
HOUSE COMMITTEE AMENDMENTS

2026 Regular Session

Amendments proposed by House Committee on Commerce to Original House Bill No. 565
by Representative McMakin

1 AMENDMENT NO. 1

2 On page 1, line 4, after "centers;" and before "and" insert "to provide relative to the
3 application of fire safety requirements to early learning centers or child day care centers; to
4 require written notice of a violation or required action; to provide relative to appeals of
5 determinations by the fire marshal;"

6 AMENDMENT NO. 2

7 On page 1, line 19, change "(4)" to "(4)(a)"

8 AMENDMENT NO. 3

9 On page 2, after line 6, add the following:

10 "(b) The state fire marshal shall enforce only those fire safety requirements
11 expressly provided for in adopted state or federal fire and life safety codes and shall
12 not impose additional requirements through policy, guidance, or interpretation.

13 (c) Any fire safety requirement imposed on an early learning center or child
14 day care center shall be proportional to the size, occupancy, and risk level of that
15 facility, and shall not be applied in a manner consistent with a commercial or
16 industrial occupancy unless expressly required by the applicable code.

17 (d) The use of standard residential appliances, including but not limited to
18 microwaves, coffee makers, and similar devices, shall not require commercial
19 ventilation or fire suppression systems unless expressly required by applicable code.

20 (e) The state fire marshal shall provide written notice of a determination of
21 any violation or of required corrective action, including citation to the specific
22 applicable code provision.

23 (f)(i) Any person aggrieved by a determination of the state fire marshal
24 regarding fire safety requirements for an early learning center or child day care
25 center may appeal that determination to the division of administrative law within
26 fifteen days of receipt of written notice.

27 (ii) All enforcement actions, including fines, penalties, or closure, shall be
28 stayed pending final disposition of the appeal.

29 (iii) The state fire marshal bears the burden of proving that the requirement
30 is expressly authorized by adopted state or federal fire and life safety codes.

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