

FIRST REGULAR SESSION

# HOUSE BILL NO. 674

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES DEMPSEY (Sponsor), WILDBERGER, SWINGER, NANCE,  
PAGE, COOPER (158), BIVINS, CORCORAN, WALLACE, CUNNINGHAM (86),  
SCHNEIDER AND MOORE (Co-sponsors).

Read 1st time January 30, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

1720L.01I

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### AN ACT

To amend chapters 198 and 320, RSMo, by adding thereto two new sections relating to fire protection sprinkler systems.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapters 198 and 320, RSMo, are amended by adding thereto two new sections, to be known as sections 198.074 and 320.375, to read as follows:

**198.074. The department of public safety shall promulgate rules requiring that every residential care facility, assisted living facility, intermediate care facility, and skilled nursing facility in this state shall be protected by a fire protection sprinkler system which is designed, installed, tested, repaired, and maintained in accord with fire protection industry standards. Any fire protection sprinkler system required by this section which is not consistent with the sprinkler system requirements contained in section 198.073 shall supercede the requirements of section 198.073. The provisions of this section shall be administered by the department of public safety. In addition, the department shall promulgate rules for the purpose of enforcing and administering this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the  
15 effective date, or to disapprove and annul a rule are subsequently held unconstitutional,  
16 then the grant of rulemaking authority and any rule proposed or adopted after August 28,  
17 2007, shall be invalid and void.

320.375. The department of public safety may promulgate rules requiring that  
2 state-owned and state-occupied offices or facilities be protected by a fire protection  
3 sprinkler system which is designed, installed, tested, repaired, and maintained in accord  
4 with fire protection industry standards. The provisions of this section shall be  
5 administered by the department of public safety. In addition, the department may  
6 promulgate rules for the purpose of enforcing and administering this section. Any rule or  
7 portion of a rule, as that term is defined in section 536.010, RSMo, that is created under  
8 the authority delegated in this section shall become effective only if it complies with and  
9 is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028,  
10 RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers  
11 vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the  
12 effective date, or to disapprove and annul a rule are subsequently held unconstitutional,  
13 then the grant of rulemaking authority and any rule proposed or adopted after August 28,  
14 2007, shall be invalid and void.

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