

**HOUSE . . . . . No. 3475**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Daniel Cullinane*

*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>Daniel Cullinane</i>	<i>12th Suffolk</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>
<i>Aaron Michlewitz</i>	<i>3rd Suffolk</i>
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>
<i>Linda Dorcena Forry</i>	<i>First Suffolk</i>
<i>Nick Collins</i>	<i>4th Suffolk</i>
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>

**HOUSE . . . . . No. 3475**

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By Mr. Cullinane of Boston, a petition (accompanied by bill, House, No. 3475) of Daniel Cullinane and others relative to fire protection systems for new buildings and structures. Public Safety and Homeland Security.

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The Commonwealth of Massachusetts

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**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 201 of chapter 6 of the General Laws, as appearing in the 2012  
2 Official Edition, is hereby amended by striking out, in line 1, the words “automatic sprinkler  
3 appeals board” and inserting in place thereof the following words:- fire protection and life safety  
4 systems board.

5           SECTION 2. Section 4 of chapter 22D of the General Laws, as so appearing, is hereby  
6 amended by inserting after the third paragraph the following paragraph:-The provisions of the  
7 fire safety code shall apply to all buildings, structures and property, other than the State House,  
8 including buildings, structures and property owned, operated or controlled by the  
9 Commonwealth. The head of the fire department, as defined in section 1 of chapter 148, shall  
10 enforce the state fire code and the rules and regulations promulgated therefrom with respect to all  
11 buildings, structures and property owned, operated or controlled by the commonwealth located  
12 within such city, town or district.

13 SECTION 3. The second paragraph of clause (a) of section 94 of chapter 143, as so  
14 appearing, is hereby amended by adding the following sentence:- The state building code shall  
15 not include standards for fire protection or life safety systems, as defined in section 1 of chapter  
16 148, installed in new or substantially modified buildings in accordance with regulations  
17 prescribed by the board of fire prevention regulations.

18 SECTION 4. Section 95 of said chapter 143, as so appearing, is hereby amended by  
19 striking out, in line 5, the words “and fire prevention”.

20 SECTION 5. Section 96 of said chapter 143, as so appearing, is hereby amended by  
21 striking out, in line 3, the words “or demolition promulgated” and inserting in place thereof the  
22 following words: , demolition or fire prevention promulgated.

23 SECTION 6. Section 1 of chapter 148 of the General Laws, as so appearing, is hereby  
24 amended by inserting after the definition of “Division” the following 2 definitions:-

25 “Fire Protection and Life Safety Systems”, any equipment or system relating to fire  
26 protection, fire detection, fire warning, fire suppression or carbon monoxide alarms installed in  
27 residential or institutional occupancies as classified in 780 CMR or as otherwise defined by the  
28 Board through regulation.

29 “Fire Safety Code,” the comprehensive regulations promulgated by the board of fire  
30 prevention regulations pursuant to the provisions of section 4 of chapter 22D of the General  
31 Laws and pursuant to this chapter.

32 SECTION 7. Section 26A of said chapter 148, as so appearing, is hereby amended by  
33 striking out, in lines 3 and 4, the words “state building code” and inserting in place thereof the  
34 following words:- state fire code.

35 SECTION 8. Said section 26A of said chapter 148, as so appearing, is hereby further  
36 amended by striking out, in lines 12 and 13, the words “board of appeals as provided in the state  
37 building code and section twenty-three of chapter twenty-three B” and inserting in place thereof  
38 the following words:- “fire protection and life safety systems board as provided in section 201 of  
39 chapter 6”.

40 SECTION 9. Said section 26A½ of said chapter 148, as so appearing, is hereby further  
41 amended by striking out, in line 5, the words “state building code” and inserting in place thereof  
42 the following words:- state fire code.

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

46 SECTION 11. Said section 26B of said chapter 148, as so appearing, is hereby further  
47 amended by striking out, in lines 13-14, the words “board of appeals as provided in the state  
48 building code and section twenty-three of chapter twenty-three B”, and inserting in place thereof  
49 the following words:- “fire protection and life safety systems board as provided in section 201 of  
50 chapter 6”.

51 SECTION 12. Subsection (d) of section 26F½ of said chapter 148, as so appearing, is  
52 hereby amended by striking out the first sentence.

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

56 SECTION 14. Said section 26G of said chapter 148, as so appearing, is hereby further  
57 amended by striking out, in line 33, the words “automatic sprinkler appeals board” and inserting  
58 in place thereof the following words:- fire protection and life safety systems board as provided in  
59 section 201 of chapter 6.

60 SECTION 15. Section 26G½ of said chapter 148, as so appearing, is hereby amended by  
61 striking out, in lines 6 to 7, and in lines 19 and 24, the words “state building code” and inserting  
62 in place thereof the following words:- state fire code.

63 SECTION 16. Said section 26G½ of said chapter 148, as so appearing, is further  
64 amended by striking out, in line 62, the words “automatic sprinkler appeals board”, and inserting  
65 in place thereof, the following words:- fire protection and life safety systems board.

66 SECTION 17. Section 26H of said chapter 148, as so appearing, is hereby amended by  
67 striking out, in line 4, the words “state building code” and inserting in place thereof the following  
68 words:- state fire code.

69 SECTION 18. Section 26I of said chapter 148, as so appearing, is hereby amended by  
70 striking out, in line 9, the words “state building code” and inserting in place thereof the following  
71 words:- state fire code.

72 SECTION 19. Said section 26I of said chapter 148, as so appearing, is further amended  
73 by adding the following sentence:-Whoever is aggrieved by the head of the fire department’s

74 interpretation, order, requirement, direction or failure to act under the provisions of this section,  
75 may, within 45 days after the service of notice thereof, appeal from such interpretation, order,  
76 requirement, direction or failure to act to the fire protection and life safety systems board as  
77 provided in section 201 of chapter 6.

78 SECTION 20. Section 28 of said chapter 148, as so appearing, is hereby amended by  
79 adding the following clause:-

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

82 SECTION 21. The provisions of this act shall not apply to any building or structure  
83 which was issued a building permit prior to January 1, 2016.

84 SECTION 22. This act shall take effect on January 1, 2016.