

Senate Executive Departments and Administration Committee

Ben Mickens 271-1403

HB 1555-FN, relative to the administration and enforcement of the state fire code.

Hearing Date: April 15, 2026

Time Opened: 10:19 a.m.

Time Closed: 10:37 a.m.

Members of the Committee Present: Senators Altschiller, Reardon, Pearl and Gannon

Members of the Committee Absent : Senator Lang

Bill Analysis: This bill allows the state fire marshal to hear de novo appeals of local fire chief decisions within set timelines and grants them statewide authority to approve, deny, or allow project-specific alternatives and code modifications under the state building code.

Sponsors:

Rep. Layon

Rep. Popovici-Muller

Rep. Sabourin dit
Choiniere

Rep. C. McGuire
Sen. Murphy

Rep. Polozov
Sen. Sullivan

Sen. Innis

Who supports the bill: Senator Daniel Innis; Representative Erica Layon; Representative Daniel Popovici-Muller; Representative Carol McGuire; Sarah Burke Cohen (NHMA); Matt Mayberry (NH Home Builders); Adam Schmidt (NHAFC); and Cory Stone and Daniel Richardson.

Who opposes the bill: Representative David Preece.

Who is neutral on the bill: None.

Summary of testimony presented in support:

Representative Erika Layon

- Representative Layon explained that this version of the legislation is more streamlined.
- Representative Layon described the basic goal of the bill as allowing for the appeal of decisions regarding the fire code.

- Representative Layon explained how this bill would help with many issues across the state regarding the interpretation and implementation of the fire code.

Representative Daniel Popovici-Muller

- Representative Popovici-Muller informed the committee that the bill was unanimous in policy committee and a voice vote on the floor.
- Representative Popovici-Muller further explained that, on the Finance Committee, some questions started to come up on policy grounds.
- Representative Popovici-Muller clarified that there are no financial concerns with the bill.
- Representative Popovici-Muller described how local officials do not always have the resources and expertise needed, but the state fire marshal does. This also helps with universal enforcement of the fire code.

Matt Mayberry, CEO, New Hampshire Homebuilders Association

- Mr. Mayberry expressed support for this legislation.
- Mr. Mayberry told the committee that there is currently no appeal process.
- Mr. Mayberry stated that this is a bill about bridging communication gaps between local officials and contractors.

Senator Pearl asked if Mr. Mayberry envisioned this as similar to the building code appeals process, but for the fire code.

Mr. Mayberry confirmed.

Senator Pearl asked if moving the effective date was a problem.

Mr. Mayberry stated that he would defer to the committee and is happy if that is the one change needed. He would rather wait to have it done right than have it done now and it doesn't work right.

Representative Carol McGuire

- Representative McGuire added that local code enforcement officials can read building code in their own way and not necessarily in line with the state's intent. This legislation would allow for potential redress.

Summary of testimony presented in opposition: None.

Neutral Information Presented:

Sean Toomey, State Fire Marshal, New Hampshire Department of Safety

- Fire Marshal Toomey stated that the Department of Safety is neutral.
- Fire Marshal Toomey stated there is a workload associated with these changes.

- Fire Marshal Toomey believes the first section, which allows the appeals, helps address a gap.
- Fire Marshal Toomey explained that the legislation also gives the fire marshal authority to give a variance on both building code and fire code. This can be helpful when they have the same requirements.

Senator Pearl asked what the workload impact might be.

Fire Marshal Toomey stated that they may need to add to the budget, and they may need more staff to help manage the workflow.

Senator Pearl asked if they needed to change the effective date to accommodate that.

Fire Marshal Toomey stated they would support that.

Senator Reardon asked if, when a variance is requested, it is required to go through the local process first.

Fire Marshal Toomey responded that his office coordinates with the relevant local authorities when considering variances. When there is no local authority, this bill would help let the fire marshal to redress the issues.