

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 218

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES TUCK, Thompson, McCarty, Nelson

Introduced: 1/18/22

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the inspection and testing of fire dampers, smoke dampers,
2 combination fire and smoke dampers, and smoke control systems; and providing for an
3 effective date."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 18.70.080(b) is amended to read:

6 (b) The commissioner of public safety may establish by regulation and the
7 department may charge reasonable fees for

8 (1) fire and life safety plan checks made to determine compliance with
9 regulations adopted under (a)(2) of this section; and

10 (2) inspections and testing performed to determine compliance
11 with regulations adopted under (c) of this section, including inspections and
12 testing of the buildings of a municipality.

13 * **Sec. 2.** AS 18.70.080 is amended by adding new subsections to read:

14 (c) In addition to the regulations adopted under (a) of this section, the

1 Department of Public Safety shall adopt regulations for the fire and life safety code of
 2 the state that require the inspection and testing of fire dampers, smoke dampers,
 3 combination fire and smoke dampers, and smoke control systems and that are
 4 consistent with the National Fire Protection Association's NFPA 80 (Standard for Fire
 5 Doors and Other Opening Protectives), 2022 edition, NFPA 92 (Standard for Smoke
 6 Control Systems), 2021 edition, and NFPA 105 (Standard for Smoke Door Assemblies
 7 and Other Opening Protectives), 2022 edition. The regulations must apply to

8 (1) mental institutions, penal institutions, group residential facilities,
 9 intermediate care facilities, nursing homes, hospitals, schools, and buildings used for
 10 sleeping purposes;

11 (2) buildings used for the public assembly of persons for deliberation,
 12 education, instruction, worship, entertainment, or amusement;

13 (3) buildings owned or occupied by the state or by a municipality or
 14 other political subdivision of the state; and

15 (4) all other buildings in which a fire damper, smoke damper,
 16 combination fire and smoke damper, or smoke control system has been installed.

17 (d) The regulations adopted under (c) of this section must require that

18 (1) the state, a municipality with a fire and life safety inspection
 19 program, or a person that has a current fire and life safety certification conduct the
 20 inspection and testing; the certification under this paragraph must be issued through a
 21 program accredited by the American National Standards Institute under standard
 22 ISO/IEC 17024; and

23 (2) the state, municipality, or other person that conducts the inspection
 24 or testing submit findings of noncompliance to the owner of a building that is not in
 25 compliance and to the state fire marshal.

26 * **Sec. 3.** AS 37.05.146(c)(37) is amended to read:

27 (37) receipts of the Department of Public Safety from fees **under**
 28 **AS 18.70.080(b)** for fire and life safety plan checks **and the inspection and testing of**
 29 **fire dampers, smoke dampers, combination fire and smoke dampers, and smoke**
 30 **control systems** [UNDER AS 18.70.080(b)];

31 * **Sec. 4.** This Act takes effect January 1, 2023.