

**HOUSE . . . . . No. 3601**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act relative to fire safety in buildings owned or operated by the Commonwealth of Massachusetts..

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Chapter 148 of the General Laws, as appearing in the 2006 Official  
2 Edition, is hereby amended by adding, after section 4, the following new section:-

3           Section 4A    Applicability of the fire laws and fire code in buildings owned or  
4 controlled by the Commonwealth.

5           (1)    Every building owned or controlled by the Commonwealth shall conform to all  
6 fire safety standards established under the provisions of this chapter and the rules and regulations  
7 of the Board. This section shall not require such buildings to comply with the provisions of any  
8 local option law adopted pursuant to this chapter.

9           (2)    The marshal, or any person to whom the marshal may delegate his authority in  
10 writing, including the head of the fire department, shall enforce the provisions of this chapter or  
11 the rules and regulations of the board with respect to buildings owned or controlled by the  
12 Commonwealth.

13           (3)     Notwithstanding the provisions of any law to the contrary, the marshal shall  
14 resolve any disputes or appeals arising out of the enforcement activities pursuant to this section,  
15 except those actions arising out of the enforcement of section 26A½ or 26G½. The decision of  
16 the marshal shall be final.