SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL:		CS/SM 1296					
SPONSOR:		Committee on Rules and Calendar and Senator Saunders					
SUBJECT:		Fire Safety Tax Incentives					
DATE:		April 2, 2003	REVISED:				
2. <u> </u>	AN Fournier	ALYST	STAFF DIRECTOR Kassack	REFERENCE RC	ACTION Fav/CS	<u> </u>	
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I. Summary:

This Committee Substitute for the Senate Memorial asks the United States Congress to include tax incentives for installing firesafety systems in existing high-rise buildings as part of its economic-stimulus legislation.

II. Present Situation:

Section 633.0215(2), F.S., is a part of Florida's insurance laws and requires the State Fire Marshal to adopt the National Fire Protection Association's Fire Prevention Code and Life Safety Code. This statute incorporates by reference the NFPA's Life Safety and Fire Codes which require all buildings (including condominiums) in excess of 75 feet tall to be retrofitted with fire sprinkler systems within 12 years of the effective date. In 2000, the State Fire Marshall adopted the Florida Fire Prevention Code by administrative rule, to be effective July 1, 2001. Ch. 2001-186, L.O.F., delayed the effective date of the Florida Fire Prevention Code to January 1, 2002. The effect of this law is to require some older buildings, including condominiums, to complete installation of fire sprinkler systems by January 1, 2014, unless a change is made in the standards.

The National Fire Prevention Association data¹ demonstrate that fire sprinklers substantially reduce the loss of life and property associated with fires. The tables, below, show the effect of sprinklers on civilian deaths and property damage.

¹ Tables are found in "Sprinkler Tax Incentive Initiative Legislation," a concept paper presented by members of the Ad Hoc Committee to advance this legislation.

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Civilian Deaths per Thousand (NFPA) (National estimates based on 1988-1998 NFIRS and NFPA survey)

Property Use	Without Sprinklers	With Sprinklers	% Reduction
Public Assembly	0.8	0.0*	100%
Health Care	4.9	1.2	75%
Apartments	8.2	1.6	81%
Hotels and motels	9.1	0.8*	91%
Dormitories and	1.5	0.0*	100%
barracks			
Industrial	1.1	0.0*	100%
Manufacturing	2.0	0.8	60%
Storage	1.0	0.0*	100%

^{*}Based on fewer than two deaths per year in the entire ten-year period. Results may not be significant.

Estimated Reduction in Property Damage per Fire (NFPA) (National estimates based on 1989-1998 NFIRS and NFPA survey)

Property Use	Without Sprinklers	With Sprinklers	% Reduction
Public assembly	\$21,600	\$6,500	70%
Educational	\$13,900	\$4,400	68%
Residential	\$9,400	\$5,400	42%
Stores and offices	\$24,000	\$12,200	50%
Industrial	\$30,100	\$17,200	43%
Manufacturing	\$50,200	\$16,700	67%

The main obstacle to installing sprinklers in all building where they are needed is financial, according the American Fire Sprinkler Association and other groups working for federal legislation to provide a tax incentive for sprinkler installation. The price of retrofitting existing structures is between \$2.00 and \$3.00 per square foot, and many residents of high-rise condominiums are on fixed incomes and lack the resources to pay for retrofitting. Currently, when installing a sprinkler system in any building, the cost of the system is expensed over its depreciable life. For a commercial occupancy this would represent 39 years, for a residential occupancy such as a high-rise apartment building, this would be 27.5 years.

This organization is urging the adoption of Modified Accelerated Cost Recovery System (MACRS) with a five year life schedule for the installation of automatic sprinkler systems.

III. Effect of Proposed Changes:

This Senate Memorial urges the United States Congress to include in its economic-stimulus legislation tax incentives for building owners who upgrade their firesafety systems consistent with the firesafety provisions of the National Fire Protection Association's Life Safety Code in existing high-rise buildings.

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IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

The federal tax incentive requested in this memorial would reduce Florida's corporate income tax revenue to the extent that corporations used the incentives to reduce their federal taxable income

B. Private Sector Impact:

The owners of building who upgrade their firesafety systems are potential beneficiaries of the tax incentives requested by this memorial.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.