S T A T E O F N E W Y O R K

11292

I N A S S E M B L Y

May 25, 2010

Introduced by M. of A. SALADINO -- Multi-Sponsored by -- M. of A. ALFANO -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to requiring educational facilities to be constructed or retrofitted with an automatic sprinkler system; and making an appropriation therefor

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The education law is amended by adding a new section 408-c to read as follows:

S 408-C. AUTOMATIC SPRINKLER SYSTEMS. 1. AS USED IN THIS SECTION THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

(A) "EDUCATIONAL FACILITY" MEANS A BUILDING OR STRUCTURE, OR A PORTION THEREOF, USED BY SIX OR MORE PERSONS AT ANY ONE TIME FOR THE PRIMARY PURPOSE OF PROVIDING EDUCATIONAL INSTRUCTION TO STUDENTS IN GRADE LEVELS KINDERGARTEN THROUGH TWELFTH GRADE.

(B) "AUTOMATIC SPRINKLER SYSTEM" MEANS A SPRINKLER SYSTEM FOR FIRE PROTECTION PURPOSES THAT IS AN INTEGRATED SYSTEM OF UNDERGROUND AND OVERHEAD PIPING DESIGNED IN ACCORDANCE WITH FIRE PROTECTION ENGINEERING STANDARDS. A SYSTEM REQUIRES A SUITABLE WATER SUPPLY. THE PORTION OF THE SYSTEM ABOVE GROUND IS A NETWORK OF SPECIALLY OR HYDRAULICALLY DESIGNED PIPING INSTALLED IN A BUILDING, TO WHICH THE AUTOMATIC SPRINKLERS ARE CONNECTED IN A SYSTEMATIC PATTERN. THE SYSTEM IS ACTIVATED BY HEAT FROM A FIRE AND DISCHARGES WATER OVER THE DESIGNATED AREA.

2. ON OR BEFORE MARCH FIRST, TWO THOUSAND TWELVE, EACH EDUCATIONAL FACILITY FOR STUDENT USE SHALL ADOPT A PLAN TO CAUSE ALL SUCH EDUCATIONAL FACILITIES TO BE CONSTRUCTED OR RETROFITTED WITH AN AUTOMATIC SPRINKLER SYSTEM. ALL RETROFITTING SHALL BE COMPLETED WITHIN A THREE YEAR PERIOD FROM THE DATE ANY SUCH PLAN IS ADOPTED.

3. THE APPROPRIATE STATE AND LOCAL FIRE AND LAW ENFORCEMENT OFFICIALS HAVING JURISDICTION SHALL BE RESPONSIBLE FOR ENFORCING THE PROVISIONS OF THIS ARTICLE.

4. WITHIN THE LIMIT OF FUNDS MADE AVAILABLE BY APPROPRIATION, THE DEPARTMENT IS HEREBY AUTHORIZED TO MAKE AWARDS TO EDUCATIONAL FACILITIES

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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FOR THE INSTALLATION OF AUTOMATIC SPRINKLER SYSTEMS AS REQUIRED BY SUBDIVISION TWO OF THIS SECTION.

S 2. The sum of two million dollars ($2,000,000) is hereby appropriated to the department of education out of any moneys in the state treasury in the general fund to the credit of the state purposes account, not otherwise appropriated, and made immediately available, for the purpose of carrying out the provisions of this act. Such moneys shall be payable on the audit and warrant of the comptroller on vouchers certified or approved by the commissioner of the department of education in the manner prescribed by law.

S 3. This act shall take effect on the ninetieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.