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April 15, 2026

The Honorable Susan Sosnowski
Senate Committee on Environment & Agriculture
Rhode Island State House
Providence, RI 02903

Dear Chairwoman Sosnowski and Members of the Committee:

On behalf of the Northern Rhode Island Chamber of Commerce (NRICC), which represents businesses in Burrillville, Central Falls, Cumberland, Foster, Glocester, Johnston, Lincoln, North Providence, North Smithfield, Pawtucket, Scituate, Smithfield, and Woonsocket, I respectfully submit this testimony in opposition to S.2218, An Act Relating to Building Performance Standards Act of 2026.

S.2218 requires the Office of Energy Resources (OER) to work with the Department of Environmental Management (DEM) to create building performance metrics for buildings with more than 25,000 gross sq. ft. of space. This applies to residential and commercial buildings, but not to buildings where a majority of energy is used for manufacturing, electricity generating, or thermal energy generating purposes.

The bill does not establish a specific reporting requirement, but it does give OER explicit authority to adopt energy use and greenhouse gas emission standards for covered buildings based on use types. Starting December 31, 2028, OER and DEM would adopt the metrics and set standards that would eventually lead to a net zero emissions standard. The standards would be updated every five years between 2028 and 2050 and are expected to be adopted in such a way to establish a straight-line trajectory to the net zero target. Interim standards can be adopted for certain property types if it is deemed necessary.

Starting June 30, 2035, and every five years thereafter, property owners must demonstrate progress toward the performance standards. The bill provides the ability to apply for waivers for hardship for a five-year period or to propose an alternative action plan for consideration. OER must establish penalties for violations of the law. Monies raised through the penalties are deposited in a "Building Performance Standard Fund" overseen by a newly established Environmental Justice Advisory Board comprised of nonprofits, public agencies, housing advocates, small businesses, experts in racial and social equity and the AFL-CIO. Board members receive a stipend for their service as well as reimbursement for childcare needs to attend meetings.



This proposal would likely require businesses to undertake expensive building retrofits, equipment replacements, and energy system upgrades in order to meet evolving performance targets. Many commercial properties in Rhode Island are older buildings that were not designed for modern energy standards, meaning compliance could require substantial capital investments that small and mid-sized property owners may struggle to afford. Without significant financial support, businesses may have no alternative than to close, eliminating valuable jobs. While the bill provides a hardship waiver and the ability to submit an alternative action plan, these processes may still involve complex applications, administrative costs, and uncertainty about whether relief will be granted.

The creation of a new enforcement structure, including penalties that would fund a newly established advisory board, also raises concerns about additional layers of oversight and regulatory complexity. The legislation could be viewed as expanding government administration and enforcement without providing sufficient incentives, technical assistance, or financial support to help property owners realistically meet the mandated standards.

Finally, the bill could unintentionally slow redevelopment and revitalization projects. Property owners considering improvements to aging buildings may delay or cancel renovation projects if doing so would trigger additional reporting requirements or expensive compliance obligations.

For these reasons, the Northern RI Chamber of Commerce respectfully urges the Committee to oppose S.2218.

Respectfully,

Monika P. Zuluaga
President & CEO