

CHAPTER 104
SB 494-FN - FINAL VERSION

02/05/2026 0371s

2026 SESSION

26-2059
09/08

SENATE BILL

494-FN

AN ACT relative to the state fire code, fire incident reporting and investigations, and the duties of the state fire marshal.

SPONSORS: Sen. Pearl, Dist 17; Sen. Gannon, Dist 23; Sen. McGough, Dist 11; Rep. Layon, Rock. 13; Rep. Slottje, Hills. 13; Rep. Thibault, Merr. 25; Rep. Schmidt, Straf. 14

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill:

I. Updates the version of the fire code and ratifies all amendments reviewed and approved by the board of fire control as of December 31, 2025.

II. Modifies the procedures for the reporting and investigation of fires.

III. Adds additional duties to the state fire marshal.

IV. Requires the office of professional licensure and certification to share with the fire marshal certain information for current licensees and past licensees of the mechanical safety and licensing board and electricians' board to aid certain inspectors appointed by the fire marshal or department of safety.

This bill is a request of the state fire marshal's office.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struck through.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to the state fire code, fire incident reporting and investigations, and the duties of the state fire marshal.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 104:1 State Board of Fire Control; Definitions. Amend RSA 153:1, VI-a to read as follows:

2 VI-a. "New Hampshire fire code" or "state fire code" means the adoption by reference of the Life
3 Safety Code, NFPA 101, [2021] **2024** edition, and the Uniform Fire Code NFPA 1, [2021] **2024** edition, as
4 published by the National Fire Protection Association and as amended by the state board of fire control
5 and ratified by the general court pursuant to RSA 153:5. The provisions of any other national code, model
6 code, or standard referred to within a code listed in this definition shall be included in the state fire code
7 unless amended in accordance with RSA 153:5.

8 104:2 State Board of Fire Control; Report of Fire Department Incident Responses. RSA 153:11 is
9 repealed and reenacted to read as follows:

10 153:11 Report of Fire Department Incident Responses.

11 Every fire department incident response occurring in this state shall be reported to the state fire
12 marshal within 10 days after the occurrence of the same by the appropriate fire chief or designee. The
13 state fire marshal shall provide the necessary instructional data for the fire chiefs for incident reporting.
14 Notwithstanding RSA 21-G:9, II(b), the state fire marshal may adopt rules pursuant to RSA 541-A with the
15 approval of the commissioner of the department of safety relative to fire department incident response
16 reporting.

17 104:3 State Board of Fire Control; Investigations. Amend RSA 153:18 to read as follows:

18 153:18 Investigations. The state fire marshal may, in addition to the reports made by any fire chief,
19 whenever the state fire marshal deems it expedient or advisable, investigate or cause to be investigated,
20 the cause, circumstances, and origin of any fire or building collapse occurring in the state, by which
21 property is endangered, damaged, or destroyed, or any incident involving the release of carbon monoxide
22 other than from a motor vehicle, and may especially examine and decide whether the same was the result
23 of carelessness, design, or deliberate act. The state fire marshal shall have the power vested in a justice
24 of the peace to compel the attendance of witnesses to testify upon an inquiry. Any fire, building collapse,
25 or release of carbon monoxide [~~other than from a motor vehicle~~] occurring where death results shall be
26 reported immediately to the office of the state fire marshal by the fire chief, and the office of the state fire
27 marshal shall investigate the fire, building collapse, or release of carbon monoxide within 48 hours after
28 receiving said report. *When the cause, origin, and circumstances of any fire occurring in any city, town,
29 village district, or precinct in this state indicate that such fire was the result of design or of suspicious
30 origin, the fire chief or designee shall immediately notify the state fire marshal. The state fire marshal shall
31 have the authority to submit his or her findings of facts in the case to the state police, county attorney, or
32 other local authorities who may assist him or her in the prosecution of the matter.*

CHAPTER 104
SB 494-FN - FINAL VERSION
- Page 2 -

1 104:4 New Paragraphs; State Board of Fire Control; Duties of the State Fire Marshal. Amend RSA
2 153:4-a by inserting after paragraph V the following new paragraphs:

3 VI. The state fire marshal may charge an inspection fee for electrical and mechanical safety
4 inspections at the request of property owners, local code enforcement authorities, or contractors
5 performing or responsible for the work. An inspection fee shall not be charged for consultation or
6 assistance to a local code enforcement authority. The inspection fee schedule shall be the fees outlined
7 in Saf-C 8100.

8 VII. The state fire marshal may assist with and conduct a local fire code inspection at the request
9 of a property owner or contractor, which has followed existing local permitting requirements, after three
10 business days of unavailability by the local fire chief or designee. Nothing in this section shall require the
11 state fire marshal to accept the inspection request. The state fire marshal may assess an inspection fee
12 to the property owner or contractor requesting the inspection in accordance with the fee schedule outlined
13 in Saf-C 8100.

14 104:5 New Paragraph; State Board of Fire Control; Mechanical Licensing; Inspectors. Amend RSA
15 153:34 by inserting after paragraph IV the following new paragraph:

16 V. In furtherance of assisting the appointed inspectors in their duties under this section, the
17 executive director of the office of professional licensure and certification, or its designees, shall share with
18 the state fire marshal, or its designees, a data export for current licensees and past licensees of the
19 mechanical safety and licensing board from the official record of the office and the board. The data export
20 shall be sent at such intervals and only include such information as the state fire marshal and executive
21 director agree is necessary for the inspectors to perform their daily responsibilities. Such information shall
22 not include personal information as that term is defined in RSA 359-I, except it may include contact
23 information for current and past licensees of the board. For any shared information that the office is
24 required to hold confidential and exempt from the disclosure requirements of RSA 91-A, the state fire
25 marshal shall also be required to hold confidential and exempt from the requirements of RSA 91-A.

26 104:6 New Paragraph; Electricians; Inspectors. Amend RSA 319-C:5 by inserting after paragraph IV
27 the following new paragraph:

28 IV-a. In furtherance of assisting the appointed inspectors with their duties under this section, the
29 executive director of the office of professional licensure and certification, or its designees, shall share with
30 the state fire marshal, or its designees, a data export for current licensees and past licensees of the
31 electricians' board from the official record of the office and the board. The data export shall be sent at
32 such intervals and only include such information as the state fire marshal and executive director agree is
33 necessary for the inspectors to perform their daily responsibilities. Such information shall not include
34 personal information as that term is defined in RSA 359-I, except it may include contact information for
35 current and past licensees of the board. For any shared information that the office is required to hold
36 confidential and exempt from the disclosure requirements of RSA 91-A, the state fire marshal shall also
37 be required to hold confidential and exempt from the requirements of RSA 91-A.

CHAPTER 104
SB 494-FN - FINAL VERSION
- Page 3 -

1 104:7 State Fire Code; Ratification of Amendments; State Board of Fire Control. Pursuant to RSA
2 153:5, I, the general court hereby ratifies all amendments reviewed and approved by the board of fire
3 control as of December 31, 2025.

4 104:8 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 28, 2026
Effective Date: July 27, 2026

