

HOUSE No. 2086

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>1/17/2019</i>
<i>William C. Galvin</i>	<i>6th Norfolk</i>	<i>2/1/2019</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>1/31/2019</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>1/31/2019</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>1/28/2019</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>	<i>1/31/2019</i>
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>	<i>1/29/2019</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>1/24/2019</i>
<i>RoseLee Vincent</i>	<i>16th Suffolk</i>	<i>1/28/2019</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>	<i>1/29/2019</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>1/29/2019</i>
<i>Peter Capano</i>	<i>11th Essex</i>	<i>1/30/2019</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>1/31/2019</i>
<i>Harold P. Naughton, Jr.</i>	<i>12th Worcester</i>	<i>2/1/2019</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>	<i>2/1/2019</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/1/2019</i>

HOUSE No. 2086

By Mr. Kafka of Stoughton, a petition (accompanied by bill, House, No. 2086) 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. 1275 OF 2017-2018.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

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.”

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

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

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

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

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

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

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

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

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

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

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

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

47 SECTION 11. Section 26B of Chapter 148, as so appearing, is hereby further amended
48 by striking out, in lines 13 and 14, the words the “board of appeals as provided in the state
49 building code and section twenty-three of chapter twenty-three B”, and substituting in place
50 thereof the following words:- Fire Prevention Regulations Appeals Board as provided in Chapter
51 22D, section 5

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

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

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

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

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

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

68 Whomever 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.