

HOUSE BILL NO. 218

IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE TUCK

Introduced: 5/19/21

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 18.70.050 is amended to read:

6 **Sec. 18.70.050. Power of department to inspect buildings and other**
7 **structures.** The Department of Public Safety may enter any building **or other**
8 **structure** subject to regulation under AS 18.70.080 during reasonable hours for the
9 sole purpose of inspecting the property or abating a fire hazard.

10 * **Sec. 2.** AS 18.70.080(b) is amended to read:

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

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

1 **(2) inspections and testing performed to determine compliance**
 2 **with regulations adopted under (c) of this section, including inspections and**
 3 **testing of the buildings and structures of a municipality.**

4 * **Sec. 3.** AS 18.70.080 is amended by adding new subsections to read:

5 (c) In addition to the regulations adopted under (a) of this section, the
 6 Department of Public Safety shall adopt regulations for the fire and life safety code of
 7 the state that are consistent with national fire protection standards and that require the
 8 inspection and testing of fire dampers, smoke dampers, combination fire and smoke
 9 dampers, and smoke control systems. Except for single-family residences, the
 10 regulations must apply to

11 (1) mental institutions, penal institutions, group residential facilities,
 12 intermediate care facilities, nursing homes, hospitals, schools, buildings that are more
 13 than one story high, and buildings used for sleeping purposes;

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

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

18 (4) all other buildings where large numbers of individuals work, live,
 19 or congregate.

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

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

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

29 * **Sec. 4.** AS 37.05.146(c)(37) is amended to read:

30 (37) receipts of the Department of Public Safety from fees **under**
 31 **AS 18.70.080(b)** for fire and life safety plan checks **and the inspection and testing of**

- 1 **fire dampers, smoke dampers, combination fire and smoke dampers, and smoke**
2 **control systems** [UNDER AS 18.70.080(b)];
3 * **Sec. 5.** This Act takes effect January 1, 2023.