

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 519 (Washington County Senators)
Education, Health, and Environmental Affairs

**Washington County - Maryland Building Performance Standards -
Modifications - Local Enforcement**

This bill requires Washington County, starting with any modifications that are effective on January 1, 2015, and every six years thereafter as to the most current version of the Maryland Building Performance Standards (MBPS), to implement and enforce modifications to MBPS adopted by the State no later than six months after the modifications are adopted by the State for the portions of MBPS concerning the International Building Code (IBC) and the International Residential Code (IRC).

Fiscal Summary

State Effect: The bill does not affect State operations or finances.

Local Effect: Washington County's expenditures decrease due to a decrease in the frequency with which the county must adopt MBPS (from every three years to every six years). Revenues are not materially affected.

Small Business Effect: Minimal.

Analysis

Current Law: The Department of Housing and Community Development (DHCD) is required to adopt, as MBPS, the most recent version of IBC, including the International Energy Conservation Code (IECC), along with applicable modifications authorized in Title 12 of the Public Safety Article. In addition, DHCD adopts, as part of MBPS, the IRC.

Local governments must implement and enforce the most current version of MBPS. Any modification of MBPS by a local government must be implemented and enforced no

later than six months after the modifications are adopted by the State. Local governments are responsible for the implementation and enforcement of MBPS, which includes, at a minimum, (1) review and acceptance of appropriate plans; (2) issuance of building permits; (3) inspection of work authorized by the building permits; and (4) issuance of appropriate use and occupy certificates.

Background: The International Code Council publishes a new version of the IBC, IRC, and IECC every three years. DHCD currently incorporates by reference the 2015 IBC, IRC, and IECC, with modifications, as MBPS. In general, the standards apply to all buildings and structures within the State for which a building permit application is received by a local government.

Local Expenditures: The bill allows Washington County to adopt MBPS every six years rather than every three. Thus, expenditures related to the cost of adoption and implementation of MBPS decrease every six years. Washington County advises that it estimates that expenditures decrease by approximately \$46,100 in fiscal 2017 and by \$20,000 in fiscal 2018. Savings then occur every six years after, as the county is not required to purchase new code materials, learn the new code, and educate the community on the new code.

Additional Information

Prior Introductions: SB 638 of 2015 passed the Senate but received an unfavorable report from the House Environment and Transportation Committee. Its cross file, HB 800, was referred to the House Environment and Transportation Committee, but no further action was taken.

Cross File: HB 845 (Washington County Delegation) - Environment and Transportation.

Information Source(s): Washington County, Department of Legislative Services

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mel/lgc

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