

HOUSE BILL No. 2190

AN ACT concerning institutions of postsecondary education; relating to buildings and structures located on the land of such institutions; amending K.S.A. 31-150 and 58-1304 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 31-150 is hereby amended to read as follows: 31-150. (a) Except as otherwise provided in subsection (b), the construction of school buildings shall comply with the requirements of the 1985 edition of the uniform building code, volume I, and the 1985 edition of the uniform mechanical code, of the international conference of building officials. All electric wiring shall conform to requirements of the 1984 issue of the national electric code of the national fire protection association. Minimum plumbing requirements shall meet the 1985 edition of the uniform plumbing code issued by the international association of plumbing and mechanical officials.

(b) The construction of mobile, modular, portable or relocatable school buildings shall conform to the requirements of the 1985 edition of the life safety code as adopted by the national fire protection association. Minimum plumbing requirements shall meet the 1985 edition of the uniform plumbing code issued by the international association of plumbing and mechanical officials.

(c) The construction of all school buildings shall conform to the provisions for making buildings and facilities accessible to, and usable by, persons with a disability, as required by K.S.A. 58-1301 through 58-1311, and amendments thereto.

(d) No contract shall be let for the construction of any school building, and it shall be illegal to pay out any public funds for the construction of a school building until the plans for such building shall: (1) Bear the seal of an architect or a professional engineer licensed by the state board of technical professions of the state of Kansas certifying that the plans meet the applicable requirements of this act; and (2) be submitted to the state board of education for approval as to compliance with such requirements.

(e) The provisions of subsections (c) and (d) of this section shall not apply to any building or structure operated or used for any purpose by, or located upon the land of any *community college, area vocational school, area vocational-technical school, technical college, or institution* under the ~~control and supervision~~ *governance* of the state board of regents. *Prior to construction of any new building or remodeling of any existing building, all community colleges, area vocational schools, area vocational-technical schools, technical colleges and institutions under the governance of the state board of regents shall submit to the state fire marshal a code footprint for evaluation and approval of the fire/life safety features of such buildings.*

(f) The relocation of school buildings to which the provisions of subsection (b) apply shall not be construed to be construction or reconstruction under the provisions, or for the purposes, of this section.

(g) The construction or reconstruction of any school building to which the provisions of this section were applicable prior to January 26, 1992, shall be governed by the provisions of this section which were in effect on the date the contract for such construction or reconstruction was entered into.

(h) The state fire marshal shall adopt rules and regulations specifying those subsequent editions of the codes enumerated in subsections (a) and (b) which the state fire marshal has determined provide protection equivalent to those editions specified herein. Compliance with any subsequent edition specified by such rules and regulations shall be considered compliance with the edition of the code specified by this section.

Sec. 2. K.S.A. 58-1304 is hereby amended to read as follows: 58-1304. (a) The responsibility for enforcement of this act shall be as follows: (1) For all existing Title II school facilities, and the design and construction of all new, additions to and alterations of Title II school facilities, the state board of education, by plan approval as required by K.S.A. 31-150, and amendments thereto. ~~School~~ *Facilities operated or used for any purpose by, or located upon the land of any community college, area vocational school, area vocational-technical school, technical college, or institution* under the ~~control~~ *governance* of the state board of regents shall not be subject to the provisions of this subsection;

(2) for all existing state government facilities, and the design and con-

struction of all new, additions to and alterations of, facilities for which federal, state, county funds or funds of other political subdivisions of the state or private funds are utilized on state property, the secretary of administration;

(3) for all existing facilities, and the design and construction of all new, additions to and alterations of, any local government facilities where funds of a county, municipality or other political subdivision are utilized, the governmental entity thereof or an agency thereof designated by the governmental entity;

(4) for the design and construction of all other new, additions to and alterations of, facilities which are subject to the provisions of this act, the building inspector or other agency or person designated by the governmental entity in which the facility is located.

(b) The attorney general of the state of Kansas shall oversee the enforcement of this act.

Sec. 3. K.S.A. 31-150 and 58-1304 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the HOUSE, and passed that body

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.