

HOUSE BILL 694

E4

8lr0120

By: **Chair, Environment and Transportation Committee and Chair, Economic Matters Committee (By Request – Departmental – Housing and Community Development)**

Introduced and read first time: January 31, 2018

Assigned to: Environment and Transportation and Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 13, 2018

CHAPTER _____

1 AN ACT concerning

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, with amendments,
 2 Article – Housing and Community Development
 3 Section 3–103
 4 Annotated Code of Maryland
 5 (2006 Volume and 2017 Supplement)

6 BY repealing and reenacting, without amendments,
 7 Article – Public Safety
 8 Section 12–201(a)(1), 12–202(a)(1), 12–203(a)(1), 12–204(g)(1), 12–301(a), 12–401(a),
 9 12–501(a), 12–1001(a), and 12–1003(a)
 10 Annotated Code of Maryland
 11 (2011 Replacement Volume and 2017 Supplement)

12 BY repealing and reenacting, with amendments,
 13 Article – Public Safety
 14 Section 12–201(a)(2), 12–202(a)(2), 12–203(a)(2), 12–204(c), (e)(1), and (g)(2),
 15 12–301(b), 12–401(c), 12–501(c), 12–1001(e), and 12–1003(g)(1)
 16 Annotated Code of Maryland
 17 (2011 Replacement Volume and 2017 Supplement)

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

20 **Article – Housing and Community Development**

21 3–103.

22 The Division includes:

23 (1) the Maryland Housing Fund, a governmental unit of the Department;

24 **AND**

25 (2) loan asset management for the Department[]; and

26 (3) the administration of statewide building and material codes established
 27 under Title 12, Subtitles 2, 3, 4, 5, and 10 of the Public Safety Article].

28 **Article – Public Safety**

29 12–201.

30 (a) (1) In this section the following words have the meanings indicated.

31 (2) “Department” means the Department of [Housing and Community
 32 Development] **LABOR, LICENSING, AND REGULATION**.

33 12–202.

1 (a) (1) In this section the following words have the meanings indicated.

2 (2) “Department” means the Department of [Housing and Community
3 Development] **LABOR, LICENSING, AND REGULATION.**

4 12–203.

5 (a) (1) In this section the following words have the meanings indicated.

6 (2) “Department” means the Department of [Housing and Community
7 Development] **LABOR, LICENSING, AND REGULATION.**

8 12–204.

9 (c) In conjunction with the Department of Natural Resources, the Department of
10 [Housing and Community Development] **LABOR, LICENSING, AND REGULATION** shall
11 develop guidelines for recommended illumination levels in existing public buildings in the
12 State 6 months after ASHRAE 100 standards are adopted.

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

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

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

20 12–301.

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

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

24 12–401.

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

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

28 12–501.

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

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

4 12-1001.

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

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

8 12-1003.

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

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

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

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

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

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

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

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

13 SECTION 8. AND BE IT FURTHER ENACTED, That this Act shall take effect July
14 1, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.