

SENATE COMMITTEE AMENDMENTS

2024 Regular Session

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 489
by Senator Cathey

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" delete "R.S. 17:407.62(7), 407.66(A)(1)," and insert "R.S.
3 17:407.62(7) and 407.66(A)(1) and"

4 AMENDMENT NO. 2

5 On page 2, line 24, change "supervise the" to "~~supervise the~~"

6 AMENDMENT NO. 3

7 On page 2, line 25, delete "enforcement of" and insert "enforce"

8 AMENDMENT NO. 4

9 On page 2, at the end of line 27, insert the following:

10 "Unless contracted by a local government authority, the fire
11 marshal shall not review construction plans for compliance with the
12 International Building Code."

13 AMENDMENT NO. 5

14 On page 3, delete lines 8 through 29, and on page 4, delete 1 through 6, and insert the
15 following:

16 "C.(1) The fire marshal shall not conduct or supervise inspections
17 pursuant to the provisions of Paragraphs (B)(1); **and** (2); ~~(3)~~; ~~and (4)~~ of this
18 Section within the jurisdiction of any local governing authority in which a
19 fire prevention bureau has been properly established by special ordinance and
20 accompanying resolution as provided in this Section, except as provided in
21 Paragraph (5) of this Subsection.

22 (2) The local governing authority may properly establish a fire
23 prevention bureau by special ordinance and accompanying resolution as
24 provided in this Section and a fire prevention bureau thus established may
25 apply for certification by the fire marshal to perform inspections ~~on behalf~~
26 ~~of the fire marshal~~ solely through adoption of the special ordinance which
27 conforms to the following requirements which are applicable to existing fire
28 prevention bureaus: **A fire prevention bureau established pursuant to**
29 **Paragraph (1) of this Subsection shall:**

30 (a) The fire prevention bureau must be headed by a chief of a fire
31 department or a person designated by the chief of a fire department.

32 (b) The fire prevention bureau shall be staffed with qualified
33 individuals whose credentials have been reviewed by the fire marshal and
34 who have successfully completed, according to criteria established by the fire
35 marshal, special training in fire inspection and fire codes in a course
36 approved by the fire marshal at the office of state fire marshal Fire and
37 Emergency Training Academy or a course deemed equivalent or superseding
38 by the fire marshal.

39 (c) **Enforce the fire protection provisions of the State Uniform**
40 **Construction Code as adopted by the State Uniform Construction Code**
41 **Council when requested by a local governing authority.**

42 (d) Requiring adoption as a minimum standard those codes as
43 adopted and enforced by the state fire marshal."

1 AMENDMENT NO. 6

2 On page 4, line 23, change "herein" to "**herein in this Section**"

3 AMENDMENT NO. 7

4 On page 4, line 25, delete "**herein**" and insert "**in this Section**"

5 AMENDMENT NO. 8

6 On page 4, delete lines 28 and 29, and delete on page 5, lines 1 through 15, and insert the
7 following:

8 ~~(5)~~**(4)** The fire marshal shall not conduct or supervise inspections in
9 all remaining matters where a fire prevention bureau is properly certified
10 **exists** unless specifically requested by the fire prevention bureau or the local
11 governing body of that jurisdiction or upon complaint of any citizen. The fire
12 marshal may, at his discretion, report any complaint received from a citizen
13 to the appropriate fire prevention bureau and the fire marshal may conduct
14 a joint inspection with the fire prevention bureau.

15 **(5) The state fire marshal, at his discretion, may audit a fire**
16 **prevention bureau's administration of R.S. 40:1730.28 (9).The audit**
17 **shall review the fire prevention bureau's performance of building**
18 **inspections and plan review of structures other than one- and two-family**
19 **dwelling. When the audit includes the reinspection of a building, the**
20 **inspection shall not deconstruct any building element of the structure.**

21 (6) The monitoring function conferred upon the fire marshal by this
22 Section is solely intended to achieve the equal, effective enforcement of the
23 state's adopted fire protection, life safety, and accessibility laws, codes, rules,
24 and regulations. It is not intended that the fire marshal shall retain or assume
25 responsibility or liability for inspections performed by fire prevention
26 bureaus. The local governing authority shall, by specific resolution
27 accompanying the ordinance creating the fire protection bureau, assume the
28 responsibility for and release the fire marshal and any other state entity from
29 responsibility or liability for those inspections performed by the fire
30 prevention bureau, or the consequences thereof, within the jurisdiction of the
31 governing authority."

32 AMENDMENT NO. 9

33 On page 5, line 19, delete "**R.S. 40:1730.22(C)**" and insert "**R.S. 40:1730.22**"

34 AMENDMENT NO. 10

35 On page 5, line 23, delete "**R.S. 40:1730.28(A)(9)**" and insert "**R.S. 40:1730.28**"

36 AMENDMENT NO. 11

37 On page 6, line 18, change "herein" to "**herein in this Section**"

38 AMENDMENT NO. 12

39 On page 8, line 8, change "herein" to "**herein in this Section**"

40 AMENDMENT NO. 13

41 On page 13, line 4, change "**A.(+)**" to "**A.(+)**"

42 AMENDMENT NO. 14

43 On page 13, between lines 20 and 21, insert the following:

1 **"(2) The fire marshal shall enforce the fire protection provisions**
2 **of the State Uniform Construction Code as provided in R.S. 40:1730.28**
3 **as adopted by the Louisiana State Uniform Construction Code Council**
4 **in assembly occupancies with an occupant load greater than or equal to**
5 **ten thousand occupants."**

6 AMENDMENT NO. 15

7 On page 13, delete line 29, and insert the following:

8 "1578.5,1578.6, 1578.7, 1579, 1580.1, 1583, 1591, 1592, 1597.2, Subpart"

9 AMENDMENT NO. 16

10 On page 14, at the end of line 3, delete "and 1731" and insert ",1733, 1734, 1735, 1736,
11 1737, 1738, 1740, 1741, 1742, 1742.1, 1742.2, 1743, and 1744"

12 AMENDMENT NO. 17

13 On page 14, after line 4, add the following:

14 "Section 4.(A) The Louisiana State Uniform Construction Code Council shall
15 review, adopt, and amend the International Fire Code on or prior to July 1,
16 2025.

17 (B) Enforcement and administration of the International Fire Code
18 shall become effective January 1, 2026."