

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 103
95TH GENERAL ASSEMBLY

0356S.06T

2009

AN ACT

To repeal sections 44.090, 174.700, 190.092, 306.903, and 701.355, RSMo, and to enact in lieu thereof six new sections relating to public safety, with an expiration date for a certain section.

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

67.281. A builder of single family dwellings or residences or multi-unit dwellings of four or fewer units shall offer to any purchaser on or before the time of entering into the purchase contract the option, at the purchaser's cost, to install or equip fire sprinklers in the dwelling, residence, or unit.

Notwithstanding any other provision of law to the contrary, no purchaser of such a single family dwelling, residence, or multi-unit dwelling shall be denied the right to choose or decline to install a fire sprinkler system in such dwelling or residence being purchased by any code, ordinance, rule, regulation, order, or resolution by any county or other political subdivision. Any county or other political subdivision shall provide in any such code, ordinance, rule, regulation, order, or resolution the mandatory option for purchasers to have the right to choose and the requirement that builders offer to purchasers the option to purchase fire sprinklers in connection with the purchase of any single family dwelling, residence, or multi-unit dwelling of four or fewer units. The provisions of this section shall expire on December 31, 2011.

As you know, the *2009 International Residential Code* mandates that all residential construction be equipped with a fire sprinkler system. Given the complexity, variable details, potential for protection of life and property, the expense of a residential fire sprinkler system to the home buyer in an already tight and struggling economy, the Fire Service Alliance (FSA) and the Home Builders Association of Missouri (HBAM) support the idea of legislation that will require a delay in the implementation of the portion of the 2009 IRC (Mandatory Residential Sprinkler portion only) until the end of 2011, but will require a "Mandatory Option" be offered to potential home buyers, to take effect on the effective date of the legislation.


HBAM, as part of the overall agreement, agrees that it or its agents will not seek to extend the "Sunset" of the legislation or introduce State Legislation that would prohibit a Local Government from passing the International Residential Code (IRC). Instead they will deal with the issue of residential sprinklers with the local government during a code adoption process.

A mandatory option places the burden on the home builder, the fire service and the fire sprinkler industry of providing all consumers with the factual educational material so that they may make an informed decision of whether or not a fire sprinkler system is right for their families. The FSA believes that residential sprinklers will greatly enhance the life safety of residents, property conservation, and the safety of Fire Fighters. Furthermore, the FSA and HBAM agree that this provision should only apply to residential construction that was not previously required to have fire sprinklers in the *2003* and *2006 International Residential Codes*. This means that the apartment and multi-family units currently required to install fire sprinkler systems will still be mandated to have a fire sprinkler system installed, as per those previous codes.

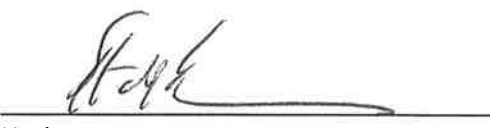
The FSA, HBAM, and the Sprinkler Industry will work together to address issues of public education on the importance of residential sprinklers, providing accurate, and consistent information to potential home buyers. Additionally, together we will build statistical data on installation cost, percentage of buyers opting to install sprinklers, and the outcome of any instances that happen in sprinklered residences. The idea behind this compromise is to entice home buyers to want the sprinkler system for their families by creating demand for consumer education initiatives. The fire service industry believes that issue should be resolved by the local jurisdictions with the right of the homebuilder community to advocate for mandatory options for home buyers.

Again, we ask that you work with your local Home Builders Association to come to a resolution that best meets the consumers' needs in the community. If you have any questions or concerns, then a delegation from the FSA and HBAM is more than willing to visit with you.

Thank you for your time and consideration.



Larry Boyle, Chairman
Missouri Fire Service Alliance



Herbert M. Lesser, Treasurer
Home Builders Association of Missouri