

AMENDED IN ASSEMBLY APRIL 29, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1127

Introduced by Assembly Member Solorio

February 27, 2009

An act to amend Sections 17074.50, 17074.52, and 17074.56 of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1127, as amended, Solorio. School facilities: automatic fire sprinkler system.

Existing law, the Leroy F. Greene School Facilities Act of 1998, requires the State Allocation Board to allocate to applicant school districts; prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding; and supplemental funding for site development and acquisition. Existing law requires all modernization projects that have an estimated total cost in excess of \$200,000 submitted to the Division of the State Architect, including hardship applications, that require the approval of the Department of General Services to include an automatic fire detection and alarm system approved by the State Fire Marshal. The automatic fire detection and alarm system is required to consist of smoke or heat detectors, or a combination of smoke and heat detectors, installed in the school building.

Existing law requires the board to adjust the per-pupil grant amount as necessary to accommodate 80% of the increased costs due to the automatic fire detection and alarm system.

This bill would require, on and after July 1, 2010, that *certain* modernization projects ~~that have an estimated cost of more than~~

\$500,000 have an automatic fire sprinkler system installed throughout the school building in accordance with building standards adopted by the State Fire Marshal. *The bill would require the board to adopt regulations to implement this requirement and would authorize the board to waive the requirement if the cost of the automatic sprinkler system is greater than 20% of the replacement cost of the building.* The bill would require the board also to adjust the per-pupil grant amount as necessary to accommodate 80% of the increased costs due to the automatic fire sprinkler system.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17074.50 of the Education Code is
 2 amended to read:
 3 17074.50. (a) On and after July 1, 2002, all new construction
 4 projects submitted to the Division of the State Architect pursuant
 5 to this chapter, including, but not limited to, hardship applications,
 6 that require the approval of the Department of General Services
 7 shall include an automatic fire detection, alarm, and sprinkler
 8 system as set forth in Section 17074.52 and approved by the State
 9 Fire Marshal. ~~These provisions shall entitle the school district to~~
 10 ~~all applicable reductions in code requirements, as provided in the~~
 11 ~~California Building Standards Code (Title 24 of the California~~
 12 ~~Code of Regulations).~~ *Fire Marshal.*
 13 (b) On and after July 1, 2002, all modernization projects that
 14 have an estimated total cost in excess of two hundred thousand
 15 dollars (\$200,000) submitted to the Division of the State Architect
 16 pursuant to this chapter, including, but not limited to, hardship
 17 applications, that require the approval of the Department of General
 18 Services shall include an automatic fire detection and alarm system
 19 as set forth in Section 17074.52 and approved by the State Fire
 20 Marshal. For a modernization project that is to be completed in
 21 more than one phase, the school district may defer installation of
 22 the system until the final phase of the modernization project. Solely
 23 for purposes of this ~~section~~ *subdivision*, “modernization” means
 24 any modification of a permanent structure or construction of a new
 25 building on an existing campus.

1 ~~(e) On and after July 1, 2010, all modernization projects that~~
2 ~~have an estimated total cost in excess of five hundred thousand~~
3 ~~dollars (\$500,000) submitted to the Division of the State Architect~~
4 ~~pursuant to this chapter, including, but not limited to, hardship~~
5 ~~applications, that require the approval of the Department of General~~
6 ~~Services shall include an automatic fire sprinkler system as set~~
7 ~~forth in Section 17074.52 and approved by the State Fire Marshal.~~
8 ~~For a modernization project that is to be completed in more than~~
9 ~~one phase, the school district may defer installation of the system~~
10 ~~until the final phase of the modernization project. Solely for~~
11 ~~purposes of this section, “modernization” means any modification~~
12 ~~of a permanent structure or construction of a new building on an~~
13 ~~existing campus.~~

14 *(c) (1) On and after July 1, 2010, a modernization project*
15 *submitted to the Division of the State Architect pursuant to this*
16 *chapter, including, but not limited to, a hardship application, that*
17 *requires the approval of the department, is structural in nature,*
18 *and is made on a multistory building or a building that has exits*
19 *that open to an enclosed hallway or corridor shall include an*
20 *automatic fire detection, alarm, and sprinkler system as set forth*
21 *in Section 17074.52 and approved by the State Fire Marshal.*

22 *(2) For purposes of this subdivision, “modernization project”*
23 *means a project funded pursuant to Article 7 (commencing with*
24 *Section 17074.10).*

25 *(3) The board may waive the requirement set forth in this*
26 *subdivision that a project include an automatic sprinkler system*
27 *if the cost of the automatic sprinkler system is greater than 20*
28 *percent of the replacement cost of the building.*

29 *(4) The board shall adopt regulations to implement this*
30 *subdivision.*

31 *(d) Compliance with this section entitles the school district to*
32 *all applicable reductions in code requirements, as provided in the*
33 *California Building Standards Code (Title 24 of the California*
34 *Code of Regulations).*

35 ~~(e)~~

36 *(e) The department shall administer this section based upon the*
37 *standards adopted by the State Fire Marshal pursuant to Section*
38 *17074.52.*

39 SEC. 2. Section 17074.52 of the Education Code is amended
40 to read:

1 17074.52. (a) (1) For modernization projects, the automatic
2 fire detection and alarm system required pursuant to subdivision
3 (b) of Section 17074.50 shall consist of smoke or heat detectors,
4 or a combination thereof, as determined by the State Fire Marshal,
5 installed in the school building. The alarm, upon activation of an
6 initiating device, shall alert all occupants and shall transmit the
7 alarm signal to an approved supervising station.

8 (2) For modernization projects, the automatic fire sprinkler
9 system required pursuant to subdivision (c) of Section 17074.50
10 shall consist of an automatic fire sprinkler system installed
11 throughout the school building in accordance with building
12 standards adopted by the State Fire Marshal.

13 (b) For new construction projects, the automatic fire detection,
14 alarm, and sprinkler system required pursuant to subdivision (a)
15 of Section 17074.50, shall in addition to compliance with
16 subdivision (a), include an automatic fire sprinkler system installed
17 in the school building including, but not necessarily limited to,
18 attic spaces.

19 (c) Notwithstanding Section 17074.50 or subdivisions (a) or (b)
20 of this section, for a stand alone portable building, the system
21 required pursuant to this article shall consist of an automatic fire
22 detection and alarm system. For the purposes of this subdivision
23 a “stand alone portable building” means a portable building that
24 is used as a single classroom and that is sited more than 25 feet
25 from any other building, including, but not limited to, any other
26 portable building.

27 (d) Except as required for automatic fire detectors and waterflow
28 detection devices, manual fire alarm boxes shall not be required
29 throughout the school building.

30 (e) The entire system shall be installed, tested, and maintained
31 in accordance with the regulations of the State Fire Marshal.

32 SEC. 3. Section 17074.56 of the Education Code is amended
33 to read:

34 17074.56. (a) The board shall adjust the per-pupil grant amount
35 set forth in Section 17072.10 as necessary to accommodate 50
36 percent of the increased costs due to the automatic fire detection,
37 alarm, and sprinkler system required pursuant to subdivision (a)
38 of Section 17074.50. The board shall adjust the per-pupil grant
39 amount set forth in Section 17074.10 as necessary to accommodate
40 80 percent of the increased costs due to the automatic fire detection

1 and alarm system required pursuant to subdivision (b) of Section
2 17074.50 and the automatic fire sprinkler system required pursuant
3 to subdivision (c) of Section 17074.50. The board shall establish
4 a method to provide up to 100 percent of the increased costs of
5 the automatic fire detection, alarm, and sprinkler systems for school
6 districts which qualify for hardship assistance pursuant to paragraph
7 (1) of subdivision (b) of Section 17075.10.

8 (b) By July 1, 2003, the board shall review the adequacy of the
9 per-pupil grant adjustments made pursuant to subdivision (a) and
10 shall increase or decrease those adjustments as determined to be
11 necessary.

12 (c) A project submitted to the Division of the State Architect
13 on or after September 1, 2001, that includes a qualifying fire
14 detection, alarm, and sprinkler system, and that has not been fully
15 funded prior to July 1, 2002, shall be eligible for grant or eligibility
16 adjustments as set forth in this article.

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