

Fifty-fifth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2032**

Introduced by

Legislative Council

(Education Finance Committee)

1 A BILL for an Act to create and enact a new section to chapter 15-35 of the North Dakota  
2 Century Code, relating to the inspection of schools by the state fire marshal; and to amend and  
3 reenact section 18-01-02 of the North Dakota Century Code, relating to the duties of the state  
4 fire marshal.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1.** A new section to chapter 15-35 of the North Dakota Century Code is  
7 created and enacted as follows:

8 **Inspection of schools - Submission of inspection report - Correction of**  
9 **deficiencies.**

10 1. The state fire marshal shall inspect each public and private elementary and  
11 secondary school in this state at least once every three years. The state fire  
12 marshal shall prepare an inspection report and categorize each noted deficiency.  
13 The state fire marshal shall provide copies of the report to the superintendent of  
14 the school district and the superintendent of public instruction.

15 2. a. If a noted deficiency is related to a school's design, it must be corrected  
16 whenever any construction, repair, improvement, renovation, or modernization  
17 of the school is undertaken, as provided in section 15-35-01.1.

18 b. If a noted deficiency is related to fire safety, the building principal shall remedy  
19 the deficiency within a time period acceptable to the state fire marshal or  
20 submit a plan of correction to the state fire marshal within a time period  
21 acceptable to the state fire marshal. The plan must be approved by the state  
22 fire marshal.

23 c. If a noted deficiency is an imminent fire hazard, the state fire marshal may  
24 request the building principal to take immediate remedial action or

1                   recommend to the superintendent of public instruction the immediate closure  
2                   of some or all of the school, until the fire hazard is eliminated. In the case of a  
3                   closure, the superintendent of the school district in which the public school is  
4                   located, or the administrator of the private school shall cooperate with the  
5                   superintendent of public instruction to make adequate arrangements for the  
6                   interim education of all affected students.

7                   **SECTION 2. AMENDMENT.** Section 18-01-02 of the 1995 Supplement to the North  
8                   Dakota Century Code is amended and reenacted as follows:

9                   **18-01-02. Duties of state fire marshal and deputy state fire marshals.** The state  
10                  fire marshal and deputy state fire marshals may enforce all the laws of the state providing for:

- 11                  1.    The prevention of fires.
- 12                  2.    The storage, sale, and use of combustibles and explosives.
- 13                  3.    The installation and maintenance of automatic or other fire alarms and fire  
14                        extinguishing equipment.
- 15                  4.    The means and adequacy of exits in case of fires from all public and private  
16                        elementary and secondary schools, from all public places, and from all other  
17                        places in which fifty or more persons congregate from time to time for any purpose.
- 18                  5.    The suppression of arson and the investigation of the cause and origin of fires.
- 19                  6.    The education of the citizens of North Dakota on the hazards of fire, through  
20                        organized programs.