

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILLNo. **563** Session of
2021INTRODUCED BY LAUGHLIN, FONTANA, ARGALL, SCHWANK, CAPPELLETTI
AND REGAN, APRIL 16, 2021AS REPORTED FROM COMMITTEE ON LABOR AND INDUSTRY, HOUSE OF
REPRESENTATIVES, AS AMENDED, APRIL 12, 2022

AN ACT

1 Amending the act of April 27, 1927 (P.L.465, No.299), entitled
2 "An act to provide for the safety of persons employed,
3 housed, or assembled in certain buildings and structures by
4 requiring certain construction and ways of egress, equipment,
5 and maintenance; providing for the licensing of
6 projectionists, except in cities of the first class and
7 second class; requiring the submission of plans for
8 examination and approval; providing for the promulgation of
9 rules and regulations for the enforcement of this act;
10 providing for the enforcement of this act by the Department
11 of Labor and Industry, the Department of Health, boards of
12 school directors and, in certain cases, by the chiefs of fire
13 departments in cities of the third class; providing penalties
14 for violations of the provisions of this act; and repealing
15 certain acts," further providing for standards for Class VI
16 buildings.

17 The General Assembly of the Commonwealth of Pennsylvania
18 hereby enacts as follows:

19 Section 1. Section 3.6(f)(1)(i), (f.1) and (g) of the act of
20 April 27, 1927 (P.L.465, No.299), referred to as the Fire and
21 Panic Act, are amended to read:

22 Section 3.6. Standards for Class VI Buildings.--

23 (f) (1) (i) As to family [child day-care] child-care
24 homes, a facility [registered] licensed by the Department of

1 [Public Welfare] Human Services as of [April 4, 1992,] the
2 effective date of this section, shall be permitted [one full
3 registration period of twenty-four (24) months beyond] 12 months
4 from the effective date of this section, or until the expiration
5 of [the current certificate of registration] its current
6 license, whichever is longer, to comply with the requirements of
7 this section.

8 ~~(f.1) (1) The smoke detection [devises] devices required~~ <--
9 ~~under this section [need not] shall be interconnected [or~~
10 ~~electronically connected] via hardwire, Bluetooth connectivity~~
11 ~~or any other means that allow for communication between devices~~
12 ~~for family [child day care] child care homes. For the purposes~~
13 ~~of this act, [noninterconnected] battery operated,~~
14 ~~interconnected smoke detection [devises shall be deemed~~
15 ~~acceptable where:] devices must meet the following conditions:~~

16 ~~(i) each [devise is an enclosed nonreplacable battery smoke~~
17 ~~detector unit which meets applicable UL standards and has a~~
18 ~~minimum ten year limited warranty] device shall be powered by a~~
19 ~~nonreplaceable lithium battery listed by Underwriters~~
20 ~~Laboratories that is warranted for ten (10) years commencing~~
21 ~~with the date of purchase; and~~

22 ~~(ii) the activation of each detector results in an alarm~~
23 ~~that is audible to persons in the indoor child care space with~~
24 ~~all intervening doors closed.~~

25 (F.1) [(1) THE SMOKE DETECTION DEVICES REQUIRED UNDER THIS <--
26 SECTION NEED NOT BE INTERCONNECTED OR ELECTRONICALLY CONNECTED
27 FOR FAMILY CHILD DAY-CARE HOMES. FOR THE PURPOSES OF THIS ACT,
28 NONINTERCONNECTED SMOKE DETECTION DEVICES SHALL BE DEEMED
29 ACCEPTABLE WHERE:]

30 (I) EACH DEVISE IS AN ENCLOSED NONREPLACABLE BATTERY SMOKE

1 DETECTOR UNIT WHICH MEETS APPLICABLE UL STANDARDS AND HAS A
2 MINIMUM TEN-YEAR LIMITED WARRANTY COMMENCING WITH THE DATE OF
3 PURCHASE; AND

4 (II) THE ACTIVATION OF EACH DETECTOR RESULTS IN AN ALARM
5 THAT IS AUDIBLE TO PERSONS IN THE INDOOR CHILD-CARE SPACE WITH
6 ALL INTERVENING DOORS CLOSED.] THE FOLLOWING SHALL APPLY:

7 (1.1) THE SMOKE ALARMS REQUIRED UNDER THIS SECTION SHALL BE
8 INTERCONNECTED VIA HARDWARE, BLUETOOTH CONNECTIVITY OR ANY OTHER
9 MEANS THAT ALLOW FOR COMMUNICATION BETWEEN SMOKE ALARMS FOR
10 FAMILY CHILD-CARE HOMES. THE FOLLOWING SHALL APPLY:

11 (I) THE ACTIVATION OF EACH SMOKE ALARM SHALL RESULT IN AN
12 ALARM THAT IS AUDIBLE TO PERSONS IN THE INDOOR CHILD-CARE SPACE
13 WITH ALL INTERVENING DOORS CLOSED.

14 (II) EACH SMOKE ALARM SHALL, AT THE TIME OF INSTALLATION, BE
15 APPROVED BY A TESTING LABORATORY RECOGNIZED BY THE OCCUPATIONAL
16 SAFETY AND HEALTH ADMINISTRATION OF THE UNITED STATES DEPARTMENT
17 OF LABOR TO TEST AND CERTIFY SMOKE ALARMS.

18 (2) Family [child day-care] child-care home operators shall
19 maintain, in their fire drill logs, proof of purchase, including
20 the date of purchase of the smoke [detector] ALARM. <--

21 (3) A family child-care home shall:

22 (i) Have a smoke ~~detector~~ ALARM on each floor and in the <--
23 basement.

24 (ii) Have a portable fire extinguisher rated for class B
25 fires in the kitchen and other cooking areas.

26 (iii) Meet the exiting requirements for an R-3 occupancy and
27 licensure under 55 Pa. Code Ch. 3290 (relating to family child
28 day care homes). <--

29 (g) As used in this section, the following words and phrases
30 shall have the meanings given to them in this subsection:

1 "Family [child day-care] child-care home" means a home other
2 than the child's own home in which child [day] care is provided
3 at any one time to four (4), five (5) or six (6) children
4 unrelated to the operator.

5 ["Group child day-care home" means a home other than a
6 child's own home in which child day care is provided at any one
7 time for more than six (6) but fewer than thirteen (13) children
8 who are unrelated to the operator.]

9 Section 2. This act shall take effect in 60 days.