

Chapter 673

(House Bill 694)

AN ACT concerning

Public Safety – Building Codes – Transfer of Administration to Department of Labor, Licensing, and Regulation

FOR the purpose of transferring certain responsibilities relating to the administration of certain statewide building codes from the Department of Housing and Community Development to the Department of Labor, Licensing, and Regulation; providing for the transfer of certain functions, powers, and duties of the Department of Housing and Community Development on a certain date; providing for the transfer of certain employees to the Department of Labor, Licensing, and Regulation without diminution of certain rights, benefits, or employment or retirement status; providing that this Act may not be construed to diminish certain powers or duties of the Department of Housing and Community Development; providing for the transfer of certain records, credits, assets, liabilities, obligations, rights, privileges, and appropriations to the Department of Labor, Licensing, and Regulation on a certain date; providing for the continuity of the status of certain laws, regulations, standards, guidelines, policies, orders, directives, forms, plans, memberships, contracts, property, investigations, rights, duties, and responsibilities; requiring the publisher of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, to correct any cross-references or terminology rendered incorrect by certain Acts and to describe any such corrections in an editor's note following the section affected; and generally relating to building codes.

BY repealing and reenacting, with amendments,
 Article – Housing and Community Development
 Section 3–103
 Annotated Code of Maryland
 (2006 Volume and 2017 Supplement)

BY repealing and reenacting, without amendments,
 Article – Public Safety
 Section 12–201(a)(1), 12–202(a)(1), 12–203(a)(1), 12–204(g)(1), 12–301(a), 12–401(a),
 12–501(a), 12–1001(a), and 12–1003(a)
 Annotated Code of Maryland
 (2011 Replacement Volume and 2017 Supplement)

BY repealing and reenacting, with amendments,
 Article – Public Safety
 Section 12–201(a)(2), 12–202(a)(2), 12–203(a)(2), 12–204(c), (e)(1), and (g)(2),
 12–301(b), 12–401(c), 12–501(c), 12–1001(e), and 12–1003(g)(1)
 Annotated Code of Maryland

(2011 Replacement Volume and 2017 Supplement)

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

Article – Housing and Community Development

3–103.

The Division includes:

- AND
- (1) the Maryland Housing Fund, a governmental unit of the Department;
 - (2) loan asset management for the Department[; and
 - (3) the administration of statewide building and material codes established under Title 12, Subtitles 2, 3, 4, 5, and 10 of the Public Safety Article].

Article – Public Safety

12–201.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Department” means the Department of [Housing and Community Development] **LABOR, LICENSING, AND REGULATION**.

12–202.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Department” means the Department of [Housing and Community Development] **LABOR, LICENSING, AND REGULATION**.

12–203.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Department” means the Department of [Housing and Community Development] **LABOR, LICENSING, AND REGULATION**.

12–204.

- (c) In conjunction with the Department of Natural Resources, the Department of

[Housing and Community Development] **LABOR, LICENSING, AND REGULATION** shall develop guidelines for recommended illumination levels in existing public buildings in the State 6 months after ASHRAE 100 standards are adopted.

(e) (1) In conjunction with the Department of Natural Resources, the Department of [Housing and Community Development] **LABOR, LICENSING, AND REGULATION** shall provide training to local jurisdictions on the application of the guidelines.

(g) (1) There is an advisory commission on energy conservation in buildings.

(2) The commission consists of 15 members appointed by the Secretary of [Housing and Community Development] **LABOR, LICENSING, AND REGULATION**.

12-301.

(a) In this subtitle the following words have the meanings indicated.

(b) "Department" means the Department of [Housing and Community Development] **LABOR, LICENSING, AND REGULATION**.

12-401.

(a) In this subtitle the following words have the meanings indicated.

(c) "Department" means the Department of [Housing and Community Development] **LABOR, LICENSING, AND REGULATION**.

12-501.

(a) In this subtitle the following words have the meanings indicated.

(c) "Department" means the Department of [Housing and Community Development] **LABOR, LICENSING, AND REGULATION**.

12-1001.

(a) In this subtitle the following words have the meanings indicated.

(e) "Department" means the Department of [Housing and Community Development] **LABOR, LICENSING, AND REGULATION**.

12-1003.

(a) There is a Maryland Building Rehabilitation Code Advisory Council.

(g) (1) The Secretary of [Housing and Community Development] **LABOR, LICENSING, AND REGULATION** shall appoint the Director of the Council.

SECTION 2. AND BE IT FURTHER ENACTED, That the functions, powers, and duties of the Department of Housing and Community Development relating exclusively to the administration of statewide building and material codes established under Title 12, Subtitles 2, 3, 4, 5, and 10 of the Public Safety Article shall be transferred from the Department of Housing and Community Development to the Department of Labor, Licensing, and Regulation on the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That all employees who are transferred to the Department of Labor, Licensing, and Regulation as a result of this Act shall be transferred on the effective date of this Act without any diminution of their rights, including collective bargaining rights, benefits, or employment or retirement status.

SECTION 4. AND BE IT FURTHER ENACTED, That all of the records, credits, assets, liabilities, obligations, rights, and privileges held by the Department of Housing and Community Development solely to carry out the responsibilities, authority, and functions transferred under this Act shall be transferred to the Department of Labor, Licensing, and Regulation on the effective date of this Act.

SECTION 5. AND BE IT FURTHER ENACTED, That, except as otherwise provided by law, all existing laws, regulations, proposed regulations, standards and guidelines, policies, orders and other directives, forms, plans, memberships, contracts, property, investigations, administrative and judicial responsibilities, rights to sue and be sued, and all other duties and responsibilities associated with the functions of the Division of Credit Assurance and the programs that are the subject of this Act prior to the effective date of this Act shall continue in effect under the Department of Labor, Licensing, and Regulation until completed, withdrawn, canceled, modified, or otherwise changed under the law.

SECTION 6. AND BE IT FURTHER ENACTED, That all appropriations, including State and federal funds, held by the Department of Housing and Community Development to carry out the exclusive functions of the Department of Housing and Community Development or any other program transferred under this Act shall be transferred to the Department of Labor, Licensing, and Regulation on the effective date of this Act.

SECTION 7. AND BE IT FURTHER ENACTED, That the publisher of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, shall correct, with no further action required by the General Assembly, cross-references and terminology rendered incorrect by this Act or any other Act of the General Assembly of 2018 that affects provisions enacted by this Act. The publisher shall adequately describe any such corrections in an editor's note following the section affected.

SECTION 8. AND BE IT FURTHER ENACTED, That this Act shall take effect July

1, 2018.

Approved by the Governor, May 15, 2018.