



Director's Office

One Capitol Hill | Providence, RI 02908 | (401) 222-2280

Jonathan Womer, Director

May 6, 2025

The Honorable Stephen M. Casey
Chairperson
House Committee on Municipal Government and Housing
Rhode Island House of Representatives
82 Smith Street, Providence, RI 02903

Re: House Bill No. 5804 Substitute A – An Act Relating to Health and Safety – State Building Code

Dear Chairperson Casey,

Thank you for providing the Department of Administration (the “Department”) the opportunity to submit our concerns in response to House Bill No. 5804 Substitute A, which would require the State Building Code Standards Committee to implement the International Residential Code (“IRC”) and the Commercial International Building Code (“IBC”), with no state-specific amendments permitted for specific building types. It would also truncate the regulatory analysis required for the state fire safety code, the state building code, or the state rehabilitation building and fire code (“state building and fire codes”). While we understand the purpose of the bill is to grow the state’s housing production to increase the affordability of the housing market, the bill as currently written undermines its intent. It will likely cause a substantial increase in the cost of building, and these costs will be passed on to the consumer. Rent escalation will persist and prospective home buyers will continue to be priced out of the market.

Background

Updates to the IRC and IBC are among the most expensive regulations Rhode Island adopts and contribute to the current housing affordability crisis.

- Prior regulatory analyses indicate an increase in construction costs within Rhode Island of up to \$9 million annually.
- The National Multifamily Housing Council found that building code updates increased costs of multifamily housing by over 10% from 2013 to 2022.¹
- The National Association of Home Builders found construction costs increased by thousands of dollars with each code update.²

A regulatory analysis under the Administrative Procedures Act (“APA”) and amendments to the international codes are crucial to housing affordability. The state should determine what pieces of the IRC and IBC make sense for Rhode Island and are “worth” the added cost to housing.

¹ NMHC | [NMHC-NAHB Cost of Regulations Report \(2022\)](https://www.nmhc.org/research-insight/research-report/nmhc-nahb-cost-of-regulations-report/) - <https://www.nmhc.org/research-insight/research-report/nmhc-nahb-cost-of-regulations-report/>

² NAHB | [Estimated Costs of Building Code Changes](https://www.nahb.org/advocacy/top-priorities/building-codes/construction-codes-standards-research/estimated-costs-of-building-code-changes) - <https://www.nahb.org/advocacy/top-priorities/building-codes/construction-codes-standards-research/estimated-costs-of-building-code-changes>



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No Amendments

The proposed language does not appear to allow for Rhode Island specific amendments to the IRC and IBC standards for certain building types (i.e., 1-4 family dwellings, residential buildings with more than four units). Any adoption of building code standards that does not allow for sufficient flexibility to address conditions unique to Rhode Island could have a substantial impact on residential construction costs in the state. As construction costs are widely considered significant deterrents to new housing development, the proposed bill may exacerbate existing limitations affecting housing development, new construction, and property maintenance.

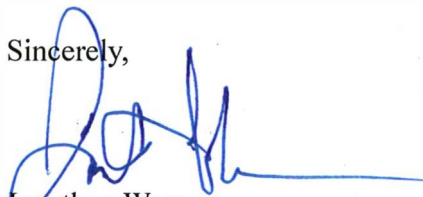
Truncated Regulatory Analysis

The bill would also amend the APA to require the completion of the regulatory analysis for any changes to the state building and fire codes within 150 days of the recommendation of passage by the applicable state official, agency, or board. The Department has concerns about this requirement's implementation under the current resources of the State Building Office, which assists the Building Code Standards Committee in promulgating the building codes. The individual components of the building and fire codes are complex and have varying costs based on regional conditions. Without sufficient time to conduct the regulatory analysis, the Committee will likely be unable to assess and inform the public about the cost of the regulations, or miss the deadline, making the regulations vulnerable to challenge.

While the Department recognizes the importance of timely promulgation of building code standards, it is crucial that changes not inadvertently drive further costs to housing. The IRC and IBC can be broad and expensive and are written without specific regions in mind. Allowing for Rhode Island specific analysis and amendments helps tailor the state building code to better suit conditions unique to Rhode Island. What is seen as necessary in California is not always necessary in Rhode Island.

The Department appreciates the opportunity to share our concerns over this legislation with the Committee. If there are any questions, please feel free to contact my office at your convenience.

Sincerely,



Jonathan Womer
Director

cc: The Honorable Members of the House Committee on Municipal Government and Housing
The Honorable K. Joseph Shekarchi, Speaker of the House
Nicole McCarty, Chief Legal Counsel to the Speaker
Lynne Urbani, Policy Director to the Speaker
Dawn Huntley, Committee Clerk