2022 8:47 AM

To: Adam Schmidt Adam@jgstrategies.com

The NH Association of Fire Chiefs have been notified that HB 1681; *relative to the state building code*, does not include updates to the State Fire Code, as were expected. The NHAFC supports amending HB 1681 to include the 2018 editions of the Uniform Fire Code (NFPA1) and Life Safety Code (NFPA 101), as the State Fire Code. The NHAFC has worked closely with Fire Marshal Toomey on this issue, and support the amendment as proposed.

Kirk Beattie

1st VP NHAFC

Fire Chief, City of Laconia

Adam Schmidt, Vice President

J. Grimbilas Strategic Solutions, LLC

(Office) 4 Park Street, Suite 101, Concord

(Mail) PO Box 233, Northwood, NH 03261

(Cell) 603 785-4973

adam@jgstrategies.com

HB 1681-FN - AS INTRODUCED

2022 SESSION

22-3121

05/10

HOUSE BILL ***1681-FN***

AN ACT relative to the state building code.

SPONSORS: Rep. McGuire, Merr. 29; Rep. Pimentel, Merr. 6; Sen. Reagan, Dist 17; Sen. Carson, Dist 14; Sen. Cavanaugh, Dist 16; Sen. Prentiss, Dist 5

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill revises the definition of the state building code, addresses the version of the building code applicable immediately following adoption of an updated edition, and clarifies the role of the state building code review board. The bill also requires municipalities to submit local building ordinances to the state building code review board for informational purposes.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to the state building code.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Hampshire Building Code; Definition of Building. Amend RSA 155-A:1, I to read as
2 follows:

3 I. "Building" means building as defined and interpreted by the International Code Council's
4 International Building Code [2015] **adopted under RSA 155-A:1, IV**, as amended by the state
5 building code review board and ratified by the legislature in accordance with RSA 155-A:10.

6 2 New Hampshire Building Code; Definition. Amend RSA 155-A:1, IV to read as follows:

7 IV. "New Hampshire building code" or "state building code" means the adoption by reference
8 of the International Building Code [2015] **2018**, the International Existing Building Code [2015]
9 **2018**, the International Plumbing Code [2015] **2018**, the International Mechanical Code [2015] **2018**,
10 the International Energy Conservation Code [2015] **2018**, the International Swimming Pool and Spa
11 Code [2015] **2018**, and the International Residential Code [2015] **2018**, as published by the
12 International Code Council **Inc.**, and the National Electrical Code [2017] **2020, as published by the**
13 **Nation Fire Protection Association, Inc.**, as [amended] **reviewed and recommended** by the
14 state building code review board, **including all amendments reviewed and approved by the**
15 **board as of November 30, 2021**, and ratified by the legislature in accordance with RSA 155-A:10.
16 The provisions of any other national code or model code referred to within a code listed in this
17 definition shall not be included in the state building code unless specifically included in the codes
18 listed in this definition.

19 3 New Hampshire Building Code; Definition of Structure. Amend RSA 155-A:1, IV to read as
20 follows:

21 VI. "Structure" means structure as defined and interpreted by the International Code
22 Council's International Building Code [2015] **adopted under RSA 155-A:1, IV**, as amended by the
23 state building code review board and ratified by the legislature in accordance with RSA 155-A:10.

24 4 State Building Code. Amend RSA 155-A:2, I to read as follows:

25 I. All buildings, building components, and structures constructed in New Hampshire shall
26 comply with the state building code and state fire code. The construction, design, structure,
27 maintenance, and use of all buildings or structures to be erected and the alteration, renovation,
28 rehabilitation, repair, removal, or demolition of all buildings and structures previously erected shall
29 be governed by the provisions of the state building code. **The state building code in effect at the**
30 **time that the application for the building permit required by RSA 155-A:4 is received by the**
31 **governing authority shall remain in effect for the duration of the work covered by that**

1 *permit. This requirement notwithstanding, for a period of 6 months after the effective date*
2 *of the code adopted under RSA 155-A:1, IV, a concurrency period is established, allowing*
3 *building permits, and other required documents, at the election of the applicant, to show*
4 *compliance using either the code in effect just prior the effective date of the code adopted*
5 *under RSA 155-A:1, IV, or the code adopted under RSA 155-A:1, IV, but not a combination of*
6 *the 2 codes.*

7 5 State Building Code. Amend RSA 155-A:2, X and XI to read as follows:

8 X. No state agency, authority, board, or commission shall vary, modify, or waive the
9 requirements of the state building code or state fire code, unless approved by the state building code
10 review board pursuant to RSA 155-A relative to the state building code or the state fire marshal
11 pursuant to RSA 153:8-a, I(c) for the state fire code. Nothing in this chapter shall affect the
12 statutory authority of the commissioner of labor, the state board for the licensing and regulation of
13 plumbers, or the state electricians' board to administer their respective programs, provided that any
14 changes to codes proposed under the rulemaking authority of these agencies shall not be enforced
15 until approved by the state building code review board ***and ratified by the legislature in***
16 ***accordance with RSA 155-A:10.***

17 XI. Notwithstanding the ~~[inclusion]~~ ***adopted edition*** of the National Electrical Code ~~[2017]~~
18 in the state building code under RSA 155-A:1, IV, ~~[the amended provisions of section 210.12]~~ ***any***
19 ***provision*** of the National Electrical Code, which ~~[modify the National Electrical Code 2014 version~~
20 ~~to add]~~ ***requires*** arc-fault circuit interrupter ~~[requirements for dormitory unit devices and~~
21 ~~bathrooms, guest rooms and guest suites, and branch circuit extensions or modifications for~~
22 ~~dormitory units]~~ ***protection in excess of the requirements of the 2014 National Electrical***
23 ***Code*** shall not be enforced under the state building code or this chapter.

24 6 New Paragraph; Local Amendments Submitted to State Building Code Review Board. Amend
25 RSA 155-A:3 by inserting after paragraph IV the following new paragraph:

26 V. Any ordinance adopted under RSA 674:51 by a local legislative body shall be submitted to
27 the state building code review board for informational purposes.

28 7 Code Requirements for Biomass Burning Boilers and Log Structures. Amend RSA 155-A:3-a
29 and 155-A:3-b to read as follows:

30 155-A:3-a Code Requirements; Biomass Burning Boilers.

31 I. Notwithstanding any provisions of the state building code or state fire code, the board
32 shall ~~[adopt]~~ ***review and recommend*** a code and amendments thereto which shall regulate the
33 installation and operation of biomass burning boilers. The code adopted shall include the ~~[1999]~~ EN
34 303-5 standard established by the European Committee for Standardization, and shall include
35 requirements for the safe installation, operation, and repair of such boilers, and for data plates and
36 warning labels written in English, limits on temperature and pressure with associated relief valves,
37 and the filing of construction and emissions specifications written in English.

1 II. The inspection procedures and enforcement requirements for the commissioner of labor
2 in RSA 157-A shall apply to boilers installed according to the code and amendments adopted by the
3 board under this section.

4 ~~[III. The code and amendments thereto adopted under paragraph I shall be ratified by~~
5 ~~appropriate legislation within 2 years of their adoption. If such code and amendments are not~~
6 ~~ratified, then the code and amendments shall expire at the end of the 2-year period.]~~

7 155-A:3-b Code Requirements; Log Structures.

8 ~~[I.]~~ Notwithstanding any provisions of the state building code or state fire code, the state
9 building code review board shall ~~adopt~~ **review and recommend** amendments to the state building
10 code regulating the design and construction of log structures. The adopted amendments shall
11 include ICC 400 Standard on the Design and Construction of Log Structures.

12 ~~[II. The amendments adopted under paragraph I shall be ratified by appropriate legislation~~
13 ~~within 2 years of their adoption. If such amendments are not ratified, then the amendments shall~~
14 ~~expire at the end of the 2-year period.]~~

15 8 State Building Code Review Board. Amend RSA 155-A:10, IV to read as follows:

16 IV. The board shall meet to review and assess the application of the state building code and
17 shall recommend legislation, as the board deems necessary, to amend the requirements of the state
18 building code in order to provide consistency with the application of other laws, rules, or regulations,
19 to avoid undue economic impacts on the public by considering the cost of such amendments, and to
20 promote public safety and best practices.

21 (a) The board ~~[may recommend adoption of]~~ **shall review** a newer version of a code that
22 has been published for ~~[at least]~~ 2 years, and shall provide a summary of all significant changes, cost
23 estimates of these changes, and documentation of the need for the change in ~~[the]~~ **any** recommended
24 legislation.

25 (b) Amendments to the codes shall be reviewed and approved by the board, then
26 submitted annually to the legislature for ratification by the adoption of appropriate legislation before
27 they become effective.

28 (c) The board may hear appeals of final decisions of any local building code board of
29 appeals established under RSA 674, provided that the appeal shall be based on a claim that the
30 intent of the code or the rules legally adopted thereunder have been incorrectly interpreted, the
31 provisions of the code do not fully apply, or there is an alternative construction. The board shall not
32 have authority to waive or grant variances to requirements of the code.

33 (d) Amendments adopted by municipalities **and submitted to the board under the**
34 **provisions of RSA 674:51, II**, shall be published by the board.

35 9 Effective Date. This act shall take effect 60 days after its passage.

HB 1681-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to the state building code.

FISCAL IMPACT: State County Local None

METHODOLOGY:

This bill will have no impact on state, county, and local revenue or expenditures.

AGENCIES CONTACTED:

Department of Safety and New Hampshire Municipal Association