

LEGISLATIVE FISCAL ESTIMATE TO

[First Reprint]
ASSEMBLY, No. 417

STATE OF NEW JERSEY

DATED: May 7, 1996

Assembly Bill No. 417 (1R) of 1996 prohibits the sale, on or after the bill's effective date, of seating furniture for use in certain public occupancies that does not meet certain flammability standards for use in public occupancy areas and facilities.

Under the provisions of the bill, the Division of Fire Safety in the Department of Community Affairs (referred to in the bill as the Bureau of Fire Safety) is to promulgate rules and regulations establishing the flammability standards and testing procedures that all seating furniture for public occupancy areas and facilities must meet in order to be sold in New Jersey on or after the bill's effective date. The rules and regulations promulgated by the division, in accordance with the provisions of section 8 of the bill, are to be "consistent with the January, 1991 version of Technical Bulletin 133 of the State of California Bureau of Home Furnishings and Thermal Insulation entitled 'Flammability Test Procedure For Use in Public Occupancies'" until such time as a national standard for furniture flammability is adopted.

The provisions of the bill apply to public occupancies which are defined in the bill as State, county and municipal correctional institutions, health care facilities, nursing care and convalescent homes, child day care centers, public auditoriums and stadiums, and public assembly areas of hotels and motels containing more than 10 articles of seating furniture. The bill does not apply, however, to seating furniture sold or intended for use in rooms or spaces in public occupancies protected by an approved automatic sprinkler system or to seating furniture brought into a long term health care facility by a patient or resident for personal use.

The Department of Community Affairs (DCA) has previously advised the Office of Legislative Services (OLS) that this bill will have no effect on State revenues. At that time, the DCA stated that, since the California standards currently exist, all that would be required of the department is to adopt them. The DCA also previously advised the OLS that the public occupancies required by the bill to comply with the new standards are already subject to State inspection, so the bill would not require additional inspection costs.

The OLS concurs with the DCA's earlier conclusion, and notes that it is not possible to determine the potential cost to the public

occupancies of the cost of purchasing such furniture, since there is no way to determine when each public occupancy will purchase new seating furniture. However, the OLS previously received information through the DCA that indicates that in the State of California, it has been estimated that the cost of compliance with that state's directive is \$50 for a sofa and less than \$50 for a chair.

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.