

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## SECOND REGULAR SESSION-2026

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Legislative Document

No. 2225

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S.P. 908

In Senate, March 3, 2026

### **An Act to Support Municipal Enforcement of Residential Construction Laws, Codes and Regulations**

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Reported by Senator CURRY of Waldo for the Joint Standing Committee on Housing and Economic Development pursuant to Resolve 2025, chapter 64, section 2.

Reference to the Committee on Housing and Economic Development suggested and ordered printed pursuant to Joint Rule 218.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 10 MRSA §9722, sub-§6, ¶B**, as amended by PL 2019, c. 391, §4, is further  
3 amended by amending subparagraph (8) to read:

4 (8) ASHRAE Standard 90.1 Energy Standard for Buildings Except Low-Rise  
5 Residential Buildings; ~~and~~

6 **Sec. 2. 10 MRSA §9722, sub-§6, ¶B**, as amended by PL 2019, c. 391, §4, is further  
7 amended by amending subparagraph (9) to read:

8 (9) Standard Practice for Radon Control Options for the Design and Construction  
9 of New Low-Rise Residential Buildings published by the American Society for  
10 Testing and Materials; and

11 **Sec. 3. 10 MRSA §9722, sub-§6, ¶B**, as amended by PL 2019, c. 391, §4, is further  
12 amended by enacting a new subparagraph (10) to read:

13 (10) International Code Council and Modular Building Institute 1200-2021  
14 Standard for Off-site Construction: Planning, Design, Fabrication and Assembly.

15 **Sec. 4. 10 MRSA §9726** is enacted to read:

16 **§9726. Code changes and enforcement**

17 Notwithstanding any provision of this chapter to the contrary, beginning January 1,  
18 2027, the effective date of any changes made by the board to the Maine Uniform Building  
19 and Energy Code or to the codes and standards listed in section 9725 between January 1st  
20 and June 30th is December 1st of that same calendar year. The effective date of changes  
21 made between July 1st and December 31st is June 1st of the next calendar year.

22 **Sec. 5. 25 MRSA §2450-A**, as amended by PL 2025, c. 388, Pt. D, §31, is further  
23 amended to read:

24 **§2450-A. Surcharge on plan review fee for Uniform Building Codes and Standards**  
25 **Fund**

26 In addition to the fees established in section 2450, a surcharge of ~~4¢~~ 6¢ per square foot  
27 of occupied space must be levied on the existing fee schedule for new construction,  
28 reconstruction, repairs, renovations or new use for the sole purpose of funding the activities  
29 of the Technical Building Codes and Standards Board with respect to the Maine Uniform  
30 Building and Energy Code, established pursuant to Title 10, chapter 1103, the activities of  
31 the Division of Building Codes and Standards under chapter 314 and the activities of the  
32 Maine Office of Community Affairs under Title 30-A, section 4451, subsection 3-A, except  
33 that the fee for review of a plan for the renovation of a public school, including the fee  
34 established under section 2450, may not exceed \$450. Revenue collected from this  
35 surcharge must be deposited into the Uniform Building Codes and Standards Fund  
36 established by section 2374.

37 **Sec. 6. 30-A MRSA §4451, sub-§3**, as amended by PL 2025, c. 388, Pt. D, §38, is  
38 further amended to read:

39 **3. Training and certification of code enforcement officers.** In cooperation with  
40 code enforcement officer professional associations, the Maine Community College System,  
41 the Department of Environmental Protection and the Department of Health and Human

1 Services, except as otherwise provided in paragraph H, the Maine Office of Community  
2 Affairs shall establish a continuing education program for individuals engaged in code  
3 enforcement. This program must provide training in the technical and legal aspects of code  
4 enforcement necessary for certification. The training program must include training to  
5 provide familiarity with the laws and ordinances related to the structure and practice of the  
6 municipal code enforcement office, municipal planning board and appeals board  
7 procedures, application review and permitting procedures, inspection procedures and code  
8 enforcement techniques, including enforcement of codes regulating industrialized housing.  
9 For the purposes of this subsection, "industrialized housing" means a structure designed to  
10 be used for residential housing that consists of or is constructed using one or more modular  
11 buildings, modular components or panelized systems that is wholly or in substantial part  
12 fabricated or assembled in a manufacturing plant for installation, or assembly and  
13 installation, on a separate building site and has been manufactured in such a manner that  
14 all parts or processes cannot be inspected at the installation site without disassembly of,  
15 damage to or destruction of the structure.

16 H. If funding is not available to support the training and certification program  
17 authorized under this subsection, the Maine Office of Community Affairs shall  
18 discontinue training and certification activities related to laws and ordinances  
19 referenced in subsection 2-A, paragraphs A and B and shall adopt by routine technical  
20 rules under Title 5, chapter 375, subchapter 2-A a program to register code enforcement  
21 officers that meet training and education qualifications. The Maine Office of  
22 Community Affairs shall publish the list of persons registered for code enforcement  
23 who have submitted evidence of required qualifications. Persons registered under this  
24 paragraph must meet the requirements for training and certification under this  
25 subchapter. The Maine Office of Community Affairs shall consult with the  
26 Department of Health and Human Services for the purposes of carrying out training  
27 and certification activities related to laws and ordinances referenced in subsection 2-A,  
28 paragraphs C and D. Within one month of discontinuation of training and certification  
29 under this paragraph, the Maine Office of Community Affairs shall report to the joint  
30 standing committee of the Legislature having jurisdiction over appropriations and  
31 financial affairs and the joint standing committee of the Legislature having jurisdiction  
32 over state and local government matters a recommendation for funding the training and  
33 certification program or for further changes in program requirements.

34 **Sec. 7. Regionalized code enforcement pilot project.** The Maine Office of  
35 Community Affairs, through the Housing Opportunity Program established in the Maine  
36 Revised Statutes, Title 5, section 3241, shall conduct a 3-year pilot project to promote,  
37 incentivize and support the adoption of regionalized approaches to code enforcement by  
38 municipalities. The Maine Office of Community Affairs shall administer the pilot project  
39 and establish guidelines for the administration of the pilot project as follows.

40 1. The pilot project must start no later than January 1, 2027 and continue for no more  
41 than 3 years.

42 2. The Maine Office of Community Affairs shall conduct an ongoing evaluation of the  
43 pilot project to determine the efficacy and effect of adopting a regionalized approach to  
44 code enforcement for participating municipalities.

3. No later than January 15th of each year for the duration of the pilot project, and no later than 60 days following the end of the pilot project, the Maine Office of Community Affairs shall submit a report on the status of the pilot project to the joint standing committee of the Legislature having jurisdiction over building code matters. The final report must include, but is not limited to, the total number of participating municipalities; the reported effects of adopting a regionalized approach to code enforcement; any barriers to the success of the pilot project; and recommendations, including any suggested legislation, for adopting a regionalized approach to code enforcement.

Upon receipt of any report required by this section, the joint standing committee of the Legislature having jurisdiction over building code matters may report out legislation based on the report to the legislative session in which the report is received.

**Sec. 8. Transfer from Maine Budget Stabilization Fund; Housing Opportunity Program, Other Special Revenue Funds account.** Notwithstanding any provision of law to the contrary, on or before June 30, 2027, the State Controller shall transfer \$1,000,000 from the Maine Budget Stabilization Fund within the Department of Administrative and Financial Services to the Housing Opportunity Program, Other Special Revenue Funds account for a pilot project to provide regionalized building code enforcement.

**Sec. 9. Appropriations and allocations.** The following appropriations and allocations are made.

**MAINE OFFICE OF COMMUNITY AFFAIRS**

**Division of Building Codes and Standards Z419**

Initiative: Provides funding for the proposed reorganization of one Public Safety Inspector III position to a Public Service Manager II position.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2025-26</b>	<b>2026-27</b>
Personal Services	\$0	\$28,003
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$28,003</b>

**Division of Building Codes and Standards Z419**

Initiative: Establishes one Senior Planner position for regional technical assistance for local code enforcement.

<b>GENERAL FUND</b>	<b>2025-26</b>	<b>2026-27</b>
<b>POSITIONS - LEGISLATIVE COUNT</b>	<b>0.000</b>	<b>1.000</b>
Personal Services	\$0	\$95,147
All Other	\$0	\$8,000
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$103,147</b>

**Division of Building Codes and Standards Z419**

Initiative: Establishes one Resource Management Coordinator position and provides funding for training and support for local code enforcement officers.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2025-26</b>	<b>2026-27</b>
<b>POSITIONS - LEGISLATIVE COUNT</b>	<b>0.000</b>	<b>1.000</b>

1	Personal Services	\$0	\$122,761
2	All Other	\$0	\$13,000
3			
4	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$135,761</u>
5	<b>Division of Building Codes and Standards Z419</b>		
6	Initiative: Provides funding for the approved reclassification of one Public Safety Inspector		
7	III position to a Public Safety Inspector Supervisor position retroactive to August 21, 2024		
8	and transfers All Other to Personal Services one time to fund the retroactive portion of the		
9	reclassification. This initiative also provides funding for authorized overtime.		
10	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2025-26</b>	<b>2026-27</b>
11	Personal Services	\$0	\$94,594
12	All Other	\$0	(\$9,282)
13			
14	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$85,312</u>
15	<b>Housing Opportunity Program Z418</b>		
16	Initiative: Provides one-time funding for a 3-year pilot project to provide regionalized		
17	building code enforcement.		
18	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2025-26</b>	<b>2026-27</b>
19	All Other	\$0	\$1,000,000
20			
21	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$1,000,000</u>
22			
23	<b>MAINE OFFICE OF COMMUNITY AFFAIRS</b>		
24	<b>DEPARTMENT TOTALS</b>	<b>2025-26</b>	<b>2026-27</b>
25			
26	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$103,147</b>
27	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$1,249,076</b>
28			
29	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>\$0</b></u>	<u><b>\$1,352,223</b></u>

30

**SUMMARY**

31 This bill is reported out by the Joint Standing Committee on Housing and Economic  
32 Development pursuant to Resolve 2025, chapter 64. The bill implements the  
33 recommendations of the working group to address regulatory barriers to housing  
34 construction by:

35 1. Adding the International Code Council and Modular Building Institute 1200-2021  
36 Standard for Off-site Construction: Planning, Design, Fabrication and Assembly to the list  
37 of codes that make up the Maine Uniform Building and Energy Code;

38 2. Establishing consistency for when updates to the Maine Uniform Building and  
39 Energy Code and other similar codes go into effect;

40 3. Amending the training requirements for code enforcement officers to include  
41 training on industrialized housing;

1           4. Directing the Maine Office of Community Affairs, through the Housing Opportunity  
2 Program, to conduct a 3-year pilot project to promote, incentivize and support the adoption  
3 of regionalized approaches to code enforcement by municipalities; and

4           5. Increasing from 4¢ to 6¢ per square foot the surcharge on the plan review fee. The  
5 surcharge is deposited into the Uniform Building Codes and Standards Fund.

6           The joint standing committee has not taken a position on the substance of this bill. By  
7 reporting this bill out, the committee is not suggesting and does not intend to suggest that  
8 it agrees or disagrees with any aspect of this bill. The committee is reporting the bill out  
9 for the sole purpose of having a bill printed that can be referred to the committee for an  
10 appropriate public hearing and subsequent processing in the normal course. The committee  
11 is taking this action to ensure clarity and transparency in the legislative review of the  
12 proposals contained in the bill.