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## FISCAL IMPACT REPORT

ORIGINAL DATE 2/12/19

SPONSOR SCORC LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE PRC Fire Safety Standards SB 143/SCORCS

ANALYST Martinez

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	Moderate, See Fiscal Implications	Moderate, See Fiscal Implications	Moderate, See Fiscal Implications	Moderate, See Fiscal Implications	Moderate, See Fiscal Implications	Moderate, See Fiscal Implications

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to: HB 177

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Public Regulation Commission (PRC)

### SUMMARY

#### Synopsis of SCORC Substitute for SB 143

The Senate Corporations and Transportation Committee Substitute for Senate Bill 143 would require the Public Regulation Commission (PRC) to promulgate rules requiring inspection and testing of fire and smoke dampers and smoke control systems in accordance with national fire protection association standards (NFPA) for a set list of occupancies. NFPA standards require inspection and testing upon installation, one year thereafter, and then every four years. This differs from the current requirement that requires inspections and testing at the time of installation.

### FISCAL IMPLICATIONS

SB143 carries no appropriation.

The Public Regulation Commission Submitted the Following:

SB 143 would require fire and smoke damper inspections and smoke control inspections to be conducted by the state or political subdivision of the state with a fire and life safety enforcement program. The net effect of removing the defined terms, and instead adding a reference to a governmental entity having a fire and life safety enforcement program, as SB 143 would broaden the scope of the governmental entities allowed to conduct inspection and testing given the additional requirements that were present in the defined terms.

SB 143 would require these inspections to be conducted if “by the state or political subdivision of the state” or if by “other person” to have a life safety certification from a program accredited by the American National Standards Institute”. Finally, SB 143 would require findings of noncompliance to be given to the owner of the public occupancy and to the state fire marshal instead of the owner of the public occupancy and the authority having jurisdiction.

Currently, the PRC has no employees qualified under the requirements of SB143 to perform the required tests and inspections. The PRC estimates it would take four to six additional FTE to provide a backstop to governments throughout the State of New Mexico that could not afford to provide the tests and inspections required under SB143.

### **SIGNIFICANT ISSUES**

The Public Regulation Commission submitted the following:

In addition, the PRC estimates that testing and inspection according to the mandates of SB143 would cost a significant amount of money for the State Fire Marshal’s Office.

### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status Quo, certified damper inspections will still be acceptable by those currently performing them.

JM/sb/gb