

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003**

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**HOUSE BILL 1050**

Short Title: Fire Safety in Jails.

(Public)

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Sponsors: Representatives Frye; and Pate.

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Referred to: Local Government II.

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April 10, 2003

A BILL TO BE ENTITLED

AN ACT TO IMPROVE FIRE SAFETY IN LOCAL CONFINEMENT FACILITIES.

The General Assembly of North Carolina enacts:

**SECTION 1.** Each local confinement facility in the State shall provide for a licensed professional engineer and architect to evaluate the fire safety of the building containing the local confinement facility, including its proximity to other structures and its fire and safety equipment and systems. Each architect and engineer shall determine what, if any, fire safety upgrades are necessary in order to bring the facility into compliance with applicable State or local laws, rules, or regulations related to fire safety for existing facilities, including the provisions of the National Fire Protection Code 101 (1991 edition) applicable to existing detention facilities, the North Carolina State Building Code in force at the time the facility was constructed, modified, or renovated, the current North Carolina Fire Prevention Code, and the requirements set forth in Subchapter 10-3J of the North Carolina Administrative Code.

**SECTION 2.** Each architect and engineer shall report the results of his or her evaluation by July 1, 2004, to the unit of local government responsible for the operation of the local confinement facility, as well as to the Jails and Detention Branch of the Division of Facility Services of the Department of Health and Human Services. In the event that the reports indicate that a local confinement facility is not in compliance with the applicable standards, the unit of local government responsible for the facility shall arrange for the necessary upgrades to be made, and shall devise and implement an interim safety plan to assure reasonably equivalent fire safety measures are in place pending the completion of the upgrades. Each local confinement facility shall be brought into compliance no later than January 1, 2007.

**SECTION 3.** This act is effective when it becomes law.