

1 AMENDMENT TO SENATE BILL 759

2 AMENDMENT NO. _____. Amend Senate Bill 759 by replacing
3 the title with the following:

4 "AN ACT concerning fire protection."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 1. Short title. This Act may be cited as the
8 Balanced Fire Protection Act.

9 Section 5. Findings. Fires that could have been
10 prevented or contained tragically cut down students in the
11 prime of their lives. College dormitories and student housing
12 pose a significant fire risk. A high density of students
13 within a building requires early warning detection and alarm,
14 fire control, and fire containment via fire-resistive walls
15 and floors. Students require time for safe escape and, if
16 necessary, temporary refuge. Containing fire spread with
17 acoustically sound fire-resistive construction provides a
18 critical cornerstone to the safety and well-being of
19 students. Subdividing a facility with fire-resistive
20 construction allows for extra time to escape, provides a
21 temporary area of refuge, and allots time for emergency

1 responders to effectuate rescue. Subdivision of spaces with
2 building materials with high sound-limiting properties
3 enhances fire performance of the construction element.
4 Fire-resistive construction does not contribute to the fire
5 loading or add toxic quantities of smoke and gases.
6 Fire-resistive construction withstands the heat and ravages
7 of fire as well as the impact of water from fire department
8 hose streams. This protects occupants and fire fighters from
9 structurally weakened construction

10 Section 10. Definitions. In this Act:

11 "Automatic sprinkler system" means a sprinkler system,
12 for fire protection purposes, that is an integrated system of
13 underground and overhead piping designed in accordance with
14 fire protection engineering standards. This system includes a
15 suitable water supply. The portion of the system above ground
16 is a network of specially or hydraulically designed piping
17 installed in a building, to which the automatic sprinklers
18 are connected in a systematic pattern. The system is usually
19 activated by heat from a fire and discharges water over the
20 fire area.

21 "Building" means any structure used or intended for
22 supporting or sheltering any use or occupancy.

23 "Building code" means the provisions adopted by a unit of
24 local government governing the construction, alteration,
25 movement, enlargement, replacement, repair, equipment, use
26 and occupancy, location, maintenance, removal, and demolition
27 of buildings or structures or any appurtenances connected or
28 attached to a building or structure.

29 "Combustible" refers to a material that, in the form in
30 which it is used and under the conditions anticipated, will
31 ignite and burn; the term means a material that does not meet
32 the definition of noncombustible.

33 "Dormitory" or "student housing" means a building or a

1 space in a building in which group sleeping accommodations
2 are provided for more than 16 persons who are not members of
3 the same family in one room or a series of closely associated
4 rooms under joint occupancy and single management, with or
5 without meals, but without individual cooking facilities.

6 "Existing building" means a building erected, or
7 officially authorized to be constructed by the authority
8 having jurisdiction to approve the construction, before the
9 effective date of this Act.

10 "Fire compartment" means a space within a building that
11 is enclosed by fire partitions on all sides, including the
12 top and bottom.

13 "Fire partition" means a 2-hour noncombustible
14 fire-resistive vertical fire separation assembly designed to
15 restrict the spread of fire, in which openings are protected.

16 "Fire resistance rating" means the period of time that a
17 building element, component, or assembly maintains the
18 ability to confine a fire, withstands a hose stream for the
19 equivalent time period of the fire exposure, and continues to
20 perform a given structural function as determined by the test
21 methods prescribed in ASTM E 119, Standard Methods of Tests
22 of Fire Endurance of Building Construction and Materials.

23 "Fire-resistive construction" means construction in which
24 the structural elements are of steel, iron, concrete, or
25 masonry, in accordance with the applicable building code.

26 "New construction" means a building or construction
27 erected, or officially authorized to be constructed by the
28 authority having jurisdiction to approve the construction,
29 after the effective date of this Act.

30 "Noncombustible material" refers to a material that, in
31 the form in which it is used and under the conditions
32 anticipated, will not ignite, burn, support combustion, or
33 release flammable vapors when subjected to fire or heat.
34 Materials that are reported as passing ASTM E 136, Standard

1 Test Method for Behavior of Materials in a Vertical Tube
2 Furnace at 750 degrees Celsius, are considered noncombustible
3 materials.

4 "Sound transmission coefficient" means the value assigned
5 to a material's ability to minimize sound transmission.

6 Section 15. Regulation.

7 (a) The State Fire Marshal shall take appropriate steps
8 to ensure that the following requirements, specifically
9 designed to foster fire-safe housing provisions protecting
10 the health, safety, and welfare of the citizens of this
11 State, are incorporated into local building codes:

12 (1) All new construction housing students shall be
13 of noncombustible fire-resistive construction in
14 accordance with the applicable building code, except that
15 buildings protected with an automatic sprinkler system
16 and in compliance with paragraph (2) may be of any
17 construction type allowed by the applicable building
18 code.

19 (2) A fire partition is required in connection with
20 all of the following in all new buildings and
21 construction or portions thereof constituting a
22 dormitory or student housing:

23 (A) Between each individual living unit, to
24 form a fire compartment.

25 (B) All exit corridors.

26 (C) All exit stairways.

27 (D) Occupancy separations in accordance with
28 the applicable building code.

29 (E) Exterior load-bearing walls.

30 (F) Interior load-bearing walls.

31 (3) Openings in fire partitions must be protected
32 in accordance with the applicable building code but no
33 less than 90 minutes fire-protection rating.

1 (4) Fire partitions must have a sound transmission
2 coefficient of 50 or more.

3 (5) Buildings protected with an automatic sprinkler
4 system and in compliance with paragraphs (1) and (2)
5 shall be allowed to be of unlimited area, and their
6 height may be increased by up to 25% more than the height
7 of similar buildings that are not protected with an
8 automatic sprinkler system or are not in compliance with
9 paragraphs (1) and (2).

10 (6) All floor assemblies in a new dormitory or new
11 student housing must have a minimum 2-hour
12 fire-resistance rating and be of noncombustible
13 construction.

14 (b) The requirements of subsection (a) are designed for
15 use throughout the State and have particular application to
16 dormitories and student housing.

17 (c) The provisions of this Act apply to new buildings
18 and to construction begun after the effective date of this
19 Act related to alterations and remodeling that requires a
20 building permit.

21 Section 20. Enforcement. Local authorities having
22 jurisdiction to enforce building codes shall enforce the
23 provisions of this Act.

24 Section 25. Exemptions. Existing buildings and areas of
25 existing buildings that are not subject to remodeling,
26 alterations, or an increase in height or floor area are
27 exempt from the provisions of this Act.

28 Section 30. Uniformity.

29 (a) If any provision of this Act is in conflict with any
30 other provision, limitation, or restriction under any law,
31 rule, regulation, or ordinance of this State or any unit of

1 local government or agency, this Act shall control.

2 (b) This Act does not supersede State or local
3 requirements for sprinklers, early warning detection, fire
4 alarm systems, or other life safety systems.

5 Section 99. Effective date. This Act takes effect upon
6 becoming law."