

As Introduced

**135th General Assembly
Regular Session
2023-2024**

S. B. No. 112

Senator Rulli

A BILL

To enact sections 3737.74 and 3781.50 of the 1
Revised Code to require school buildings to 2
comply with national life safety standards and 3
to name this act the Ohio Childhood Safety Act. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3737.74 and 3781.50 of the 5
Revised Code be enacted to read as follows: 6

Sec. 3737.74. The fire marshal may adopt rules necessary 7
to implement the requirements of section 3781.50 of the Revised 8
Code. The fire marshal may work in conjunction with the board of 9
building standards to implement such requirements. 10

Sec. 3781.50. (A) As used in this section: 11

(1) "Authority having jurisdiction" means an organization, 12
office, agency, or individual responsible for enforcing the 13
requirements under this section. 14

(2) "NFPA 101" means the standards for life safety code 15
published by the national fire protection association, which 16
includes the NFPA 80 standards for fire doors and other opening 17
protectives. 18

<u>(3) "Protective door assembly" or "protective door assemblies" means any of the following:</u>	19
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<u>(a) Doors with panic hardware or fire exit hardware;</u>	21
<u>(b) Door assemblies in exit enclosures;</u>	22
<u>(c) Electricity controlled egress doors;</u>	23
<u>(d) Door assemblies with special locking arrangements,</u>	24
<u>such as delayed egress, sensor release egress doors, and</u>	25
<u>elevator lobby doors.</u>	26
<u>(4) "Qualified inspector" means a person, who by</u>	27
<u>possession of a recognized degree, certificate, professional</u>	28
<u>standing, or skill, and who, by knowledge, training, and</u>	29
<u>experience, has demonstrated the ability to deal with the</u>	30
<u>subject matter, the work, or the project.</u>	31
<u>(5) "School building" means a structure used for the</u>	32
<u>instruction of students by a school governing authority.</u>	33
<u>(6) "School governing authority" means any of the</u>	34
<u>following:</u>	35
<u>(a) The board of education of a school district;</u>	36
<u>(b) The governing authority of a chartered nonpublic</u>	37
<u>school;</u>	38
<u>(c) The governing authority of a community school</u>	39
<u>established under Chapter 3314. of the Revised Code;</u>	40
<u>(d) The governing body of a STEM school established under</u>	41
<u>Chapter 3328. of the Revised Code;</u>	42
<u>(e) The board of trustees of a college-preparatory</u>	43
<u>boarding school established under Chapter 3328. of the Revised</u>	44
<u>Code.</u>	45

(B) Each school governing authority in this state shall do 46
both of the following: 47

(1) Cause all protective door assemblies in school 48
buildings used by the school governing authority for instruction 49
of students to be inspected and tested every twelve months in 50
accordance with division (C) of this section; 51

(2) Verify that such protective door assemblies are in 52
compliance with the standards under the 2015 NFPA 101. 53

(C) (1) A school governing authority shall cause all of the 54
protective door assemblies in school buildings used for the 55
instruction of students to be inspected and tested every twelve 56
months by a qualified inspector to confirm proper operation and 57
full closure as indicated in the 2015 NFPA 101. 58

(2) If a protective door assembly is not in compliance 59
with the standards under the 2015 NFPA 101, then the school 60
governing authority shall take all steps necessary to make the 61
protective door assembly compliant with the 2015 NFPA 101 62
standards. 63

(D) After the inspection of a protective door assembly in 64
a school building, the qualified inspector shall provide a 65
report to the school governing authority indicating either of 66
the following: 67

(1) That the protective door assembly is in compliance 68
with the 2015 NFPA 101 standards and no further inspection is 69
required respecting that protective door assembly for the next 70
twelve months; 71

(2) That the protective door assembly is not in compliance 72
with the 2015 NFPA 101 standards. 73

<u>(E) Each school governing authority shall maintain records</u>	74
<u>verifying annual inspections.</u>	75
<u>(F) If one or more protective door assemblies in a school</u>	76
<u>building are not in compliance with the 2015 NFPA 101 standards</u>	77
<u>as indicated in a report under division (D) (2) or (G) (2) of this</u>	78
<u>section, then the school governing authority shall do both of</u>	79
<u>the following:</u>	80
<u>(1) Take all steps necessary to make each such protective</u>	81
<u>door assembly compliant with the 2015 NFPA 101 standards;</u>	82
<u>(2) Cause another inspection of each such protective door</u>	83
<u>assembly immediately after completing those steps.</u>	84
<u>(G) After each inspection of a protective door assembly in</u>	85
<u>the school building under division (F) (2) of this section has</u>	86
<u>been completed, the qualified inspector shall provide a report</u>	87
<u>to the school governing authority indicating either of the</u>	88
<u>following:</u>	89
<u>(1) That the protective door assembly is in compliance</u>	90
<u>with the 2015 NFPA 101 standards and no further inspection is</u>	91
<u>required respecting that protective door assembly for the next</u>	92
<u>twelve months;</u>	93
<u>(2) That the protective door assembly is not in compliance</u>	94
<u>with the 2015 NFPA 101 standards.</u>	95
<u>(H) Beginning eighteen months after the effective date of</u>	96
<u>this section, the authority having jurisdiction shall annually</u>	97
<u>cause an inspection of the records retained by each school</u>	98
<u>governing authority under division (E) of this section. If a</u>	99
<u>protective door assembly in a school building is not fully</u>	100
<u>compliant with the standards under the 2015 NFPA 101 within</u>	101
<u>eighteen months of a report issued under division (D) (2) of this</u>	102

section, and the school governing authority is not actively 103
taking steps to achieve compliance, then the authority having 104
jurisdiction shall impose a civil penalty of one thousand 105
dollars on the school governing authority that uses the school 106
building for instruction of students. Each protective door 107
assembly that is not in compliance with the standards under the 108
2015 NFPA 101, and respecting which the school governing 109
authority is not actively taking steps to achieve compliance 110
with those standards, is a separate violation and is subject to 111
an additional penalty. Each day after the eighteenth month 112
following the school governing authority's receipt of a report 113
under division (D) (2) of this section that the school governing 114
authority fails to take steps to comply with the 2015 NFPA 101 115
standards, is a separate violation and is subject to an 116
additional penalty. 117

(I) No authority having jurisdiction shall impose a civil 118
penalty under this section on a school governing authority that 119
is actively taking steps to reach compliance with the 2015 NFPA 120
101 standards, regardless of whether full compliance is reached 121
for all protective door assemblies in the school building. 122

(J) A qualified inspector that inspects more than one 123
protective door assembly under division (D) or (G) of this 124
section in the same school building may combine the results of 125
such inspections into one report, so long as the report clearly 126
indicates which protective door assemblies are in compliance 127
with the 2015 NFPA 101 standards and which are not. 128

(K) The board of building standards shall adopt rules, in 129
accordance with Chapter 119. of the Revised Code, that are 130
necessary to implement the requirements of this section. The 131
board may work in conjunction with the fire marshal to implement 132

such requirements. 133

(L) Notwithstanding any provision of this section, a 134

temporary door-locking device in compliance with the rules 135

adopted by the board of building standards is not in conflict 136

with this section. 137

Section 2. This act shall be known as the Ohio Childhood 138

Safety Act. 139