**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 4 TO CHAPTER 23, TITLE 59 SO AS TO REQUIRE FIRE AND SAFETY INSPECTIONS AT ALL PUBLIC SCHOOL FACILITIES AT LEAST ANNUALLY, AND TO PROVIDE RELATED POWERS AND DUTIES OF THE OFFICE OF THE STATE FIRE MARSHAL.

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

SECTION 1. Chapter 23, Title 59 of the 1976 Code is amended by adding:

“Article 4

School Fire and Safety Inspections

Section 59‑23‑410. (A) All new and existing operating public school facilities annually must have a fire and safety inspection, except the Office of the State Fire Marshal may adopt regulations providing for inspections at more frequent intervals. The State Fire Marshal shall work in conjunction with local resident fire marshals to ensure this inspection is conducted for all public schools.

(B) The Office of the State Fire Marshal shall work in conjunction with the State Department of Education’s Office of School Facilities to ensure a fire and safety inspection of each new school is conducted before occupancy and to ensure that additions to schools and school alterations are also inspected.

(C) The inspections required in this section must be made only by inspectors approved and registered with the Office of the State Fire Marshal.

(D) A report of every inspection must be filed with the Office of the State Fire Marshal and the Department of Education’s Office of School Facilities by the inspector, on a form approved by and containing all information required by the Office of the State Fire Marshal and the Department of Education, after the inspection has been completed and within the time provided by regulation, but not to exceed thirty days.

(E) A compliance inspection must be conducted within one hundred eighty days of any annual inspection that indicates a fire or safety hazard to determine if the school facility has corrected the violation.

Section 59‑23‑420. The Office of the State Fire Marshal shall promulgate regulations governing the fire and safety inspections of new and existing public schools for the public safety and to protect the public welfare. These regulations include, but are not limited to:

(1) the amount of fees charged and collected for inspections, in setting these fees consideration must be given to the reasonable time required to conduct an inspection, reasonable hourly wages paid to inspectors, and reasonable transportation and similar expenses;

(2) a registration procedure and qualification requirements for inspectors authorized under this chapter;

(3) conformance with the fire prevention and protection standards based upon nationally recognized standards for the prevention of fires and the protection of life and property; and

(4) any other regulation the division considers necessary to implement the provisions of this article.

Section 59‑23‑430. A political subdivision may not make or maintain an ordinance, bylaw, or resolution providing for the licensing of inspectors designated under this article. An ordinance, bylaw, or resolution relating to the annual fire and safety inspections for operating public school facilities within the limits of the political subdivision which conflicts with the provisions of this article or with regulations promulgated by the division, is void.”

SECTION 2. This act takes effect upon approval by the Governor.

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