

Department of Legislative Services  
Maryland General Assembly  
2000 Session

FISCAL NOTE

Senate Bill 64 (Chairman, Economic and Environmental Affairs Committee)  
(Departmental - Housing and Community Dev.)

Economic and Environmental Affairs

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**Housing - Maryland Building Performance Standards**

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This departmental bill modifies references to the code that the Department of Housing and Community Development (DHCD) is required to adopt as the Maryland Building Performance Standards (MBPS) from the National Building Code issued by the Building Officials and Code Administrators International, Inc. (BOCA) to the International Building Code (IBC). The bill also reduces the time in which DHCD must incorporate subsequent versions of the code into the MBPS from 24 months to 12 months.

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**Fiscal Summary**

**State Effect:** Any change in State activities would not materially affect State finances.

**Local Effect:** Potential minimal expenditure increase for some local jurisdictions.

**Small Business Effect:** DHCD has determined that this bill will have minimal or no impact on small businesses (attached). Legislative Services concurs with this assessment.

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**Analysis**

**Current Law:** The BOCA National Building Code is the building code currently adopted under the MBPS. DHCD is required to adopt the most recent edition of the BOCA National Building Code within 24 months of its issue date. Chapter 481 of 1999 altered the time limit in which DHCD has to incorporate subsequent versions of the code into the MBPS from nine months to 24 months. Local jurisdictions are responsible for the implementation and enforcement of the MBPS.

**Background:** Until 1993, there was no standard building code for the State. In 1993, the Maryland Building Performance Standards Act was enacted. According to DHCD, three

jurisdictions (Ocean City and Wicomico and Worcester counties) have not yet adopted the BOCA National Building Code but instead use the standard building code issued by the Southern Building Code Congress International, Inc. (SBC). Under current law, if DHCD provides funding, those jurisdictions are required to implement the MBPS by August 1, 2001.

Three model code groups in the United States have coordinated to publish one national model building code, the IBC. The BOCA National Building Code will be replaced by the IBC and will no longer be published.

**Local Fiscal Effect:** According to Baltimore City and Prince George's County, this bill will have no fiscal impact on local jurisdictions that use the BOCA National Building Code because the IBC is not substantively different than the BOCA National Building Code. However, Allegany County reports that it will incur costs of \$10,000 to \$15,000 to implement the IBC. This bill will not impose any additional costs on jurisdictions that use the SBC code because the fiscal 2000 budget includes \$30,000 in general funds for grants to local jurisdictions to convert from the SBC to the IBC.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Housing and Community Development; Baltimore City; Allegany, Montgomery, Prince George's, and Wicomico counties; Department of Legislative Services

**Fiscal Note History:** First Reader - January 11, 2000  
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