

MEMORANDUM

To: All Members of AIA MA
From: John Nunnari
Date: 05/11/26
Re: Legislative and Regulatory Update

Legislative Update:**Since the last Update**

Since the Legislative Update in March, Beacon Hill has entered the busiest and most politically charged phase of the legislative session, with budget negotiations, ballot question maneuvering, and major policy debates converging ahead of the July 31 formal session deadline. In March, the Senate invoked a rarely used constitutional process to seek a Supreme Judicial Court (SJC) advisory opinion on ballot questions related to legislative stipends and expanded public records access, intensifying already growing tensions between legislative leadership and ballot question proponents. Those tensions continued throughout Sunshine Week and into April as lawmakers debated initiative petitions addressing tax reductions, election reform, and all-party primaries, while also grappling with mounting fiscal and operational concerns surrounding county sheriffs, public defender staffing, and the stalled closure of the Pappas Rehabilitation Hospital for Children. By early April, legislative leaders were openly discussing the possibility of acting on some proposals legislatively in an effort to reduce the number of ballot questions expected to appear before voters in November.

Throughout April and into early May, several major policy and political developments dominated activity on Beacon Hill. The Legislature approved a conference committee report restructuring the Cannabis Control Commission by reducing its membership and centralizing appointment authority with Governor Healey. Debate also intensified regarding proposed income tax reduction ballot questions, with House leadership publicly acknowledging openness to compromise discussions while simultaneously warning of significant impacts on local aid and education funding. The Senate additionally advanced debate on a major environmental bond bill amid broader discussions surrounding climate, infrastructure, and energy policy. The House later completed passage of its FY `27 budget following several days of debate that highlighted partisan divisions over taxes, immigration, local aid, and implementation of the MBTA Communities Act. By early May, the SJC had become increasingly central to Beacon Hill politics as it heard arguments related to multiple ballot initiatives – including proposals involving income taxes, all-party primaries, recreational marijuana repeal, and rent control – while also becoming involved in the ongoing dispute between Attorney General Andrea Campbell and State Auditor Diana DiZoglio regarding enforcement of the voter-approved legislative audit law.

Looking Forward

In the coming weeks, Beacon Hill's attention remains focused on several major policy and political developments, including conference committee negotiations on legislation intended to expand protections for immigrants and increase accountability measures related to federal immigration enforcement ahead of the 2026 FIFA World Cup and other international events expected to draw significant global attention to Massachusetts. Lawmakers are also expected to continue negotiations on cellphone and social media restrictions for students, utilization of surtax revenues for transportation and higher education infrastructure investments, and reforms to early literacy instruction. Additional items to note include Gov. Healey's pending appointments to the restructured Cannabis Control Commission, ongoing SJC review of several proposed ballot questions, a potential response from AG Campbell regarding Auditor DiZoglio's lawsuit against the Legislature, and

Senate budget negotiations as lawmakers work through more than 1,100 filed amendments in advance of formal FY 2027 budget debate scheduled to begin May 19.

AIA MA Bill Tracking

To view the current status of all AIA MA tracked legislation, [please click here](#) (Files located under the banner *Bills Tracked for the 2025–2026 Legislative Session*)

A schedule of all Legislative Events can be found on the [Legislative Events](#) of AIA MA's website.

To review previous Legislative or Regulatory Reports or minutes from GAC meetings, please click [here](#)

Regulatory Update:

A schedule of all construction board regulatory meetings can be found on the [Regulatory Events Calendar](#) of AIA MA's website.

Notices of Public Review of Prospective Regulations (03/11/26 – 05/11/26)

310 CMR – Department of Environmental Protection

- April 10, 2026 – **310 CMR 5.00 – Administrative Penalties**. The proposed amendments implement amendments to M.G.L. c. 21A, § 16 that allow MassDEP to use electronic notices of noncompliance and to serve penalty notices using electronic means as provided in the 2020 amendments. – [Notice of Public Hearing](#) – Hearing to be held on 05/05/26 @ 10:00 AM & 05/06/26 @ 6:00 PM. Written comments accepted until 05/22/26 @ 5:00 PM.

527 CMR – Board of Fire Prevention Regulations

- March 13, 2026 – **527 CMR 12.00 – Massachusetts Electrical Code**. The purpose of hearing public comment on proposed amendments to the Massachusetts Electrical Code (527 CMR 12.00), including the adoption of the National Electrical Code (NFPA 70, 2026 Edition), with amendments particular to Massachusetts – [Notice of Public Hearing](#) – Hearing to be held on 03/30/26 @ 10:00 AM. Written comments accepted until 03/27/26 @ 4:00 PM.

New Regulations (03/11/26 – 05/11/2026)

527 CMR – Board of Fire Prevention Regulations

- April 24, 2026 – **527 CMR 12.00 – Massachusetts Electrical Code – [Permanent Regulations](#) – Effective Date: 04/24/2026**

CMR's tracked include: 105 CMR – State Sanitary Code; 225 CMR 22.00 – 26.00 – Energy Codes; 248 CMR – Plumbing/Gas Fitting Code; 257 CMR – Water Treatment; 271 CMR – Sheet Metal; 310 CMR – DEP; 314 CMR – Water Pollution Control; 521 CMR – Architectural Access; 522 CMR – Boiler Rules; 524 CMR – Elevator; 527 CMR – Fire Code; 528 CMR – Pipefitter and Refrigeration; 780 CMR – Building Code

Copies of all codes listed above can be found on the [State Boards and Construction Regulations](#) page of AIA MA's website

Board of Building Regulation and Standards

At its April 14, 2026 meeting, the Board of Building Regulations and Standards (BBRS) approved the March 10, 2026 meeting minutes, subject to minor clerical corrections, along with multiple subcommittee meeting minutes from the Building Official Certification Committee (BOCC), Fire Prevention and Fire Protection (FPFP) Subcommittee, Residential Code Subcommittee, Energy Advisory Committee, and Climate Resiliency Subcommittee. The Board also approved, as an administrative correction, the April 2, 2025 minutes of the 11th Edition Process Subcommittee. Subcommittee reports highlighted continued progress toward development of the 11th Edition of the Massachusetts State Building Code. The BOCC reported on certification and examination activities, including approvals of numerous certification and employment applications. The Residential Code Subcommittee discussed a draft interpretation request, ongoing consideration of sprinkler requirements for two-family dwellings, and the decision to table further discussion on short-term rentals and lodging houses to prioritize other code updates. The Climate Resiliency Subcommittee reported completion of its review of assigned IRC chapters and indicated that related front-end amendments would be forthcoming.

The Executive Director reported that 229 Construction Supervisor Licenses (CSLs) were issued and 1,779 were renewed during March 2026. The Board also received an update on the CSL examination, noting a significant improvement in pass rates—from the high 30 percent range to approximately 56 percent—attributed to revisions of poorly performing exam questions and enhanced preparation resources. The recent implementation of an extended examination time is expected to further improve outcomes.

A key focus of the meeting was the 2024 International Energy Conservation Code (IECC) residential provisions. The Board reviewed code change proposals and front-end amendments submitted by the Energy Advisory Committee, including updates to administrative provisions and the addition of definitions such as Accessory Dwelling Unit (ADU), all-electric building, mixed-fuel building, and substantial project. Extensive discussion centered on the appropriate format for presenting Massachusetts amendments, including the use of color-coding, the distinction between language carried forward from the 10th Edition and new amendments, and the requirements for submission to the Secretary of the Commonwealth. Members also discussed the integration of the IECC provisions with Chapter 11 of the International Residential Code (IRC).

Given the need for additional clarification and refinement of the amendment format, the Board agreed to table the remaining 2024 IECC residential provisions until the next meeting. Prior to tabling, a motion was made and seconded to advance certain Energy Advisory Committee proposals that had already been sufficiently reviewed, while deferring final consideration of the remaining IECC amendments.

In addition, the Board considered a code change proposal submitted by the Executive Office of Energy and Environmental Affairs to prohibit the creation of new dwelling units below the base flood elevation, a measure intended to enhance life safety in flood-prone areas. Following discussion, the Board unanimously voted to refer the proposal to the Climate Resiliency Subcommittee for further evaluation, including consideration of change-of-use scenarios and applicability within the existing building code.

The meeting concluded with acknowledgment of the significant contributions of BBRS staff and subcommittee members in advancing the 11th Edition code development process, with several proposals progressing toward future public comment and regulatory adoption.

MA Board of Registration of Architects (MBRA)

The next meeting of the board is June 9 2026.

Board of Fire Prevention Regulations (BFPR)

The next meeting of the board is May 21 2026.

Board of Elevator Regulation

At its March 24, 2026 meeting, the Board reviewed several matters, including variance requests and broader policy discussions. In a Cambridge case involving a proposed residential elevator installation, the Board engaged in detailed discussion regarding the extent of requested deviations from code—specifically increases in platform size, capacity, rise, and speed—and whether the stated hardship, largely tied to concerns about VOC exposure from hydraulic systems, justified such departures. Board members questioned the suitability of the proposed elevator type, explored alternative compliant solutions, and ultimately determined that the hardship had not been sufficiently demonstrated, resulting in a denial. The Board also considered two cases where elevators had been inadvertently decommissioned during a planned modernization. A significant portion of the discussion focused on a gap in the code regarding recommissioning, the distinction between treating the work as a new installation versus a modernization, and associated requirements such as PE-stamped drawings and sump pumps. Balancing life-safety considerations with project delays and impacts on residents – including those with mobility needs – the Board determined the circumstances were unique and voted to allow the projects to proceed as modernizations under their existing state identification numbers, with full compliance with applicable current code requirements.

In addition, the Board discussed ongoing challenges with the Department’s 90-day attestation process, citing compliance gaps, communication breakdowns between contractors and owners, and limited enforcement authority – particularly with respect to unlicensed entities – while expressing interest in further coordination with industry stakeholders to improve accountability. Finally, the Board briefly discussed the timing and approach for a future code update, noting that the process can take several years and may lag behind evolving national standards; members raised the possibility of incorporating more recent provisions into the current framework on an interim basis, though no formal timeline or action was established.

Massachusetts Sheet Metal Board

At its April 15, 2026 meeting, the Board of Examiners of Sheet Metal Workers addressed several administrative and programmatic matters. The meeting began with a roll call of members and the approval of the March 18, 2026 public meeting minutes. Staff provided updates on upcoming changes to Board operations to ensure compliance with new accessibility requirements, including the transition to screen reader-friendly agendas and minutes. The Board was also informed of the Division of Occupational Licensure’s planned migration from the ePlace licensing portal to the “Ellipse” system, with Board members and staff expected to participate in both internal and public-facing testing of the new platform.

The Board received an update on PSI licensing examinations, noting that testing activity remains limited but consistent with expectations. Building on actions taken at the previous meeting, members discussed the implementation of the hybrid education model, focusing on whether additional guidelines should be established for course providers. The consensus was that the agency would first approve the hybrid framework, with the potential for future guidance regarding submission requirements and program structure.

In addition, the Board reviewed and approved a course proposal from the Google Construction Institute, highlighting the value of expanded 40-hour training opportunities for licensees. Following

completion of the public agenda, the Board voted to close the public session and enter executive session to conduct character reviews, concluding the meeting's public business.

Bureau of Pipefitters, Refrigeration Technicians, and Sprinkler Fitters

April 15th meeting was cancelled. The next meeting of the board is May 20, 2026.

Board of State Examiners of Plumbers and Gas Fitters

At its May 6, 2026 meeting, the Board of State Examiners of Plumbers and Gas Fitters addressed a range of administrative, code, training, and variance-related matters. The Board approved prior meeting minutes, received an update on licensing activity and renewals, and heard a report from the Plumbing Code Subcommittee regarding its ongoing review of proposed code revisions. During that update, the Subcommittee noted that it had recently reviewed provisions spanning Sections 10.01 through 10.12 of the plumbing code and continued to solicit additional code amendment proposals from industry stakeholders. The Board was also informed that future Subcommittee meetings would continue in a hybrid format, including an upcoming meeting scheduled to be held at a vocational technical school to encourage broader participation and engagement. Staff further reported that more than 19,000 licenses had been renewed during the recent renewal cycle and that more than 2,500 products had been reviewed and accepted during the previous month.

The Board approved a request from a trade school to continue offering certain gas fitting tier courses virtually, with enrollment limits and curriculum requirements consistent with existing Board standards. The Board also discussed a voluntary recall involving certain gas connector products due to a manufacturing quality-control issue identified during testing. Extensive discussion focused on the nature of the defect, product safety, recall procedures, and the distinction between affected and unaffected products. Ultimately, the Board requested updated third-party testing and recertification documentation before determining whether affected products could return to the Board's approved product list.

The Board reviewed several variance requests involving plumbing fixture counts, grease interceptor requirements, and alternative system configurations. One request seeking temporary use of portable restroom facilities during a major public renovation project generated significant discussion regarding safety, precedent, and whether portable units could appropriately substitute for code-required plumbing fixtures. The Board ultimately voted to deny that request. Another request involving installation of a CO₂ enrichment system associated with a boiler installation was tabled pending additional information from the applicant. The Board also reviewed a request involving replacement of an undersized grease interceptor serving a large institutional kitchen facility, with discussion focusing on travel distance limitations, feasibility of point-of-use interceptors, and existing site constraints.

Additional agenda items included delegated approvals for product substitutions, vocational school projects, and minimum facility determinations, along with executive session matters related to disciplinary and character review proceedings. The meeting concluded with notice that the next regularly scheduled Board meeting will take place on June 3, 2026.

MAAB (Subcommittee on Regulations)

The next meeting of the board is May 27, 2026.

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