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

Introduced and read first time: January 29, 1996

Assigned to: Economic Matters

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A BILL ENTITLED

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;

23 (ii) Local amendments to the Maryland Building Performance  
24 Standards;

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

27 (iv) Fire codes adopted by counties and municipalities and any  
28 amendments; [and]

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

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

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

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

9 [(v)] (IX) Information compiled by the Department under §  
10 6-405(b)(1) of this subtitle;

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

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

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

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

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

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

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

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

29 (1) ON OR BEFORE JANUARY 1, 1997, A COPY OF ITS DULY ADOPTED  
30 LOCAL AMENDMENTS TO THE ELECTRICAL CODE REQUIRED UNDER ARTICLE 38A,  
31 §§ 59 AND 60 OF THE CODE; AND

32 (2) WITHIN 15 DAYS OF ITS EFFECTIVE DATE, ANY ADDITIONAL  
33 AMENDMENT TO THE ELECTRICAL CODE REQUIRED UNDER ARTICLE 38A, §§ 59 AND  
34 60 OF THE CODE.

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

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

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

4 6-406.

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

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

12 (c) This subtitle may not be construed to alter or abrogate the authority of the  
13 Commissioner of Labor and Industry to adopt and enforce standards under Article 89, §  
14 49B of the Code.

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

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

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

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