

2019 Regular Session

HOUSE BILL NO. 155

BY REPRESENTATIVE BERTHELOT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

FIRE PROTECT/FIRE MARSHAL: Provides with respect to fire department identification numbers and the submission of fire reports

1 AN ACT

2 To amend and reenact R.S. 40:1567, relative to fire departments; to delete the requirement
3 that a fee and mileage be paid pursuant to fire reports; to provide for the issuance and
4 use of fire department identification numbers; to provide for the submission of fire
5 reports; to provide for violations; to make technical corrections; to provide a
6 definition; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:1567 is hereby amended and reenacted to read as follows:

9 §1567. ~~Fee for fire reports by volunteer fire~~ Fire departments; fire department
10 identification number; fire reports

11 A. ~~A fee of five dollars for each structural fire report plus mileage at the rate~~
12 ~~established for state employees per mile for each mile traveled to and from the place~~
13 ~~of the fire shall be paid to a volunteer fire department for each fire report made based~~
14 ~~upon an investigation and inspection by the volunteer members of the volunteer fire~~
15 ~~department. The fire reports shall be submitted to the fire marshal on forms provided~~
16 ~~by his office and in accordance with standards prescribed by the fire marshal: (1)(a)~~
17 Every municipal fire department, fire protection district, and volunteer fire
18 department, as recognized by its local governing authority, shall obtain a fire
19 department identification (FDID) number from the state fire marshal.

1 **(b) If an individual, organization, or other entity is not recognized by the**
 2 **local governing authority to conduct traditional fire department-related activities, the**
 3 **state fire marshal shall not issue the organization an FDID number.**

4 **(c) Any individual, organization, or other entity engaged in traditional fire**
 5 **department activities without an FDID number shall be in violation of R.S. 14:112.2.**

6 **(2) For purposes of this Subsection, "traditional fire department-related**
 7 **activities" includes firefighting, fire prevention, fire investigation, fire protection,**
 8 **and emergency duties and services.**

9 ~~B. For purposes of this Section the term "volunteer member" means an~~
 10 ~~individual certified under the authority of R.S. 40:1563 who does not receive any~~
 11 ~~compensation for his services, and the term "volunteer fire department" means a~~
 12 ~~legally constituted fire department or fire protection district having fewer than four~~
 13 ~~persons who are qualified for and receive state supplemental pay under the~~
 14 ~~provisions of R.S. 40:1666, et seq. Organizations which have been issued an FDID~~
 15 ~~number shall submit structural fire reports electronically pursuant to the standards~~
 16 ~~set by the state fire marshal.~~

17 C. Annual implementation of the standards prescribed by the fire marshal as
 18 to regarding the fires which require investigation or inspection reports and the
 19 content of those reports shall be subject to review by the ~~Fire Marshal's Review~~
 20 ~~Board~~ board of review established by R.S. 40:1578.1.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 155 Engrossed

2019 Regular Session

Berthelot

Abstract: Provides for the issuance of a fire department identification number and for the submission of fire reports for fire-related activities.

Present law provides that the fire marshal shall pay a fee of \$5 plus mileage for each structural fire report submitted by a volunteer fire department and defined volunteer fire department. Proposed law deletes present law.

Proposed law requires that an organization obtain a fire department identification (FDID) number in order to engage in traditional fire department activities. Proposed law further provides that if an organization fails to obtain an FDID number, it has violated present law (R.S. 14:112.2), which prohibits the fraudulent portrayal of a law enforcement officer or firefighter.

Present law requires that structural fire reports be submitted to the fire marshal as he prescribes on forms he creates. Proposed law changes present law to require that structural fire reports be submitted electronically by organizations which obtain an FDID number.

Present law defines terms "volunteer member" and "volunteer fire department". Proposed law deletes those terms and defines "traditional fire department-related activities".

Present law charges the Fire Marshal's Review board to review investigation and inspection reports that the fire marshal prescribes. Proposed law retains present law substantively but changes the reference from "Fire Marshal's Review board" to "board of review" to reflect the language in the authorizing statute in present law (R.S. 40:1578.1).

(Amends R.S. 40:1567)