

LEGISLATIVE HISTORY CHECKLIST

NJSA: 52:27D-121 et al (Uniform Construction Code - require all new buildings to conform)

LAWS OF: 1983 **CHAPTER:** 496

Bill No: S1934

Sponsor(s): Caufield and others

Date Introduced: November 23, 1982

Committee: **Assembly:** Municipal Government; Education

Senate: County and Municipal Government

Amended during passage: Yes Substituted for A2204 (not attached since identical to S1934)

Date of Passage: **Assembly:** December 12, 1983
Senate: January 20, 1983

Date of Approval: January 17, 1984

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: **Assembly** Yes 12-8-83 & 6-27-83
Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: Yes

Hearings: Yes

Recommendations, referred to in statements:
974.90 New Jersey. Fire Safety Commission.
S128 Final report...11-22-82. Trenton, 1982.
1982b (see pp.10,12-24,138-143)

974.90 New Jersey. Commission to Study Governmental Law & Regulations
S128 Relating to Fire Safety Standards.
1981 Public hearing, held 8-18-81, 8-22-81, 10-20-81, 11-24-81.
South Orange, Camden, Asbury Park, New Brunswick, 1981.

Original from Library
A100/100/000/000

[SECOND OFFICIAL COPY REPRINT]

SENATE, No. 1934

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 23, 1982

By Senators CAUFIELD, FORAN, HIRKALA, LIPMAN, RAND,
CODEY, GALLAGHER, DUMONT, DALTON, BASSANO,
GORMLEY, DiFRANCESCO and BORNHEIMER

Referred to Committee on County and Municipal Government

AN ACT to amend and supplement the "State Uniform Construction
Code Act," approved October 7, 1975 (P. L. 1975, c. 217).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Section 3 of P. L. 1975, c. 217 (C. 52:27D-121) is amended
2 to read as follows:

3 3. Definitions. As used in this act unless the context clearly
4 indicates otherwise:

5 "Building" means **[**, exclusive of a public school facility,**]** a struc-
6 ture enclosed with exterior walls or fire walls, built, erected and
7 framed of component structural parts, designed for the housing,
8 shelter, enclosure and support of individuals, animals or property
9 of any kind.

10 "Business day" means any day of the year, exclusive of Satur-
11 days, Sundays, and legal holidays.

12 "Certificate of occupancy" means the certificate provided for in
13 section 15 of this act indicating that the construction authorized by
14 the construction permit has been completed in accordance with the
15 construction permit, the State Uniform Construction Code and any
16 ordinance implementing said code.

17 "Commissioner" means the Commissioner of Community
18 Affairs.

19 "Code" means the State Uniform Construction Code.

20 "Construction" means the construction, erection, reconstruction,

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

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Senate amendment adopted December 16, 1982.**

****—Assembly committee amendments adopted June 27, 1983.**

*****—Assembly committee amendments adopted December 8, 1983.**

21 alteration, conversion, demolition, removal, repair or equipping of
22 buildings or structures.

23 "Construction board of appeals" means the board provided for
24 in section 9 of this act.

25 "Department" means the Department of Community Affairs.

26 "Enforcing agency" means the municipal construction official
27 and subcode officials provided for in section 8 of this act and
28 assistants thereto.

29 "Equipment" means plumbing, heating, electrical, ventilating,
30 air conditioning; refrigerating and fire prevention equipment, and
31 elevators, dumb waiters, escalators, boilers, pressure vessels and
32 other mechanical facilities or installations.

33 "Hearing examiner" means a person appointed by the commis-
34 sioner to conduct hearings, summarize evidence, and make findings
35 of fact.

36 "Maintenance" means the replacement or mending of existing
37 work with equivalent materials or the provision of additional work
38 or material for the purpose of the safety, healthfulness, and up-
39 keep of the structure and the adherence to such other standards
40 of upkeep as are required in the interest of public safety, health
41 and welfare.

42 "Manufactured home" or "mobile home" means ***[a vehicular,
42A portable structure which is built on a chassis and designed to be
42B used without a permanent foundation as a dwelling for year round
42C rather than temporary occupancy when connected to required
43 utilities.]*** ***a unit of housing which:

43A (1) Consists of one or more transportable sections which are sub-
43B stantially constructed off site and, if more than one section, are
43C joined together on site;

44 (2) Is built on a permanent chassis;

45 (3) Is designed to be used, when connected to utilities, as a dwell-
45A ing on a permanent or nonpermanent foundation; and

46 (4) Is manufactured in accordance with the standards promul-
46A gated for a manufactured home by the Secretary of the United
46B States Department of Housing and Urban Development pursuant
46C to the "National Manufactured Housing Construction and Safety
46D Standards Act of 1974," Pub. L. 93-383 (42 U. S. C. § 5401 et seq.)
46E and the standards promulgated by the commissioner pursuant to
46F P. L. 1975, c. 217 (C. 52:27D-119 et seq.).***

47 "Municipality" means any city, borough, town, township or
48 village.

49 "Owner" means the owner or owners in fee of the property or
50 a lesser estate therein, a mortgagee or vendee in possession, an

51 assignee of rents, receiver, executor, trustee, lessee, or any other
 52 person, firm or corporation, directly or indirectly in control of a
 53 building, structure, or real property and shall include any sub-
 54 division thereof of the State.

55 "Premanufactured system" means an assembly of materials or
 56 products that is intended to comprise all or part of a building or
 57 structure***【**, exclusive of a public school facility,**】*** and that is
 58 assembled offsite by a repetitive process under circumstances
 59 intended to insure uniformity of quality and material content.

60 **【**"Public school facility" means any building or any part thereof
 61 where the plans and specifications are submitted to, and approved
 62 by, the State Board of Education pursuant to N. J. S. 18A:18-2.**】**

62A ***"Public school facility" means any building, or any part
 62B thereof of a school, under college grade, owned and operated by a
 62C local, regional, or county school district.**

63 "State sponsored code change proposal" means any proposed
 64 amendment or code change adopted by the commissioner in accord-
 65 ance with subsection c. of section 5 of this act for the purpose of
 66 presenting such proposed amendment or code change at any of the
 67 periodic code change hearings held by the National Model Code
 68 Adoption Agencies, the codes of which have been adopted as sub-
 69 codes under this act.

70 "Stop construction order" means the order provided for in sec-
 71 tion 14 of this act.

72 "State Uniform Construction Code" means the code provided
 73 for in section 5 of this act, or any portion thereof, and any modifi-
 74 cation of or amendment thereto.

75 "Structure" means**【**, exclusive of a public school facility,**】** a com-
 76 bination of materials to form a construction for occupancy, use,
 77 or ornamentation whether installed on, above, or below the surface
 78 of a parcel of land; provided, the word "structure" shall be con-
 79 strued when used herein as though followed by the words "or
 80 part or parts thereof and all equipment therein" unless the context
 81 clearly requires a different meaning.

1 2. Section 5 of P. L. 1975, c. 217 (C. 52:27D-123) is amended
 2 to read as follows:

3 5. Adoption of a State Uniform Construction Code.

4 a. The commissioner shall after public hearing pursuant to
 5 section 4 of the "Administrative Procedure Act," P. L. 1968, c. 410
 6 (C. 52:14B-4) adopt a State Uniform Construction Code for the
 7 purpose of regulating the structural design, construction, mainte-
 8 nance and use of buildings or structures to be erected and altera-
 9 tion, renovation, rehabilitation, repair, maintenance, removal or

10 demolition of buildings or structures already erected. Prior to
11 the adoption of said code, the commissioner shall consult with the
12 code advisory board and other departments, divisions, bureaus,
13 boards, councils or other agencies of State Government heretofore
14 authorized to establish or administer construction regulations.

15 Such prior consultations with departments, divisions, bureaus,
16 boards, councils, or other agencies of State Government shall in-
17 clude but not be limited to consultation with the Commissioner of
18 Health and the Public Health Council prior to adoption of a plumb-
19 ing subcode pursuant to paragraph b. of this section. Said code
20 shall include any code, rule or regulation incorporated therein by
21 reference.

22 b. The code shall be divided into subcodes which may be adopted
23 individually by the commissioner as he may from time to time
24 consider appropriate. Said subcodes shall include but not be limited
25 to a building code, a plumbing code, an electrical code, an energy
26 code, a fire prevention code, a manufactured or mobile home code
27 and mechanical code.

28 These subcodes shall be adoptions of the model codes of the
29 Building Officials and Code Administrators International, Inc., the
30 National Electrical Code, and the National Standard Plumbing
31 Code, provided that for good reasons, the commissioner may adopt
32 as a subcode a model code or standard of some other nationally
33 recognized organization upon a finding that such model code or
34 standard promotes the purposes of this act. The initial adoption
35 of a model code or standard as a subcode shall constitute adoption
36 of any subsequent revisions or amendments thereto.

37 The commissioner shall be authorized to adopt a barrier free
38 subcode or to supplement or revise any model code adopted here-
39 under, for the purpose of insuring that adequate and sufficient
40 features are available in buildings or structures so as to make
41 them accessible to and usable by the physically handicapped.

42 c. Any municipality through its construction official, and any
43 State agency or political subdivision of the State may submit an
44 application recommending to the commissioner that a State spon-
45 sored code change proposal be adopted. Such application shall
46 contain such technical justification and shall be submitted in
47 accordance with such rules of procedure as the commissioner may
47A deem appropriate***, *except that whenever the State Board of*
47B *Education shall determine that enhancements to the code are essen-*
47C *tial to the maintenance of a thorough and efficient system of educa-*
47D *tion, the enhancements shall be made part of the code provided that*
47E *the amendments do not result in standards that fall below the*

47F adopted subcodes. The Commissioner of the Department of Edu-
48 cation shall consult with the Commissioner of the Department of
48A Community Affairs prior to publishing the intent of the State Board
48B to adopt any amendments to the Uniform Construction Code. Upon
48C adoption of any amendments by the State Board of Education they
48D shall be transmitted forthwith to the Commissioner of the Depart-
48E ment of Community Affairs who shall publish and incorporate the
48F amendments as part of the Uniform Construction Code and the
48G amendments shall be enforceable as if they had been adopted by
48H the commissioner***.

49 At least 45 days prior to the final date for the submission of
50 amendments or code change proposals to the National Model Code
51 Adoption Agency, the code of which has been adopted as a subcode
52 under this act, the commissioner shall hold a public hearing in ac-
53 cordance with the Administrative Procedure Act, P. L. 1968, c. 410
54 (C. 52:14B-1 et seq.), at which testimony on any application recom-
55 mending a State sponsored code change proposal will be heard.

56 The commissioner shall maintain a file of such applications, which
57 shall be made available to the public upon request and upon pay-
58 ment of a fee to cover the cost of copying and mailing.

59 After public hearing, the code advisory board shall review any
60 such applications and testimony and shall within 20 days of such
61 hearing present its own recommendations to the commissioner.

62 The commissioner may adopt, reject or return such recommenda-
63 tions to the code advisory board for further deliberation. If adopted,
64 any such proposal shall be presented to the subsequent meeting
65 of the National Model Code Agency by the commissioner or by
66 persons designated by the commissioner as a State sponsored code
67 change proposal. Nothing herein, however, shall limit the right
68 of any municipality, the department, or any other person from
69 presenting amendments to the National Model Code Agency on its
70 own initiative.

71 The commissioner may adopt further rules and regulations pur-
72 suant to this subsection and may modify the procedures herein
73 described when a model code change hearing has been scheduled
74 so as not to permit adequate time to meet such procedures.

75 d. [The Department of Education shall annually update its rules
76 and regulations concerning public school facilities for the purpose
77 of, insofar as appropriate for such facilities making them conform
78 with the State Uniform Construction Code. Such updating shall be
79 undertaken in consultation with the commissioner. Within three
80 years from the effective date of this act, the Department of Edu-
81 cation and commissioner shall submit to the Legislature reports

82 on the extent to which the Department of Education's rules and
 83 regulations have been brought into conformity with the code, and
 84 identifying problems still outstanding for purposes of applying
 85 the provisions of the code to all public school facilities.] (*Deleted*
 86 *by amendment, P. L. . . . , c. . . .*)

1 3. Section 11 of P. L. 1975, c. 217 (C. 52:27D-129) is amended
 2 to read as follows:

3 11. **[State buildings and buildings]** ****[Buildings]**** ****State**
 4 *buildings and buildings*** of interstate agencies. a. **[Notwith-**
 5 **standing any other provision of this act, the Division of Buildings**
 6 **and Construction in the Department of the Treasury shall have**
 7 **exclusive authority to administer and enforce the code in regard**
 8 **to buildings and structures owned by the State, and any of its**
 9 **departments, divisions, bureaus, boards, councils, authorities or**
 10 **other agencies provided that the division shall enforce the code**
 11 **with persons certified by the commissioner pursuant to this act.**
 12 **Prior to approval of plans and specifications for a structure or**
 13 **building costing in excess of \$50,000.00, the Division of Buildings**
 14 **and Construction in the Department of the Treasury shall hold**
 15 **a public hearing in the county in which the building is to be**
 16 **located.]** ****[(Deleted by amendment, P. L. . . . , c. . . .)]****
 17 ****Notwithstanding any other provision of P. L. 1975, c. 217 (C.**
 18 **52:27D-119 et seq.), the Department of Community Affairs shall**
 19 **have exclusive authority to administer and enforce the code in**
 20 **regard to buildings and structures owned by the State, and any of**
 21 **its departments, divisions, bureaus, boards, councils, authorities or**
 22 **other agencies; provided, however, that the Division of Building**
 23 **and Construction in the Department of the Treasury shall have**
 24 **authority to conduct field inspections for the purpose of enforcing**
 25 **the code in buildings built under its supervision. The Division of**
 26 **Building and Construction shall be authorized to review plans and**
 27 **undertake construction if the Department of Community Affairs**
 28 **cannot approve plans within the 20 day period provided for in**
 29 **P. L. 1975, c. 217. The Division of Building and Construction shall**
 30 **carry out any review or inspection responsibilities with persons**
 31 **certified by the Commissioner of the Department of Community**
 32 **Affairs pursuant to the provisions of P. L. 1975, c. 217. The Depart-**
 33 **ment of Community Affairs shall have ultimate responsibility for**
 34 **insuring that all buildings conform to the requirements of the**
 35 **code.****

36 b. Construction, alteration, renovation, rehabilitation, repair,
 37 removal or demolition of any building or structure situated wholly
 38 within New Jersey by or for an agency created by an interstate

39 compact to which the State of New Jersey is a party shall be sub-
40 ject to the provisions of the code; provided that such interstate
41 agency shall have exclusive authority to administer and enforce
42 the code in regard to such buildings and structures.

1 4. Section 12 of P. L. 1975, c. 217 (C. 52:27D-130) is amended
2 to read as follows:

3 12. Permit required for construction or alteration of buildings
4 and structures; application therefor; required contents of applica-
5 tion; issuance, effect and duration of permits ***certain public*
6 *school facilities***【; public school facilities】. Except as otherwise
7 provided by this act or in the code, before construction or alteration
8 of any building or structure, the owner, or his agent, engineer or
9 architect, shall submit an application in writing, including signed
10 and sealed drawings and specifications, to the enforcing agency as
11 defined in this act. The application shall be in accordance with
12 regulations established by the commissioner and on a form pre-
13 scribed by the commissioner and shall be accompanied by payment
14 of the fee to be established by the municipal governing body by
15 ordinance in accordance with standards established by the com-
16 missioner. The application for a construction permit shall be filed
17 with the enforcing agency and shall be a public record; and no
18 application for a construction permit shall be removed from the
19 custody of the enforcing agency after a construction permit has
20 been issued. Nothing contained in this paragraph shall be inter-
21 preted as preventing the imposition of requirements in the code, for
22 additional permits for particular kinds of work, including but not
23 limited to plumbing, electrical, elevator, fire prevention equipment
24 or boiler installation or repair work, or in other defined situations.

25 【When final plans for the construction or alteration of a public
26 school facility are submitted to the Department of Education, for
27 approval, such plans shall also be filed with the enforcing agency
28 of the municipality in which the public school facility is located.
29 The enforcing agency shall have the right to inspect any construc-
30 tion or alteration of a public school facility for the purpose of
31 advising the board of education of the school district in which the
32 public school facility is being constructed and the Commissioner
33 of Education of any violations of the school house guide, adopted
34 pursuant to Title 18A of the New Jersey Statutes, or practices
35 detrimental to the health and safety of the community. The advice
36 of the enforcing agency shall be binding upon the district board of
37 education, except that an appeal to the Department of Education
38 shall be available to the district board of education. When changes
39 in the plans for construction or alteration of a public school

40 facility are submitted to the Department of Education, for
41 approval, said plans shall also be submitted to the enforcing agency
42 of the municipality in which the public school facility is or shall
43 be located.】

44 ***No permit shall be issued for a public school facility which*
45 *requires the approval of the Department of Education unless the*
46 *plans have been first approved by the Department of Education.*
47 *Approval by the Department of Education shall only be required*
48 *when a review for educational adequacy is necessary. Requirements*
49 *determining when a review for educational adequacy is necessary*
50 *shall be established jointly by the Department of Community*
51 *Affairs and the Department of Education within 180 days of the*
52 *effective date of this act. The standards shall thereafter be adopted*
53 *as part of the Uniform Construction Code regulations by the*
54 *Department of Community Affairs. The Department of Education*
55 *when approving plans shall be responsible for insuring that the*
56 *plans conform to the requirements of the code as well as for*
57 *insuring that they provide for an educationally adequate facility.*
58 *In carrying out its responsibility pursuant to the provisions of this*
59 *section the Department of Education shall employ persons licensed*
60 *by the Commissioner of the Department of Community Affairs for*
61 *the type and level of plans being reviewed.***

1 5. (New section) Any law or regulation to the contrary notwith-
2 standing, the structure, design, construction, maintenance and use
3 of all buildings or structures to be erected and the alteration, reno-
4 vation, rehabilitation, repair, maintenance, removal, or demolition
5 of all buildings or structures already erected shall be regulated
6 pursuant to the "State Uniform Construction Code Act," P. L.
7 1975, c. 217 (C. 52:27D-119 et seq.).

1 6. This act shall take effect on the ninety-first day following
2 enactment.

3 of all buildings or structures to be erected and the alteration, reno-
 4 vation, rehabilitation, repair, maintenance, removal, or demolition
 5 of all buildings or structures already erected shall be regulated
 6 pursuant to the "State Uniform Construction Code Act," P. L.
 7 1975, c. 217 (C. 52:27D-119 et seq.).

1 6. This act shall take effect on the ninety-first day following
 2 enactment.

STATEMENT

The purpose of this bill is to require all buildings constructed in the State to comply with the construction regulations and the plan review and enforcement provisions of the "State Uniform Construction Code Act."

The New Jersey Fire Safety Study Commission, during the course of its work on fire regulations in the State conducted pursuant to Joint Resolution No. 7 of 1981, concluded that the safety of New Jersey's citizens from fire is being eroded because certain types of buildings are exempt from some or all of the provisions of the "State Uniform Construction Code Act" (UCC). A majority of the UCC's regulations deal with fire safety.

According to current law, the Department of Education is permitted to promulgate its own construction code (section 12 of P. L. 1975, c. 217; C. 52:27D-123). This code, which is required by law to be based upon the UCC, differs from it in significant ways. Public schools and State buildings are exempt from the plan review and enforcement provisions of the UCC (sections 11 and 12 of P. L. 1975, c. 217; C. 52:27D-129 and C. 52:27D-130), a situation which, in the opinion of the Fire Safety Study Commission, might lead to the sacrifice of safety for the sake of budgets.

Enactment of this bill would bring true uniformity to the "State Uniform Construction Code Act" by requiring buildings now exempted from the UCC to comply with it.

51934 (1983)

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 1934

[ASSEMBLY REPRINT]

[OFFICIAL COPY REPRINT]

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 8, 1983

This bill amends the "State Uniform Construction Code Act," P. L. 1975, c. 217 (C. 52:27D-119 et seq.) to require by statute that all buildings constructed in New Jersey comply with the construction regulations, plan review requirements and enforcement procedures of the State Uniform Construction Code.

Further, it requires that the Department of Community Affairs have ultimate authority for promulgating the administrative code for such construction and ensuring that all buildings conform to code requirements, except that the authority for the inspection of State buildings is delegated to the Division of Buildings and Construction in the Department of Treasury, and the authority to approve building permits for all elementary and secondary schools is delegated to the Department of Education.

In addition, Senate Bill No. 1934 AR OCR requires that any persons engaged in either building inspection and enforcement, or plans and permit approval, be certified by the Department of Community Affairs.

BACKGROUND:

Currently, by State Board of Education regulation, the construction and alteration of all school buildings are required to conform to the State Uniform Construction Code except where the State board has determined that the code has not taken into account particular improvements for the safety of school children. In addition, plan review and enforcement of all code requirements is currently delegated to the Department of Education. Senate Bill No. 1934 AR OCR would remove the authority to promulgate building code requirements for school buildings from the State board and transfer the authority to the Department of Community Affairs. Further, it would transfer the authority to enforce the requirements from the Department of Education to the Department of Community Affairs but would permit the Department of Education staff to approve all construction and alteration plans and permits.

With respect to the promulgation of the code for the construction of State buildings, the Department of Treasury currently is authorized to promulgate all code requirements. Senate Bill No. 1934 AR OCR removes this authority from the Department of Treasury and places it with the Department of Community Affairs; however, authority to inspect and enforce compliance with all code requirements in the construction and alteration of State buildings remains with the Division of Buildings and Construction in the Department of Treasury.

ASSEMBLY EDUCATION COMMITTEE AMENDMENTS:

Committee amendments authorize the State Board of Education to enhance the State Uniform Construction Code if: (1) the enhancements are essential to the maintenance of a thorough and efficient system of education, and, (2) the standards do not fall below the adopted sub-codes. Also, the committee amended the bill to conform to P. L. 1983, c. 388 which was approved on November 16, 1983.

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 1934

[OFFICIAL COPY REPRINT]

with Assembly committee amendment

STATE OF NEW JERSEY

DATED: JUNE 27, 1983

Senate Bill No. 1934 OCR, as amended by the committee, amends and supplements the "State Uniform Construction Code Act," P. L. 1975, c. 217 (C. 52:27D-119 et seq.) to require that all buildings constructed in the State comply with the construction regulations, plan review requirements and enforcement procedures of the State Uniform Construction Code.

Under current law, public schools and State buildings are exempt from the provisions of the Uniform Construction Code. Public schools are subject to a construction code promulgated by the Department of Education. The department is also responsible for administering and enforcing the public school code. State buildings are subject to the Uniform Construction Code, but the administration and enforcement of the code is the responsibility of the Division of Buildings and Construction in the Department of Treasury.

Senate Bill No. 1934 OCR, as amended by the committee, eliminates the current exemptions for public schools and State buildings. Under the provisions of the bill, the Department of Community Affairs would have exclusive authority to administer and enforce the code.

The committee, at the sponsor's request, amended the bill to clarify the definition of a "public school facility" and to provide for plan review by the Department of Education for the purposes of insuring educational adequacy. The standards for determining when an education review is necessary are to be promulgated jointly by the Department of Education and the Department of Community Affairs. In reviewing plans and checking for code compliance, the Department of Education is to employ and utilize persons licensed by the Department of Community Affairs.

The committee also amended the bill to empower the Division of Buildings and Construction to conduct field inspections of buildings under its jurisdiction, enforce the code and review plans when the Department of Community Affairs is unable to do so within 20 days.

In all other cases, the Department of Community Affairs has exclusive jurisdiction for code enforcement with regard to State buildings.

The committee notes that the provisions of Senate Bill No. 1934 OCR, as amended by the committee, are identical to Assembly Bill No. 2204 Aca.

SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO

SENATE, No. 1934

with Senate committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 16, 1982

Senate Bill No. 1934 would amend the "State Uniform Construction Code Act," P. L. 1975, c. 217 (C. 52:27D-119 et seq.), to require all buildings constructed in the State to comply with the provisions of the State Uniform Construction Code.

Currently, public schools and State buildings are exempt from the code provisions. The Department of Education promulgates its own construction code for public schools and the Division of Buildings and Construction in the Department of the Treasury has authority to administer and enforce the State code for State buildings. Senate Bill No. 1934 would eliminate the exemption of public schools and State buildings from the code so that all buildings will comply with the State Uniform Construction Code.

It should be noted that although section 5 of Senate Bill No. 1934 effectively supersedes the four sections of Title 18A (C. 18A:4-35, C. 18A:18A-16, C. 18A:22-4.2, and C. 18A:20-36) that relate to the Department of Education's requirements for public schools, the four sections still remain unchanged in Title 18A.

This bill represents one of the several final recommendations of the New Jersey Fire Safety Study Commission.

The Senate committee amendment is technical in nature.