

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1111 Session of
1995

INTRODUCED BY L. I. COHEN, FAIRCHILD, BARD, CURRY, RUBLEY,
JOSEPHS AND BATTISTO, MARCH 9, 1995

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MARCH 9, 1995

AN ACT

1 Amending the act of April 27, 1927 (P.L.465, No.299), entitled,
2 as amended, "An act to provide for the safety of persons
3 employed, housed, or assembled in certain buildings and
4 structures by requiring certain construction and ways of
5 egress, equipment, and maintenance; providing for the
6 licensing of projectionists, except in cities of the first
7 class and 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 local ordinances related
16 to clean indoor air.

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

19 Section 1. Section 15.1 of the act of April 27, 1927
20 (P.L.465, No.299), referred to as the Fire and Panic Act, added
21 December 21, 1988 (P.L.1315, No.168), is amended to read:

22 Section 15.1. Preemption.--(a) This act shall preempt and
23 supersede any local ordinance or rule concerning the subject
24 matter of sections 3.5 and 10.1 of this act.

1 (b) This act shall preempt and supersede any local ordinance
2 or rule concerning the subject matter of section 10.1 of this
3 act except that:

4 (1) The provisions of section 10.1 of this act shall not
5 apply to local rules or ordinances concerning the subject matter
6 of section 10.1 of this act which have been adopted by cities of
7 the second class and were in effect prior to September 1, 1988.

8 (2) In the event that the local rule or ordinance is
9 amended, suspended, rescinded or rendered, in whole or in part,
10 ineffective by a court decision, the exemption shall not apply;
11 and the city of the second class shall be subject to the
12 provisions of section 10.1 of this act.

13 (3) The provisions of section 10.1 of this act shall not
14 preempt and supersede any local ordinance which is more
15 restrictive in its scope and more prohibitive than are the
16 provisions of section 10.1 of this act.

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