

1 AMENDMENT TO SENATE BILL 751

2 AMENDMENT NO. _____. Amend Senate Bill 751 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Balanced Fire Protection Act.

6 Section 5. Findings. Fires that could have been
7 prevented or contained tragically cut down students in the
8 prime of their lives. College dormitories and student housing
9 pose a significant fire risk. A high density of students
10 within a building requires early warning detection and alarm,
11 fire control, and fire containment via fire-resistive walls
12 and floors. Students require time for safe escape and, if
13 necessary, temporary refuge. Containing fire spread with
14 acoustically sound fire-resistive construction provides a
15 critical cornerstone to the safety and well-being of
16 students. Subdividing a facility with fire-resistive
17 construction allows for extra time to escape, provides a
18 temporary area of refuge, and allots time for emergency
19 responders to effectuate rescue. Subdivision of spaces with
20 building materials with high sound-limiting properties
21 enhances fire performance of the construction element.
22 Fire-resistive construction does not contribute to the fire

1 loading or add toxic quantities of smoke and gases.
2 Fire-resistive construction withstands the heat and ravages
3 of fire as well as the impact of water from fire department
4 hose streams. This protects occupants and fire fighters from
5 structurally weakened construction

6 Section 10. Definitions. In this Act:

7 "Automatic sprinkler system" means a sprinkler system,
8 for fire protection purposes, that is an integrated system of
9 underground and overhead piping designed in accordance with
10 fire protection engineering standards. This system includes a
11 suitable water supply. The portion of the system above ground
12 is a network of specially or hydraulically designed piping
13 installed in a building, to which the automatic sprinklers
14 are connected in a systematic pattern. The system is usually
15 activated by heat from a fire and discharges water over the
16 fire area.

17 "Building" means any structure used or intended for
18 supporting or sheltering any use or occupancy.

19 "Building code" means the provisions adopted by a unit of
20 local government governing the construction, alteration,
21 movement, enlargement, replacement, repair, equipment, use
22 and occupancy, location, maintenance, removal, and demolition
23 of buildings or structures or any appurtenances connected or
24 attached to a building or structure.

25 "Combustible" refers to a material that, in the form in
26 which it is used and under the conditions anticipated, will
27 ignite and burn; the term means a material that does not meet
28 the definition of noncombustible.

29 "Dormitory" or "student housing" means a building or a
30 space in a building in which group sleeping accommodations
31 are provided for more than 16 persons who are not members of
32 the same family in one room or a series of closely associated
33 rooms under joint occupancy and single management, with or

1 without meals, but without individual cooking facilities.

2 "Existing building" means a building erected, or
3 officially authorized to be constructed by the authority
4 having jurisdiction to approve the construction, before the
5 effective date of this Act.

6 "Fire compartment" means a space within a building that
7 is enclosed by fire partitions on all sides, including the
8 top and bottom.

9 "Fire partition" means a 2-hour noncombustible
10 fire-resistive vertical fire separation assembly designed to
11 restrict the spread of fire, in which openings are protected.

12 "Fire resistance rating" means the period of time that a
13 building element, component, or assembly maintains the
14 ability to confine a fire, withstands a hose stream for the
15 equivalent time period of the fire exposure, and continues to
16 perform a given structural function as determined by the test
17 methods prescribed in ASTM E 119, Standard Methods of Tests
18 of Fire Endurance of Building Construction and Materials.

19 "Fire-resistive construction" means construction in which
20 the structural elements are of steel, iron, concrete, or
21 masonry, in accordance with the applicable building code.

22 "New construction" means a building or construction
23 erected, or officially authorized to be constructed by the
24 authority having jurisdiction to approve the construction,
25 after the effective date of this Act.

26 "Noncombustible material" refers to a material that, in
27 the form in which it is used and under the conditions
28 anticipated, will not ignite, burn, support combustion, or
29 release flammable vapors when subjected to fire or heat.
30 Materials that are reported as passing ASTM E 136, Standard
31 Test Method for Behavior of Materials in a Vertical Tube
32 Furnace at 750 degrees Celsius, are considered noncombustible
33 materials.

34 "Sound transmission coefficient" means the value assigned

1 to a material's ability to minimize sound transmission.

2 Section 15. Regulation.

3 (a) The State Fire Marshal shall take appropriate steps
4 to ensure that the following requirements, specifically
5 designed to foster fire-safe housing provisions protecting
6 the health, safety, and welfare of the citizens of this
7 State, are incorporated into local building codes:

8 (1) All new construction housing students shall be
9 of noncombustible fire-resistive construction in
10 accordance with the applicable building code, except that
11 buildings protected with an automatic sprinkler system
12 and in compliance with paragraph (2) may be of any
13 construction type allowed by the applicable building
14 code.

15 (2) A fire partition is required in connection with
16 all of the following in all new buildings and
17 construction or portions thereof constituting a
18 dormitory or student housing:

19 (A) Between each individual living unit, to
20 form a fire compartment.

21 (B) All exit corridors.

22 (C) All exit stairways.

23 (D) Occupancy separations in accordance with
24 the applicable building code.

25 (E) Exterior load-bearing walls.

26 (F) Interior load-bearing walls.

27 (3) Openings in fire partitions must be protected
28 in accordance with the applicable building code but no
29 less than 90 minutes fire-protection rating.

30 (4) Fire partitions must have a sound transmission
31 coefficient of 50 or more.

32 (5) Buildings protected with an automatic sprinkler
33 system and in compliance with paragraphs (1) and (2)

1 shall be allowed to be of unlimited area, and their
2 height may be increased by up to 25% more than the height
3 of similar buildings that are not protected with an
4 automatic sprinkler system or are not in compliance with
5 paragraphs (1) and (2).

6 (6) All floor assemblies in a new dormitory or new
7 student housing must have a minimum 2-hour
8 fire-resistance rating and be of noncombustible
9 construction.

10 (b) The requirements of subsection (a) are designed for
11 use throughout the State and have particular application to
12 dormitories and student housing.

13 (c) The provisions of this Act apply to new buildings
14 and to construction begun after the effective date of this
15 Act related to alterations and remodeling that requires a
16 building permit.

17 Section 20. Enforcement. Local authorities having
18 jurisdiction to enforce building codes shall enforce the
19 provisions of this Act.

20 Section 25. Exemptions. Existing buildings and areas of
21 existing buildings that are not subject to remodeling,
22 alterations, or an increase in height or floor area are
23 exempt from the provisions of this Act.

24 Section 30. Uniformity.

25 (a) If any provision of this Act is in conflict with any
26 other provision, limitation, or restriction under any law,
27 rule, regulation, or ordinance of this State or any unit of
28 local government or agency, this Act shall control.

29 (b) This Act does not supersede State or local
30 requirements for sprinklers, early warning detection, fire
31 alarm systems, or other life safety systems.

1 Section 90. The School Code is amended by adding Section
2 2-3.131 and changing Section 3-14.20 as follows:

3 (105 ILCS 5/2-3.131 new)

4 Sec. 2-3.131. Inspection and review of school
5 facilities; task force.

6 (a) The State Board of Education shall adopt rules for
7 the documentation of school plan reviews and inspections of
8 school facilities, including the responsible individual's
9 signature. Such documents shall be kept on file by the
10 regional superintendent of schools.

11 (b) The State Board of Education shall convene a task
12 force for the purpose of reviewing the documents required
13 under rules adopted under subsection (a) of this Section and
14 making recommendations regarding training and accreditation
15 of individuals performing reviews or inspections required
16 under Section 2-3.12, 3-14.20, 3-14.21, or 3-14.22 of this
17 Code, including regional superintendents of schools and
18 others performing reviews or inspections under the authority
19 of a regional superintendent (such as consultants,
20 municipalities, and fire protection districts).

21 The task force shall consist of all of the following
22 members:

23 (1) The Executive Director of the Capital
24 Development Board or his or her designee.

25 (2) The State Superintendent of Education or his or
26 her designee.

27 (3) A person appointed by the State Board of
28 Education.

29 (4) A person appointed by the Illinois Statewide
30 School Management Alliance.

31 (5) A person appointed by ED-RED.

32 (6) A person appointed by the American Institute of
33 Architects Illinois.

1 (7) The Chairman of the Illinois Building
2 Commission or his or her designee.

3 (8) A person appointed by the Illinois Association
4 of Regional Superintendents of Schools.

5 (9) A person appointed by the Illinois Fire
6 Inspectors Association.

7 (10) A person appointed by the Illinois Council of
8 Code Administrators.

9 (11) A person appointed by the Illinois Plumbing
10 Inspectors Association.

11 (12) A person appointed by the Illinois Congress of
12 Parents and Teachers.

13 (13) A person appointed by the Illinois Municipal
14 League.

15 The task force shall issue a report of its findings to
16 the Governor and the General Assembly no later than June 30,
17 2004.

18 (105 ILCS 5/3-14.20) (from Ch. 122, par. 3-14.20)

19 Sec. 3-14.20. Building plans and specifications. To
20 inspect the building plans and specifications, including but
21 not limited to plans and specifications for the heating,
22 ventilating, lighting, seating, water supply, toilets and
23 safety against fire of public school rooms and buildings
24 submitted to him by school boards, and to approve all those
25 which comply substantially with the building code authorized
26 in Section 2-3.12.

27 If a municipality or, in the case of an unincorporated
28 area, a county or, if applicable, a fire protection district
29 wishes to be notified of plans and specifications received by
30 a regional office of education for any future construction or
31 alteration of a public school facility located within that
32 entity's jurisdiction, then the entity must register this
33 wish with the regional superintendent of schools. Within 10

1 days after the regional superintendent of schools receives
2 the plans and specifications from a school board and prior to
3 the bidding process, he or she shall notify, in writing, the
4 registered municipality and, if applicable, the registered
5 fire protection district where the school that is being
6 constructed or altered lies that plans and specifications
7 have been received. In the case of an unincorporated area,
8 the registered county shall be notified. If the municipality,
9 fire protection district, or county requests a review of the
10 plans and specifications, then the school board shall submit
11 a copy of the plans and specifications. The municipality and,
12 if applicable, the fire protection district or the county may
13 comment in writing on the plans and specifications based on
14 the building code authorized in Section 2-3.12, referencing
15 the specific code where a discrepancy has been identified,
16 and respond back to the regional superintendent of schools
17 within 15 days after a copy of the plans and specifications
18 have been received or, if needed for plan review, such
19 additional time as agreed to by the regional superintendent
20 of schools. The--local--fire--department--or--fire--protection
21 district--where--the--school--is--being--constructed--or--altered--may
22 request--a--review--of--the--plans--and--specifications.--The
23 regional--superintendent--of--schools--shall--submit--a--copy--of--the
24 plans--and--specifications--within--10--business--days--after--the
25 request.--The--fire--department--or--fire--protection--district--may
26 comment--on--the--plans--and--specifications--based--on--the--building
27 code--authorized--in--Section--2-3.12--of--the--Code--and,--if--any
28 corrective--action--must--be--taken,--shall--respond--to--the
29 regional--superintendent--of--schools--within--15--days--after
30 receipt--of--the--plans--and--specifications.--The--Office--of--the
31 State--Fire--Marshal--may--review--the--plans--and--specifications--at
32 the--request--of--the--fire--department--or--fire--protection
33 district.--The--review--must--be--conducted--at--no--cost--to--the
34 school--district.

1 If such plans and specifications are not approved or
2 denied approval by the regional superintendent of schools
3 within 3 months after the date on which they are submitted to
4 him or her, the school board may submit such plans and
5 specifications directly to the State Superintendent of
6 Education for approval or denial.

7 (Source: P.A. 92-593, eff. 1-1-03.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law."