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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 109

- 01/14/2021 Authored by Noor, Her, Moller, Hassan, Fischer and others
The bill was read for the first time and referred to the Committee on Commerce Finance and Policy
- 02/11/2021 Adoption of Report: Re-referred to the Committee on Public Safety and Criminal Justice Reform Finance and Policy
- 02/18/2021 Adoption of Report: Re-referred to the Committee on Labor, Industry, Veterans and Military Affairs Finance and Policy
- 03/04/2021 Adoption of Report: Placed on the General Register
Read for the Second Time
- 03/22/2021 Calendar for the Day
Read for the Third Time
Passed by the House and transmitted to the Senate

1.1 A bill for an act

1.2 relating to public safety; requiring installation of automatic sprinkler systems in

1.3 certain existing high-rise buildings; authorizing rulemaking; proposing coding for

1.4 new law in Minnesota Statutes, chapter 299F.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **[299F.48] AUTOMATIC SPRINKLER SYSTEMS IN EXISTING**

1.7 **HIGH-RISE BUILDINGS.**

1.8 Subdivision 1. **Requirements.** This section applies to an existing building in which at

1.9 least one story used for human occupancy is 75 feet or more above the lowest level of fire

1.10 department vehicle access. An automatic sprinkler system must be installed in those portions

1.11 of the entire existing building in which an automatic sprinkler system would be required if

1.12 the building were constructed on the effective date of this section. The automatic sprinkler

1.13 system must comply with standards in the State Fire Code and the State Building Code and

1.14 must be fully operational by August 1, 2033.

1.15 Subd. 2. **Exemptions.** (a) Subdivision 1 does not apply to:

1.16 (1) a monument or war memorial that is included in the National Register of Historic

1.17 Places or the state register of historic places;

1.18 (2) an airport control tower or control room;

1.19 (3) an open parking structure;

1.20 (4) a building used for agricultural purposes;

1.21 (5) a residential building in which at least 70 percent of the dwelling units are owner

1.22 occupied;

2.1 (6) elevator equipment rooms and elevator shafts;

2.2 (7) electric generation and distribution facilities operated by a public utility, a municipal
2.3 utility, or a cooperative electric association;

2.4 (8) areas utilized for surgery, surgical recovery, emergency backup power systems, and
2.5 electrical closets within facilities licensed by the Department of Health; or

2.6 (9) a manufacturing facility that is required to meet the fire safety standards adopted by
2.7 the Occupational Safety and Health Administration in Code of Federal Regulations, title
2.8 29, part 1910, subpart L.

2.9 (b) Subdivision 1 does not apply to an area used exclusively for telecommunications
2.10 equipment and associated generator and power equipment and under exclusive control of
2.11 a telecommunications provider if:

2.12 (1) the area is separated from the remainder of the building by construction equivalent
2.13 to a one-hour fire resistant wall and two-hour floor and ceiling assemblies; and

2.14 (2) the area has an automatic fire detection and alarm system that complies with standards
2.15 in the State Fire Code and State Building Code.

2.16 Subd. 3. **Reporting.** By August 1, 2023, the owner of a building subject to subdivision
2.17 1 shall submit to the state fire marshal a letter stating the owner's intent to comply with this
2.18 section and a plan for achieving compliance by the deadline in subdivision 1.

2.19 Subd. 4. **Extensions.** The commissioner, or the state fire marshal as the commissioner's
2.20 designee, may grant extensions to the deadline for reporting under subdivision 3 or the
2.21 deadline for compliance under subdivision 1. Any extension must observe the spirit and
2.22 intent of this section and be tailored to ensure public welfare and safety. To be eligible for
2.23 an extension, the building owner must apply to the commissioner and demonstrate a genuine
2.24 inability to comply within the time prescribed despite appropriate effort to do so.

2.25 Subd. 5. **Rules.** The commissioner may adopt rules to implement this section.

2.26 Subd. 6. **Working group.** The commissioner may appoint a working group to advise
2.27 the commissioner on the implementation of this section, including the adoption of rules,
2.28 and to advise the commissioner on applications for extensions. If appointed, a working
2.29 group must include a representative from: the state fire marshal's office, the Department of
2.30 Administration, the Minnesota State Fire Chiefs Association, a chapter of the Minnesota
2.31 Building Owners and Managers Association, the Minneapolis Public Housing Authority,
2.32 the Minnesota Multi Housing Association, the Minnesota Hotel and Motel Association, the
2.33 Fire Marshals Association of Minnesota, professional engineers or licensed architects, a

3.1 municipal water authority of a city of the first class, a national association of fire sprinkler
3.2 contractors, and a resident of a building subject to subdivision 1.

3.3 Subd. 7. **Effect on other laws.** This section does not supersede the State Building Code
3.4 or State Fire Code.