A bill for an act

relating to public safety; requiring installation of automatic sprinkler systems in
certain existing high-rise buildings; proposing coding for new law in Minnesota
Statutes, chapter 299F.

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

Section 1. [299F.48] AUTOMATIC SPRINKLER SYSTEMS IN EXISTING
HIGH-RISE BUILDINGS.

Subdivision 1. Requirements. This section applies to an existing building in which at
least one story used for human occupancy is 75 feet or more above the lowest level of fire
department vehicle access. An automatic sprinkler system must be installed in those portions
of the entire existing building in which an automatic sprinkler system would be required if
the building were constructed on the effective date of this section. The automatic sprinkler
system must comply with standards in the State Fire Code and the State Building Code and
must be fully operational by August 1, 2032.

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

(1) a monument or war memorial that is included in the National Register of Historic
Places or the state register of historic places;

(2) an airport control tower or control room;

(3) an open parking structure;

(4) a building used for agricultural purposes;

(5) a residential building in which at least 70 percent of the dwelling units are owner
occupied.
(6) elevator equipment rooms and elevator shafts;

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

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

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

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

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

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

Subd. 3. Reporting. By August 1, 2022, the owner of a building subject to subdivision 1 shall submit to the state fire marshal a letter stating the owner's intent to comply with this section and a plan for achieving compliance by the deadline in subdivision 1.

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

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

Subd. 6. Working group. The commissioner may appoint a working group to advise the commissioner on the implementation of this section, including the adoption of rules, and to advise the commissioner on applications for extensions. If appointed, a working group must include a representative from: the state fire marshal's office, the Department of Administration, the Minnesota State Fire Chiefs Association, a chapter of the Minnesota Building Owners and Managers Association, the Minneapolis Public Housing Authority, the Minnesota Multi Housing Association, the Minnesota Hotel and Motel Association, the Fire Marshals Association of Minnesota, professional engineers or licensed architects, a
municipal water authority of a city of the first class, a national association of fire sprinkler contractors, and a resident of a building subject to subdivision 1.

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