

AMENDED IN ASSEMBLY APRIL 14, 1998

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1687**

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**Introduced by Assembly Member Lempert**  
(Principal coauthor: Senator Sher)  
**(Coauthors: Assembly Members Alquist, Honda, Kuehl,**  
**Shelley, Sweeney, and Wayne)**  
(Coauthors: Senators O’Connell, Solis, and Watson)

January 16, 1998

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An act to add Sections 17030.7, 17269, and 32006 to the Education Code, relating to school facilities, and making an appropriation therefor.

LEGISLATIVE COUNSEL’S DIGEST

AB 1687, as amended, Lempert. School facilities.

Existing law, the Leroy F. Greene State School Building Lease-Purchase Law (Greene Act), requires ~~that~~ all school buildings constructed, altered, or added to through the expenditure of funds apportioned under that law to be the property of the state and requires the Director of General Services to file a certificate indicating the state’s interest in real property of the school district, without the necessity of particularizing the real property. The Greene Act also requires the State Allocation Board to establish rents for all projects acquired under the Greene Act. Existing law provides for the continuously appropriated State School Building Lease-Purchase Fund for expenditure for purposes of the Greene Act.

This bill would exempt any project funded under the Greene Act that involves only the installation in school facilities of an automatic fire detection and alarm system from the above-referenced rent provisions and would prohibit that funding from causing the transfer to the state of title or any other property interest in the subject facilities.

Existing law requires every public, private, or parochial school building to be provided with a dependable and operative fire warning system and requires the fire alarm signal to be sounded upon the discovery of fire.

This bill would authorize school districts and county offices of education to apply to the State Allocation Board for the purposes of improving school safety by installing an automatic fire detection and alarm system *and would require local matching funds in an amount equal to any amount funded by the State Allocation Board.* By expanding the purpose for which continuously appropriated funds may be expended, this bill would make an appropriation. The bill would require the State Fire Marshal to propose regulations on or before July 1, 1999, regarding fire protection in public school buildings to reflect these requirements and would require the State Building Standards Commission to adopt, amend, and repeal related regulations.

Existing law, relating to the construction of school buildings, requires the Department of General Services to pass upon and approve or reject all plans for the construction of, or, if the estimated cost exceeds \$20,000, the alteration of, any school building.

This bill would, ~~on or after January 1, 1999~~ *6 months after the first statewide school facilities bond measure for kindergarten and grades 1 to 12, inclusive, to be approved by the voters on or after November 3, 1998, is approved by the voters,* prohibit the Department of General Services from approving a plan for the construction or modernization of a school building unless, upon the completion of that project, the school building will contain an automatic fire alarm and detection system, as specified.

The bill would state the intent of the Legislature that this act be funded through the proceeds from the sale of state general obligation bonds.



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

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

1 SECTION 1. (a) The Legislature finds and declares  
2 as follows:

3 (1) Many of the school buildings in use in this state are  
4 20 to 30 years old or older and do not provide sufficient  
5 fire protection in the building construction, nor do these  
6 schools provide an adequate fire detection and alarm  
7 system.

8 (2) Without early warning systems, including smoke  
9 and heat detectors, fires, like the one at the Greenoaks  
10 Family Academy Elementary School, are silent killers  
11 that can move quickly through open attic space above  
12 classrooms full of children until the classrooms are ignited  
13 into inescapable infernos.

14 (3) An early warning system would give protection to  
15 pupils and school personnel by providing additional time  
16 for evacuation.

17 (b) This act shall be known and may be cited as the  
18 Greenoaks Family Academy Elementary School Fire  
19 Protection Act.

20 SEC. 2. Section 17030.7 is added to the Education  
21 Code, to read:

22 17030.7. (a) A project funded under this chapter may  
23 consist solely of the installation of an automatic fire  
24 detection and alarm system as described in subdivision  
25 (b) of Section 17269.

26 (b) Notwithstanding any other provision of this  
27 chapter, any project funded under this chapter that  
28 involves only the installation in school facilities of an  
29 automatic fire detection and alarm system, as described  
30 in subdivision (b) of Section 17269, shall not be subject to  
31 Section 17032, nor shall that funding cause the transfer to  
32 the state of title or any other property interest in the  
33 subject facilities.

34 SEC. 3. Section 17269 is added to the Education Code,  
35 to read:



1 17269. (a) ~~On and after January 1, 1999~~ *Six months*  
2 *after the first statewide school facilities bond measure for*  
3 *kindergarten and grades 1 to 12, inclusive, to be approved*  
4 *by the voters on or after November 3, 1998, is approved*  
5 *by the voters*, the Department of General Services shall  
6 not approve the plans for a project for the construction  
7 or modernization of a school building unless, upon the  
8 completion of that project, the school building will  
9 contain an automatic fire detection and alarm system, as  
10 described in subdivision (b) and approved by the State  
11 Fire Marshal, or a superior fire detection and alarm  
12 system, as determined by the State Fire Marshal.

13 (b) The system shall consist of a combination of smoke  
14 or heat detectors installed in each unit of a school  
15 building, including attic spaces, and the detectors shall  
16 activate an alarm signal that sounds an audible alarm  
17 throughout the school facility.

18 SEC. 4. It is the intent of the Legislature to provide  
19 the most cost-effective automatic fire detection and  
20 alarm system for public schools. In keeping with this  
21 intent, the State Fire Marshal shall, on or before July 1,  
22 1999, propose, and the State Building Standards  
23 Commission shall adopt, amend, and repeal, regulations  
24 regarding fire protection in public school buildings to  
25 reflect the requirements of this section.

26 SEC. 5. Section 32006 is added to the Education Code,  
27 to read:

28 32006. (a) School districts and county offices of  
29 education may apply to the State Allocation Board for  
30 funding under Chapter 12 (commencing with Section  
31 17000) of Part 10 for the purposes of improving school  
32 safety by installing an automatic fire detection and alarm  
33 system as specified in subdivision (b) of Section 17269. *To*  
34 *receive funding pursuant to this section, a school district*  
35 *or county office of education shall provide local matching*  
36 *funds in an amount equal to any amount funded by the*  
37 *State Allocation Board.*

38 (b) *Notwithstanding subdivision (a) of Section 17269,*  
39 *a school district or county office of education may access*  
40 *available funding from the State Allocation Board*



1 *pursuant to this section if it is available on or after January*  
2 *1, 1999.*

3 SEC. 6. It is the intent of the Legislature that this act  
4 be funded through the proceeds from the sale of state  
5 general obligation bonds.

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