COMMITTEE REPORT

March 25, 2010

**H. 4663**

Introduced by Reps. Sandifer, Bales, Cobb‑Hunter, Cato, McEachern, Hamilton, Loftis, G.R. Smith, Wylie, Stringer, Willis, Clemmons, Barfield, Ballentine, Whitmire, White, Toole, Huggins, Pinson, Gunn, Norman, Millwood, Simrill, Delleney, Owens, Bannister, Rice, Erickson, D.C. Moss, Stewart, Mitchell, Bowen, J.E. Smith, Dillard, Herbkersman, Chalk, Haley and Viers

S. Printed 3/25/10--H.

Read the first time March 2, 2010.

**THE COMMITTEE ON**

**LABOR, COMMERCE AND INDUSTRY**

To whom was referred a Bill (H. 4663) to amend the Code of Laws of South Carolina, 1976, by adding Section 6‑9‑55 so as to provide that a building code provision that requires an automatic, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking Section 6‑9‑55(C) and (D) in their entirety, as contained in SECTION 1, page 2, lines 1‑6, and inserting:

/ (C) A residential builder or general contractor of a one‑family or two‑family dwelling in a jurisdiction in which an automatic fire sprinkler system is required by the International Residential Code must inform the prospective homeowner that automatic fire sprinkler systems are available, offer the prospective homeowner the option of installing an approved automatic fire sprinkler system in accordance with the International Residential Code, and provide the prospective homeowner with an estimate of the total cost of installing a system.

(D) If a builder constructs a home in anticipation of selling it to an unknown homebuyer, the builder shall notify a prospective homebuyer if an approved automatic fire sprinkler in accordance with the International Residential Code is not installed in the home. /

Renumber sections to conform.

Amend title to conform.

WILLIAM E. SANDIFER for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6‑9‑55 SO AS TO PROVIDE THAT A BUILDING CODE PROVISION THAT REQUIRES AN AUTOMATIC RESIDENTIAL FIRE SPRINKLER SYSTEM BE INSTALLED IN A NEW ONE‑FAMILY OR TWO‑FAMILY DWELLING MAY NOT BE ENFORCED, TO PROVIDE CERTAIN PROSPECTIVE HOMEOWNERS MAY CHOOSE WHETHER TO HAVE AN AUTOMATIC SPRINKLER SYSTEM INSTALLED, TO MAKE THE INSTALLATION OF AN AUTOMATIC SPRINKLER SYSTEM APPROVED BY THE INTERNATIONAL RESIDENTIAL CODE AVAILABLE WHERE REQUIRED BY THAT CODE, AND TO PROVIDE WHERE THE PROVISIONS OF THIS SECTION CONTROL EVEN WHEN THEY CONFLICT WITH ANOTHER LAW OR LOCAL ORDINANCE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 9, Title 6 of the 1976 Code is amended by adding:

“Section 6‑9‑55. (A) A building code provision that requires an automatic residential fire sprinkler system be installed in a new one‑family or two‑family dwelling may not be enforced.

(B) A prospective homeowner of a one‑family or two‑family dwelling in a jurisdiction in which installation of an automatic fire sprinkler system is required by a building code provision may choose whether to have the sprinkler system installed.

(C) A residential builder or general contractor of a one‑family or two‑family dwelling in a jurisdiction in which an automatic fire sprinkler system is required by the International Residential Code shall offer the homeowner the option of installing an approved automatic fire sprinkler system in accordance with the International Residential Code.

(D) To the extent that the provisions of this section conflict with another state law or local ordinance, this section must control.”

SECTION 2. This act takes effect January 1, 2011.

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