

How Statewide Building Code Amendments Are Adopted

The State Building Code Review Board (BCRB) is responsible for reviewing and approving statewide amendments to the model codes which then require ratification by the legislature and signature by the Governor before becoming effective. (see RSA 155-A:10,IV),

Who Can Propose an Amendment?

There are three ways that a proposed statewide code amendment can be brought before the BCRB.

1. A member of the public may propose an amendment.
2. A governmental or private organization may propose an amendment.
3. A member, or committee, of the BCRB may propose an amendment

Note: Municipalities are permitted to adopt additional regulations within the limits of the statute (see RSA 47:22, 155-A:2,V and RSA 674:51). No state agency, authority, board, or commission is permitted to vary, modify, or waive the requirements of the state building code unless approved by the BCRB.

When Can an Amendment Be Submitted?

A State Building Code proposed amendment can be submitted within the schedule established by the BCRB each year, which provides time for BCRB consideration prior to submittal to the legislature on a date set by the legislature. The BCRB generally meets at from 10:00 – 12:00 on the second Friday of each month at the Department of Safety, 33 Hazen Drive, Concord, NH or another Concord location. There are no meetings in July and August unless called by the chair. Meeting notices with location, agendas and minutes are posted on the [BCRB website](#).

How to Submit a Proposal for a Code Amendment

Proposals must be submitted in writing to:

State Building Code Review Board
33 Hazen Drive
Concord, NH 03305
Email: bldgcodebrd@dos.nh.gov

The following information may be submitted on the [State Building Code Proposed Amendment Form](#)  :

- Name, address, telephone, e-mail, and affiliation (if any) of the submitter
- The applicable code(s) and section number(s)
- The New Hampshire code language, including amendments, applicable at the time the proposal is submitted.
- The proposed code language, using a strikeout (deleted language) and underline (added language) format
- A brief explanation of the reason(s) and justification(s) for the proposed change(s)
- If available, supporting technical documentation
- If available, letters of support from stakeholder organizations
- As required by statute, a brief description of the fiscal impact of the proposed code change.

Action by the State Building Code Review Board

After receipt of the proposed code amendment, the matter will be placed on the agenda for the next regular meeting of the BCRB. Following deliberation, the BCRB can take any of the following actions:

- request additional documentation from the submitter
- ask the BCRB chair to appoint a committee to review the proposal
- reject the proposal if the request is not within the statutory authority of the BCRB, or
- schedule a public hearing

When the proposal reaches the public hearing stage, the submitter is encouraged to appear before the BCRB to explain the reasons and justification for the proposed code change and to respond to questions from the board. Written testimony and supporting documentation can be submitted at this time as well. Any state agency, stakeholder organization or member of the public can appear to support or oppose the proposal, or to provide technical guidance to the BCRB. Additional written documentation may be submitted to the BCRB following the public hearing until such time as the BCRB acts upon the proposal unless an earlier deadline has been established by the chair.

Following the public hearing, the BCRB will determine a time to deliberate and act upon the proposal. Deliberation and voting are always done in public at a duly posted meeting. A majority vote is required for approval.

The BCRB can take the following actions:

- approve the proposal as submitted
- amend the proposal
- table the proposal for further review and investigation, typically by a committee appointed by the chair
- disapprove the proposal

Ratification by the General Court

Subsequent to review and approval by the BCRB, amendments are submitted to the legislature in a single annual package, on a date set by the legislature. This results in a bill, usually amending the definition of the state building code in RSA 155-A:1, IV, which, when passed by the house and the senate, proceeds to the Governor for signature. If signed, the bill becomes law and the amendment goes into effect on a date set in the bill.

Official Documents

State Building Code Review Board administrative rules and code amendments that have been proposed and/or adopted and/or ratified are posted on the [BCRB website](#).

The official copies of the administrative rules and code amendments can be obtained upon written request from:

State Building Code Review Board
33 Hazen Drive
Concord, NH 03305

A fee may be charged for copies.

Rev 2024_10_02