

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



**HOUSE . . . . . No. 2143**

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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.

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[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.”

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.