

SENATE BILL NO. 196

BY SENATOR FANNIN

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**  
18 **state fire marshal may allow alternative materials, design, and methods of**  
19 **construction and equipment that comply with the provisions of the**  
20 **International Building Code, Chapter 1-Scope and Administration, relative to**  
21 **alternative materials, design, and methods of construction and equipment.**

