

HOUSE No. 2143**The Commonwealth of Massachusetts**

PRESENTED BY:

Louis L. Kafka

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to fire protection systems for buildings and structures.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>	<i>1/14/2015</i>
<i>William C. Galvin</i>	<i>6th Norfolk</i>	<i>1/29/2015</i>
<i>James E. Timilty</i>	<i>Bristol and Norfolk</i>	<i>2/4/2015</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>10/28/2019</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>1/29/2015</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>10/28/2019</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>1/30/2015</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>10/28/2019</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>	<i>10/28/2019</i>
<i>Jonathan D. Zlotnik</i>	<i>2nd Worcester</i>	<i>10/28/2019</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>10/28/2019</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>10/28/2019</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>	<i>10/28/2019</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>10/28/2019</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>	<i>10/28/2019</i>
<i>Diana DiZoglio</i>	<i>14th Essex</i>	<i>10/28/2019</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>	<i>10/28/2019</i>

HOUSE No. 2143

By Mr. Kafka of Stoughton, a petition (accompanied by bill, House, No. 2143) of Louis L. Kafka and others relative to fire protection systems for buildings and structures. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2153 OF 2013-2014.]

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to fire protection systems for buildings and structures.

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. Section 4 of Chapter 22D, as so appearing, is hereby amended by inserting,
2 in line 80, after the word “code”, the following paragraph:-

3 “The provisions of the fire safety code shall apply to all buildings and structures, other
4 than the State House, including buildings and structures owned, operated, or controlled by the
5 Commonwealth, its agencies, departments, boards, commissions, or political subdivisions. The
6 State Fire Marshal or his/her designee shall enforce the State Fire Code in all state owned or
7 controlled buildings.”

SECTION 2. Subsection (a) of Section 94 of Chapter 143 of the Massachusetts General Laws, as so appearing in the 2012 Official Edition, is hereby amended by adding the following sentence to the second paragraph:-

This shall not include standards for fire protection or life safety systems, as defined in Section 1 of Chapter 148, installed in new or substantially modified buildings in accordance with regulations prescribed by the Board of Fire Prevention Regulations.

SECTION 3. Section 95 of Chapter 143 of the Massachusetts General Laws, as so appearing, is hereby amended by striking out, in subsection (a), in line 5, the words:- and fire prevention.

SECTION 4. Section 96 of Chapter 143 of the Massachusetts General Laws, as so appearing, is hereby amended by inserting in line 3, between the words “demolition” and “promulgated”, the following words:- or fire prevention.

SECTION 5. Section 1 of Chapter 148 of the Massachusetts General Laws, as so appearing in the 2012 Official Edition, is hereby amended by inserting, between the definitions of “Division” and “Head of the Fire Department”, the new definition:-

Fire Protection and Life Safety Systems, any equipment or system relating to fire protection, fire detection, fire warning, fire suppression or carbon monoxide alarms installed in any occupancy defined in 780 CMR or as otherwise defined by the Board of Fire Prevention Regulations through regulation.

SECTION 6. Section 1 of Chapter 148 of the Massachusetts General Laws, as so appearing in the 2012 Official Edition, is hereby amended by inserting, after the definition of Fire Protection and Life Safety Systems, the following definition:-

Fire Safety Code, the comprehensive regulations promulgated by the Board of Fire Prevention Regulations pursuant to the provisions of Section 4 of Chapter 22D of the General Laws and pursuant to this chapter.

SECTION 7. Section 26A of Chapter 148 of the Massachusetts General Laws, as so appearing in the 2012 Official Edition, is hereby amended by striking out in lines 3 and 4, the words “state building code”, and substituting in place thereof the following words:- state fire code.

SECTION 8. Section 26A of Chapter 148, as so appearing, is hereby amended by striking out, in lines 12 and 13, the words “board of appeals as provided in the state building code and section twenty-three of chapter twenty-three B”, and substituting in place thereof the following words:- Fire Prevention Regulations Appeals Board as provided in Chapter 22D, section 5.

SECTION 9. Section 26A of Chapter 148 , as so appearing, is hereby amended by striking out, in lines 3 and 4, the words “state building code” and substituting in place thereof the following words:- state fire code

SECTION 10. Section 26B of Chapter 148, as so appearing, is hereby amended by striking out, in lines 4 and 5, the words “state building code” and substituting in place thereof the following words:- state fire code.

SECTION 11. Section 26B of Chapter 148, as so appearing, is hereby further amended by striking out, in lines 13 and 14, the words the “board of appeals as provided in the state building code and section twenty-three of chapter twenty-three B”, and substituting in place thereof the following words:- Fire Prevention Regulations Appeals Board as provided in Chapter 22D, section 5

SECTION 12. Subsection (d) of Section 26F½ of Chapter 148 , as so appearing, is hereby amended by striking out, in lines 25-28, the first sentence of the subsection.

SECTION 13. Section 26G of Chapter 148, as so appearing, is hereby amended by striking out, in line 5, the words “state building code” and substituting in place thereof the following words:- state fire code.

SECTION 14. Section 26G½ of Chapter 148, as so appearing, is hereby amended by striking out in lines 6, 7, 19 and 24 the words “state building code” and substituting in place thereof the following words:- state fire code

SECTION 15. Section 26H of Chapter 148, as so appearing, is hereby amended by striking out, in line 4, the words “state building code” and substituting in place thereof the following words:- state fire code.

SECTION 16. Section 26I of Chapter 148, as so appearing, is hereby amended by striking out, in line 9, the words “state building code” and substituting in place thereof the following words:- state fire code.

SECTION 17. Section 26I of Chapter 148, as so appearing, is further amended by adding the following sentence at the end of the section:

68 Whoever is aggrieved by the head of the fire departments interpretation, order,
69 requirement, direction, or failure to act under the provisions of this section, may, within forty-
70 five days after the service of notice thereof, appeal from such interpretation, order, requirement,
71 direction, or failure to act to the automatic sprinkler appeals board as provided in Section 201 of
72 Chapter 6.

73 SECTION 18. Section 28 of Chapter 148, as so appearing, is hereby amended by adding,
74 after subsection (3), the following new subsection:

75 (4) to provide adequate standards for the design, installation, or maintenance of fire
76 protection and life safety systems in buildings or structures.

77 SECTION 19. The provisions of this act shall take effect on January 1, 2017. The
78 provisions of this act shall not apply to any building or structure which was issued a building
79 permit prior to January 1, 2017.