

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025**

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**HOUSE BILL 768
PROPOSED COMMITTEE SUBSTITUTE H768-PCS40538-BG-8**

Short Title: Clarify Emerg. Comm. Exemptions/Fire Code.

(Public)

Sponsors:

Referred to:

April 7, 2025

A BILL TO BE ENTITLED
AN ACT TO DIRECT THE NORTH CAROLINA BUILDING CODE COUNCIL TO ADOPT
RULES TO AMEND THE STATE BUILDING CODE AND STATE FIRE CODE TO
CLARIFY EXEMPTIONS FROM IN-BUILDING EMERGENCY RESPONDER
COMMUNICATION COVERAGE REQUIREMENTS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Definitions. – For purposes of this section, the following are defined:

- (1) Code. – The North Carolina State Building Code collection, including the North Carolina Fire Code, and amendments thereto, as adopted by the Council.
- (2) Council. – The North Carolina Building Code Council.
- (3) Emergency responder communication coverage requirements. – The requirements for in-building emergency responder communications coverage systems specified under Section 510 of the North Carolina Fire Code.

SECTION 1.(b) Exemptions Established. – Notwithstanding the emergency responder communication coverage requirements of the Code, the following buildings and structures, whether existing, newly constructed, or altered after the effective date of this act, are exempt from those requirements:

- (1) Apartment buildings not exceeding 75 feet in height, constructed using wood framing, provided the building has fewer than 150 dwelling units, and all dwelling units discharge directly to the exterior or to an interior corridor providing required egress that leads directly to an exterior exit.
- (2) Apartment buildings and transient public lodging establishments, including hotels and motels, not exceeding two stories above grade plane and that provide direct exterior egress from each dwelling unit or guest room.
- (3) Buildings or structures subject to the North Carolina Residential Code.
- (4) Buildings with a total gross floor area of less than 12,000 square feet and containing no story below grade plane or basement areas.

SECTION 1.(c) Treatment of Existing Systems in Exempted Buildings. – Notwithstanding Section 901.6 of the North Carolina Fire Code or any other provision of the Code that might require the removal of nonrequired, obsolete, or abandoned systems, an emergency responder communication coverage system installed prior to the effective date of this act in a building or structure that meets the exemption criteria established in subsection (b) of this section shall not be required to be removed. Such systems may be deactivated.



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1 **SECTION 1.(d)** Rulemaking Required. – The Council shall adopt rules to amend
2 the Code, specifically Section 510 of the North Carolina Fire Code and any related sections
3 addressing emergency responder communication coverage, to incorporate the exemptions listed
4 in subsection (b) of this section and the provisions regarding existing systems in subsection (c)
5 of this section. Notwithstanding G.S. 150B-19(4), the rules adopted by the Council pursuant to
6 this section shall be substantively identical to the provisions of subsections (b) and (c) of this
7 section. Rules adopted pursuant to this section are not subject to Part 3 of Article 2A of Chapter
8 150B of the General Statutes. Rules adopted pursuant to this section shall become effective as
9 provided in G.S. 150B-21.3(b1), as though 10 or more written objections had been received as
10 provided in G.S. 150B-21.3(b2).

11 **SECTION 1.(e)** Interim Application of Exemptions. – Until the effective date of the
12 permanent rules that the Council is required to adopt pursuant to subsection (d) of this section,
13 the Council and local governments enforcing the Code shall not enforce the emergency responder
14 communication coverage requirements against buildings and structures that meet the exemption
15 criteria established in subsection (b) of this section and shall apply the provisions regarding
16 existing systems established in subsection (c) of this section.

17 **SECTION 1.(f)** Sunset. – This section expires when permanent rules adopted as
18 required by subsection (d) of this section become effective.

19 **SECTION 2.** Effective Date. – This act is effective when it becomes law.