

2014 -- H 8175

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LC005653
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

A N A C T

RELATING TO EDUCATION - HEALTH AND SAFETY OF PUPILS

Introduced By: Representatives McLaughlin, MacBeth, Hull, McNamara, and
Dickinson

Date Introduced: May 08, 2014

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-21-3 of the General Laws in Chapter 16-21 entitled "Health and
2 Safety of Pupils" is hereby amended to read as follows:

3 **16-21-3. Standards for school building.** -- (a) The state building codes standards
4 committee, the state fire marshal, the state health department, and the department of labor and
5 training -- division of occupational health and safety shall determine whether the school buildings
6 in the several cities and towns or on state property conform to appropriate state law and
7 regulation. Further, it shall be the responsibility of each local fire chief, local building inspector,
8 the director of the state department of health, and the director of the state department of labor and
9 training to determine and notify each local school superintendent or private school official by
10 August 1 of each year as to whether the public and private nursery and elementary and secondary
11 school buildings conform to appropriate state law and regulation. In the case of those schools on
12 state property, it shall be the responsibility of the state building commissioner, the state fire
13 marshal, the director of the department of health, and the department of labor and training to
14 notify the department director responsible for the operation of the school as to whether these
15 schools conform to appropriate state law and regulation.

16 (b) The state building code standards committee shall establish building code standards
17 necessary for the implementation of this section.

18 (c) Notwithstanding any general or public law to the contrary, under no circumstances
19 shall any school building be constructed on any property likely to have subsidence features

1 resulting from the property being the site of a former mine. If a school building is constructed on
2 the site of a former mine, a certificate of occupancy shall not be issued. Provided further, no
3 certificate of occupancy shall be issued for a school building constructed within three hundred
4 (300) feet of the site of a former mine unless and until the ground area is proven stable to the
5 satisfaction of the authority issuing the certificate of occupancy. As part of testing any site for
6 purposes of compliancy with this subsection, core drilling on the site to a depth of at least two
7 hundred (200) feet shall be required.

8 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO EDUCATION - HEALTH AND SAFETY OF PUPILS

- 1 This act would prohibit the construction of schools on any former mine site. A certificate
- 2 of occupancy would not be issued for any school building constructed on the site of a former
- 3 mine.
- 4 This act would take effect upon passage.

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