

2018 Regular Session

SENATE BILL NO. 196

BY SENATOR FANNIN

SAFETY REGULATIONS. Provides relative to the state uniform construction code.
(8/1/18)

1 AN ACT

2 To amend and reenact R.S. 40:1730.39(A), relative to the state uniform construction code;
3 to provide for powers of the state fire marshal; to provide relative to the contractual
4 authority of the state fire marshal; to provide for certain terms, conditions, and
5 procedures; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1730.39(A) is hereby amended and reenacted to read as follows:

8 §1730.39. Powers of state fire marshal

9 A.(1) The state fire marshal may establish contract agreements with
10 municipalities and parishes in order to provide code enforcement on behalf of the
11 municipality or parish as provided in R.S. 40:1730.24 of this Part.

12 (2)(a) The agreement may include a provision that permits the state fire
13 marshal to take into consideration practical and unreasonable economic
14 hardships before applying the strict requirements of this Part. Pursuant to the
15 contractual agreement with a municipality or parish executed in accordance
16 with the provisions of this Subsection and upon appeal of the professional of
17 record for a plan review of a structure, except one- or two-family dwellings, the

1 state fire marshal may allow alternative materials, design, and methods of
 2 construction and equipment that comply with the provisions of the
 3 International Building Code, Chapter I-Administrative, relative to alternative
 4 materials, design, and methods of construction and equipment.

5 (b) The state fire marshal may adopt, in accordance with the
 6 Administrative Procedure Act, the provisions set forth in the International
 7 Building Code, Chapter I-Administrative, relative to alternative materials,
 8 design, and methods of construction and equipment.

9 * * *

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Michelle Ridge.

DIGEST

SB 196 Reengrossed

2018 Regular Session

Fannin

Present law provides relative to the state uniform construction code and the power of the state fire marshal.

Present law provides that the state fire marshal may establish contract agreements with municipalities and parishes in order to provide code enforcement on behalf of the municipality or parish as provided by law.

Proposed law provides that the contract agreement may include a provision that permits the state fire marshal to take into consideration practical and unreasonable economic hardships before applying the strict requirements of the State Uniform Construction Code.

Proposed law provides that pursuant to the contractual agreement with a municipality or parish and upon request of the professional of record for a plan review of a structure, except one- or two- family dwellings, the state fire marshal may allow alternative materials, design, and methods of construction and equipment that comply with the provisions of the International Building Code relative to alternative materials, design, and methods of construction and equipment.

Proposed law provides that the state fire marshal may adopt, in accordance with the Administrative Procedure Act, the provisions set forth in the International Building Code, Part I-Administrative, relative to alternative materials, design, and methods of construction and equipment.

Effective August 1, 2018.

(Amends R.S. 40:1730.39(A))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the original bill

1. Provides that the appeal may be made by a professional of record for a plan review of commercial buildings.
2. Allows the state fire marshal to allow alternative materials, design, and methods of construction and equipment that comply with the provisions of the International Building Code, Chapter I-Administrative relative to alternative materials, design, and methods of construction and equipment.
3. Limits the provisions of the International Building Code the state fire marshal may adopt in accordance with the Administrative Procedure Act.

Senate Floor amendments to engrossed bill

1. Makes legislative bureau technical change.