
By: Chairman, Economic Matters Committee (Departmental - Housing and Community Dev.)

Introduced and read first time: January 29, 1996

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 15, 1996

CHAPTER ____

1 AN ACT concerning

2 **Department of Housing and Community Development - National Electrical Code and**
3 **Energy Conservation Building Standards - Central Automated Database**

4 FOR the purpose of providing for the inclusion of the National Electrical Code and local
5 amendments and a certain Energy Code and local energy code provisions in a
6 certain Department of Housing and Community Development central automated
7 database; and generally relating to the National Electrical Code, State and local
8 government energy codes, and the Department of Housing and Community
9 Development.

10 BY repealing and reenacting, with amendments,
11 Article 83B - Department of Housing and Community Development
12 Section 6-404 and 6-406
13 Annotated Code of Maryland
14 (1995 Replacement Volume)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article 83B - Department of Housing and Community Development**

18 6-404.

19 (a) The Department shall:

20 (1) Establish and maintain a central automated data base that, at a
21 minimum, contains:

22 (i) The Maryland Building Performance Standards;

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1 (ii) Local amendments to the Maryland Building Performance
2 Standards;

3 (iii) The State Fire Prevention Code and any amendments to the code
4 promulgated by the State Fire Prevention Commission;

5 (iv) Fire codes adopted by counties and municipalities and any
6 amendments; [and]

7 (V) THE ELECTRICAL CODE REQUIRED UNDER ARTICLE 38A, §§ 59
8 AND 60 OF THE CODE;

9 (VI) LOCAL AMENDMENTS TO THE ELECTRICAL CODE REQUIRED
10 UNDER ARTICLE 38A, §§ 59 AND 60 OF THE CODE;

11 (VII) THE ENERGY CODE REQUIRED UNDER ARTICLE 78, § 54J OF
12 THE CODE;

13 (VIII) LOCAL CODE PROVISIONS THAT ARE MORE RESTRICTIVE
14 THAN THE ENERGY CODE REQUIRED UNDER ARTICLE 78, § 54J OF THE CODE; AND

15 [(v)] (IX) Information compiled by the Department under §
16 6-405(b)(1) of this subtitle;

17 (2) Make information from the data base available to any county,
18 municipality, State unit or other interested party; and

19 (3) Purchase or otherwise provide a local jurisdiction with the necessary
20 hardware or software to enable the local jurisdiction to access the information in the
21 central automated data base.

22 (b) (1) The Department may charge a fee for information provided from the
23 data base except that a fee may not be charged to State units, counties, or municipalities.
24 If any fees are unexpended at the end of the fiscal year, the fees shall not revert to the
25 General Fund of the State, but instead shall be maintained as special funds available to
26 the Department for carrying out the purposes of this subtitle.

27 (2) The Department may not charge a fee to a county or municipality to
28 cover or support the ongoing maintenance or upkeep of the data base.

29 (c) A local jurisdiction shall furnish to the Department:

30 (1) On or before December 31, 1993, a copy of its duly adopted local fire
31 code; and

32 (2) Within 15 days of its effective date, any amendment to the local fire
33 code.

34 (D) A LOCAL JURISDICTION SHALL FURNISH TO THE DEPARTMENT:

35 (1) ON OR BEFORE JANUARY 1, 1997, A COPY OF ITS DULY ADOPTED
36 LOCAL AMENDMENTS TO THE ELECTRICAL CODE REQUIRED UNDER ARTICLE 38A,
37 §§ 59 AND 60 OF THE CODE; AND

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1 (2) WITHIN 15 DAYS OF ITS EFFECTIVE DATE, ANY ADDITIONAL
2 AMENDMENT TO THE ELECTRICAL CODE REQUIRED UNDER ARTICLE 38A, §§ 59 AND
3 60 OF THE CODE.

4 (E) A LOCAL JURISDICTION SHALL FURNISH TO THE DEPARTMENT:

5 (1) ON OR BEFORE JANUARY 1, 1997, A COPY OF ITS DULY ADOPTED
6 LOCAL CODE PROVISIONS THAT ARE MORE RESTRICTIVE THAN THE ENERGY CODE
7 REQUIRED UNDER ARTICLE 78, § 54J OF THE CODE; AND

8 (2) WITHIN 15 DAYS OF ITS EFFECTIVE DATE, ANY ADDITIONAL
9 AMENDMENT TO LOCAL CODE PROVISIONS THAT IS MORE RESTRICTIVE THAN THE
10 ENERGY CODE REQUIRED UNDER ARTICLE 78, § 54J OF THE CODE.

11 6-406.

12 (a) This subtitle may not be construed to alter or abrogate the authority of the
13 State Board of Plumbing to adopt and enforce the State Plumbing Code under Title 12 of
14 the Business Occupations and Professions Article.

15 (b) This subtitle may not be construed to alter or abrogate the authority of the
16 State Board of Heating, Ventilation, Air Conditioning and Refrigeration Contractors to
17 adopt and enforce the State Heating, Ventilation, Air Conditioning and Refrigeration
18 Code under Title 9A of the Business Regulation Article.

19 (c) This subtitle may not be construed to alter or abrogate the authority of the
20 Commissioner of Labor and Industry to adopt and enforce standards under Article 89, §
21 49B of the Code.

22 (D) THIS SUBTITLE MAY NOT BE CONSTRUED TO ALTER OR ABROGATE THE
23 AUTHORITY OF:

24 (1) THE STATE FIRE PREVENTION COMMISSION TO ENFORCE THE
25 ELECTRICAL CODE UNDER ARTICLE 38A, §§ 59 AND 60 OF THE CODE; OR

26 (2) THE PUBLIC SERVICE COMMISSION TO ENFORCE THE ENERGY CODE
27 REQUIRED UNDER ARTICLE 78, § 54J OF THE CODE.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 1996.