

Regular Session, 2014

HOUSE BILL NO. 495

BY REPRESENTATIVE ADAMS

FIRE PROTECT/FIRE MARSHAL: Provides relative to the authority to investigate and make arrests for certain crimes

1 AN ACT

2 To amend and reenact R.S. 40:1563.1(A), relative to the authority of certain officials to
3 conduct investigations and make arrests; to add simple arson of a religious building
4 to the list of offenses for which a fire marshal and other officials may conduct
5 investigations and make arrests; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1563.1(A) is hereby amended and reenacted to read as follows:

8 §1563.1. Authority to make arrests and carry firearms; arson task force

9 A. The fire marshal, the first assistant fire marshal, each deputy fire marshal,
10 certified local authorities, and state or municipal arson investigators, while engaged
11 in the performance of their duties as such, shall have the authority to investigate and
12 cause the arrest of individuals suspected of having violated the following criminal
13 laws:

14 * * *

15 (3) R.S. 14:52.1, simple arson of a religious building.

16 (4) R.S. 14:53, arson with intent to defraud.

17 (4)(5) R.S. 14:54, placing combustible material.

18 (5)(6) R.S. 14:54.1, communicating false information of planned arson.

19 (6)(7) R.S. 14:54.2, manufacture and possession of delayed action incendiary
20 devices.

- 1 ~~(7)~~(8) R.S. 14:54.3, manufacture and possession of a bomb.
- 2 ~~(8)~~(9) R.S. 14:54.5, fake explosive devices.
- 3 ~~(9)~~(10) R.S. 14:59 (A)(2), criminal mischief relating to the giving of any
- 4 false alarm of fire.
- 5 ~~(10)~~(11) R.S. 14:204, fire-raising on lands of another by criminal negligence.
- 6 ~~(11)~~(12) R.S. 14:205, fire-raising on lands of another with malice.
- 7 ~~(12)~~(13) R.S. 14:206, fire prevention interference.
- 8 ~~(13)~~(14) R.S. 14:327, obstructing a fireman.
- 9 ~~(14)~~(15) R.S. 22:1924, insurance fraud.
- 10 ~~(15)~~(16) R.S. 22:1925, insurance fraud.
- 11 ~~(16)~~(17) R.S. 14.51.1, injury by arson.
- 12 ~~(17)~~(18) R.S. 15:562.5, failure to register.
- 13 ~~(18)~~(19) R.S. 40:1621, violation of fire marshal's orders. This Paragraph
- 14 shall be limited to fire marshal orders related to activities or instances determined by
- 15 the fire marshal to pose an immediate danger to life.
- 16 ~~(19)~~(20) Any other criminal laws making unlawful an attempt or conspiracy
- 17 to commit the foregoing offenses.

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)]

Adams

HB No. 495

Abstract: Authorizes certain officials to investigate and make arrests for the crime of simple arson of a religious building.

Present law provides for specific offenses for which a fire marshal, the first assistant fire marshal, each deputy fire marshal, certified local authorities, and state or municipal arson investigators, while engaged in the performance of their duties, are authorized to investigate and make arrests.

Present law provides for the crime of simple arson.

Proposed law retains present law and adds the crime of simple arson of a religious building to the list of offenses.

(Amends R.S. 40:1563.1(A))