

1                                    AMENDMENT TO SENATE BILL 759

2            AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 759 by replacing  
3 everything after the enacting clause with the following:

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

6            Section 5. Findings. Fires that could have been  
7 prevented or contained tragically cut down students in the  
8 prime of their lives. College dormitories and student housing  
9 pose a significant fire risk. A high density of students  
10 within a building requires early warning detection and alarm,  
11 fire control, and fire containment via fire-resistive walls  
12 and floors. Students require time for safe escape and, if  
13 necessary, temporary refuge. Containing fire spread with  
14 acoustically sound fire-resistive construction provides a  
15 critical cornerstone to the safety and well-being of  
16 students. Subdividing a facility with fire-resistive  
17 construction allows for extra time to escape, provides a  
18 temporary area of refuge, and allots time for emergency  
19 responders to effectuate rescue. Subdivision of spaces with  
20 building materials with high sound-limiting properties  
21 enhances fire performance of the construction element.  
22 Fire-resistive construction does not contribute to the fire

1 loading or add toxic quantities of smoke and gases.  
2 Fire-resistive construction withstands the heat and ravages  
3 of fire as well as the impact of water from fire department  
4 hose streams. This protects occupants and fire fighters from  
5 structurally weakened construction

6 Section 10. Definitions. In this Act:

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

17 "Building" means any structure used or intended for  
18 supporting or sheltering any use or occupancy.

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

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

29 "Dormitory" or "student housing" means a building or a  
30 space in a building in which group sleeping accommodations  
31 are provided for more than 16 persons who are not members of  
32 the same family in one room or a series of closely associated  
33 rooms under joint occupancy and single management, with or

1 without meals, but without individual cooking facilities.

2 "Existing building" means a building erected, or  
3 officially authorized to be constructed by the authority  
4 having jurisdiction to approve the construction, before the  
5 effective date of this Act.

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

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

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

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

22 "New construction" means a building or construction  
23 erected, or officially authorized to be constructed by the  
24 authority having jurisdiction to approve the construction,  
25 after the effective date of this Act.

26 "Noncombustible material" refers to a material that, in  
27 the form in which it is used and under the conditions  
28 anticipated, will not ignite, burn, support combustion, or  
29 release flammable vapors when subjected to fire or heat.  
30 Materials that are reported as passing ASTM E 136, Standard  
31 Test Method for Behavior of Materials in a Vertical Tube  
32 Furnace at 750 degrees Celsius, are considered noncombustible  
33 materials.

34 "Sound transmission coefficient" means the value assigned

1 to a material's ability to minimize sound transmission.

2 Section 15. Regulation.

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

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

15 (2) A fire partition is required in connection with  
16 all of the following in all new buildings and  
17 construction or portions thereof constituting a  
18 dormitory or student housing:

19 (A) Between each individual living unit, to  
20 form a fire compartment.

21 (B) All exit corridors.

22 (C) All exit stairways.

23 (D) Occupancy separations in accordance with  
24 the applicable building code.

25 (E) Exterior load-bearing walls.

26 (F) Interior load-bearing walls.

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

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

32 (5) Buildings protected with an automatic sprinkler  
33 system and in compliance with paragraphs (1) and (2)

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

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

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

13 (c) The provisions of this Act apply to new buildings  
14 and to construction begun after the effective date of this  
15 Act related to alterations and remodeling that requires a  
16 building permit.

17 Section 20. Enforcement. Local authorities having  
18 jurisdiction to enforce building codes shall enforce the  
19 provisions of this Act.

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

24 Section 30. Uniformity.

25 (a) If any provision of this Act is in conflict with any  
26 other provision, limitation, or restriction under any law,  
27 rule, regulation, or ordinance of this State or any unit of  
28 local government or agency, this Act shall control.

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

1 Section 90. The School Code is amended by adding Section  
2 2-3.131 and changing Section 3-14.20 as follows:

3 (105 ILCS 5/2-3.131 new)

4 Sec. 2-3.131. Inspection and review of school  
5 facilities; task force.

6 (a) The State Board of Education shall adopt rules for  
7 the documentation of school plan reviews and inspections of  
8 school facilities, including the responsible individual's  
9 signature. Such documents shall be kept on file by the  
10 regional superintendent of schools.

11 (b) The State Board of Education shall convene a task  
12 force for the purpose of reviewing the documents required  
13 under rules adopted under subsection (a) of this Section and  
14 making recommendations regarding training and accreditation  
15 of individuals performing reviews or inspections required  
16 under Section 2-3.12, 3-14.20, 3-14.21, or 3-14.22 of this  
17 Code, including regional superintendents of schools and  
18 others performing reviews or inspections under the authority  
19 of a regional superintendent (such as consultants,  
20 municipalities, and fire protection districts).

21 The task force shall consist of all of the following  
22 members:

23 (1) The Executive Director of the Capital  
24 Development Board or his or her designee.

25 (2) The State Superintendent of Education or his or  
26 her designee.

27 (3) A person appointed by the State Board of  
28 Education.

29 (4) A person appointed by the Illinois Statewide  
30 School Management Alliance.

31 (5) A person appointed by ED-RED.

32 (6) A person appointed by the American Institute of  
33 Architects Illinois.

1           (7) The Chairman of the Illinois Building  
2           Commission or his or her designee.

3           (8) A person appointed by the Illinois Association  
4           of Regional Superintendents of Schools.

5           (9) A person appointed by the Illinois Fire  
6           Inspectors Association.

7           (10) A person appointed by the Illinois Council of  
8           Code Administrators.

9           (11) A person appointed by the Illinois Plumbing  
10           Inspectors Association.

11           (12) A person appointed by the Illinois Congress of  
12           Parents and Teachers.

13           (13) A person appointed by the Illinois Municipal  
14           League.

15           The task force shall issue a report of its findings to  
16           the Governor and the General Assembly no later than June 30,  
17           2004.

18           (105 ILCS 5/3-14.20) (from Ch. 122, par. 3-14.20)

19           Sec. 3-14.20. Building plans and specifications. To  
20 inspect the building plans and specifications, including but  
21 not limited to plans and specifications for the heating,  
22 ventilating, lighting, seating, water supply, toilets and  
23 safety against fire of public school rooms and buildings  
24 submitted to him by school boards, and to approve all those  
25 which comply substantially with the building code authorized  
26 in Section 2-3.12.

27           If a municipality or, in the case of an unincorporated  
28           area, a county or, if applicable, a fire protection district  
29           wishes to be notified of plans and specifications received by  
30           a regional office of education for any future construction or  
31           alteration of a public school facility located within that  
32           entity's jurisdiction, then the entity must register this  
33           wish with the regional superintendent of schools. Within 10

1 days after the regional superintendent of schools receives  
2 the plans and specifications from a school board and prior to  
3 the bidding process, he or she shall notify, in writing, the  
4 registered municipality and, if applicable, the registered  
5 fire protection district where the school that is being  
6 constructed or altered lies that plans and specifications  
7 have been received. In the case of an unincorporated area,  
8 the registered county shall be notified. If the municipality,  
9 fire protection district, or county requests a review of the  
10 plans and specifications, then the school board shall submit  
11 a copy of the plans and specifications. The municipality and,  
12 if applicable, the fire protection district or the county may  
13 comment in writing on the plans and specifications based on  
14 the building code authorized in Section 2-3.12, referencing  
15 the specific code where a discrepancy has been identified,  
16 and respond back to the regional superintendent of schools  
17 within 15 days after a copy of the plans and specifications  
18 have been received or, if needed for plan review, such  
19 additional time as agreed to by the regional superintendent  
20 of schools. The--local--fire--department--or--fire--protection  
21 district--where--the--school--is--being--constructed--or--altered--may  
22 request--a--review--of--the--plans--and--specifications.--The  
23 regional--superintendent--of--schools--shall--submit--a--copy--of--the  
24 plans--and--specifications--within--10--business--days--after--the  
25 request.--The--fire--department--or--fire--protection--district--may  
26 comment--on--the--plans--and--specifications--based--on--the--building  
27 code--authorized--in--Section--2-3.12--of--the--Code--and,--if--any  
28 corrective--action--must--be--taken,--shall--respond--to--the  
29 regional--superintendent--of--schools--within--15--days--after  
30 receipt--of--the--plans--and--specifications.--The--Office--of--the  
31 State--Fire--Marshal--may--review--the--plans--and--specifications--at  
32 the--request--of--the--fire--department--or--fire--protection  
33 district.--The--review--must--be--conducted--at--no--cost--to--the  
34 school--district.



1           If such plans and specifications are not approved or  
2 denied approval by the regional superintendent of schools  
3 within 3 months after the date on which they are submitted to  
4 him or her, the school board may submit such plans and  
5 specifications directly to the State Superintendent of  
6 Education for approval or denial.

7           (Source: P.A. 92-593, eff. 1-1-03.)

8           Section 99. Effective date. This Act takes effect upon  
9 becoming law.".