

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **HB 172** HLS 19RS 462

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> May 23, 2019 9:47 AM	<b>Author:</b> PIERRE
<b>Dept./Agy.:</b> Public Safety/Office of State Fire Marshal	<b>Analyst:</b> Willis Brewer
<b>Subject:</b> Fire-resistant material applicators	

FIRE PROTECT/FIRE MARSHAL EN SEE FISC NOTE SG EX See Note Page 1 of 1  
Provides relative to the training, registration, and certification of fire-resistant material applicators

Proposed law provides that a fire-resistant material applicator is a person who applies fire-resistant material to a surface. Proposed law requires that the fire-resistant material applicator obtain training in the application of fire-resistant material according to manufacturer recommendations. Proposed law further requires fire-resistant material applicators to register with the state fire marshal's office.

Proposed law requires the fire marshal to issue certificates to fire-resistant material applicators who have completed the required training and registered with the fire marshal. Proposed law establishes a fine of \$250 per violation for any person applying fire-resistant material without being certified. Proposed law provides that implementation, including appellate procedures, and enforcement be pursuant to the Administrative Procedure Act.

<b>EXPENDITURES</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>						

<b>REVENUES</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

Proposed law is anticipated to have an indeterminate fiscal impact to the Department of Public Safety (DPS), Office of State Fire Marshal (OSFM) to review registration requests by fire-resistant material applicators, to ensure these applicators have received the necessary training, and to certify these applicators. The number of fire-resistant material applicators is unknown at this time; therefore, the additional workload that will be required by OSFM is indeterminate. OSFM anticipates it will be able to use existing resources and staff to absorb these additional duties. To the extent such activity may be significant, additional fiscal resources may be required (assumed to be SGR).

**REVENUE EXPLANATION**

Proposed law may result in an indeterminate increase in SGR revenues for the Office of State Fire Marshal (OSFM) from a \$250 fine imposed on people applying fire-resistance materials without being certified by the OSFM. The number of fire-resistant material applicators is unknown at this time; therefore, it cannot be projected how many violations may occur.

Senate Dual Referral Rules  
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}  
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House  
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}  
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

*Evan Brasseaux*  
**Evan Brasseaux**  
**Staff Director**