

1 completion or service of any sentence, deferred adjudication, or period of probation
2 or parole.

3 E. Subsection D of this Section shall not apply to any person convicted of
4 a felony crime of violence specifically enumerated in R.S. 14:2(B), a sex offense as
5 defined in R.S. 15:541(24)(a), with the exception of R.S. 14:92(A)(7) and R.S.
6 14:80, or a felony offense against property as enumerated in R.S. 14:51 through ~~62.9~~
7 62.8.

8 F. A felony conviction for any offense includes a conviction for the offense
9 under the laws of another state or military, territorial, foreign, tribal, or federal law
10 which is the equivalent to an offense in this state.

11 ~~F. G.~~ G. The office of state fire marshal, code enforcement and building safety,
12 may consider the seriousness and circumstances of the offense and subsequent
13 arrests pursuant to this Section.

14 ~~G. H.~~ H. The state fire marshal is authorized to order fingerprint analysis or any
15 other analysis or documents deemed necessary by the state fire marshal for the
16 purpose of verifying the criminal history of a person or named officer or principal
17 of a firm applying for a license. The state fire marshal shall have the authority to
18 conduct criminal history verification on a local, state, or national level. All costs for
19 verifying criminal history shall be borne by the applicant.

20 §1664.9. Fees; license endorsements for firms and persons; certifications; Louisiana
21 Life Safety and Property Protection Trust Fund

22 * * *

23 D.

24 * * *

25 (3)(a) Notwithstanding the provisions of Paragraph (1) of this Subsection,
26 a conveyance device mechanic license shall be issued to a person who, through his
27 licensed conveyance device firm, submits an application for licensure to the office
28 of state fire marshal, with either of the following:

1 (2) All attestations shall be submitted in the form of notarized affidavit.

2 (3) A temporary conveyance device mechanic license shall be valid for a
3 period of one hundred eighty days from the date of issuance and is valid only for the
4 work performed for the licensed conveyance device mechanic firm that requested the
5 temporary license pursuant to this Section.

6 (4) Temporary licenses may be approved by the office of state fire marshal
7 for renewal. The requesting licensed conveyance device mechanic firm shall provide
8 a notarized attestation to the office of state fire marshal certifying that, despite its
9 best efforts, there continues to be an insufficient number of licensed conveyance
10 device mechanics needed to perform conveyance device mechanic activities or an
11 imminent increase in conveyance device mechanic activities.

12 (5) The office of state fire marshal may refuse to renew a temporary license
13 for a person that the office determines has had adequate opportunity to obtain a
14 license pursuant to the provisions of this Subpart.

15 (6) Initial and renewal fees for temporary licenses shall be in accordance
16 with R.S. 40:1664.9(C)(11)(a) and (b).

17 L.(1) An emergency conveyance device mechanic license may be issued by
18 the office of state fire marshal when an emergency exists in the state due to a natural
19 disaster, as declared by the president of the United States or the governor, or major
20 work stoppage, and the requesting licensed conveyance device mechanic firm
21 submits an attestation to the office of state fire marshal certifying each of the
22 following:

23 (a) The number of licensed conveyance device mechanics in the state is
24 insufficient to cope with the emergency or work stoppage, creating a shortage.

25 (b) The shortage of licensed conveyance device mechanics in the state
26 jeopardizes the safety of the public.

27 (2) The requesting licensed conveyance device mechanic firm shall submit
28 an attestation to the office of state fire marshal certifying that the person who seeks
29 emergency licensure has an acceptable combination of documented experience and

1 education to perform conveyance device mechanic activities without direct or
2 immediate supervision as determined by the office of state fire marshal.

3 (3) The emergency license shall be valid for a minimum period of sixty days
4 from the date of issuance, shall entitle the licensee to the rights and privileges of a
5 licensed conveyance device mechanic, and is valid only for the work performed for
6 the licensed conveyance device mechanic firm that made the request pursuant to this
7 Section. The emergency license may be extended but shall not exceed three hundred
8 sixty-five days from the date of initial issuance, unless mitigating circumstances
9 regarding the emergency declaration or work stoppage exist and are formally
10 recognized by the state fire marshal and an extension of the emergency license is
11 determined to be necessary.

12 (4) All attestations shall be submitted in the form of a notarized affidavit.

13 (5) Initial and renewal fees for emergency licenses shall be in accordance
14 with R.S. 40:1664.9(C)(11)(a) and (b).

15 ~~K.~~ M.(1) The owner or his designee of an installed conveyance device,
16 except those exempt pursuant to R.S. 40:1664.5, shall register the conveyance device
17 with the office of state fire marshal.

18 (2) A firm that installs a conveyance device shall register the conveyance
19 device with the office of state fire marshal within thirty days of its installation.

20 ~~L.~~ N.(1) Subject to the exceptions contained in Article VII, Section 9 of the
21 Constitution of Louisiana, all monies received by the state fire marshal pursuant to
22 this Subpart, including but not limited to fees and fines, shall be deposited
23 immediately upon receipt in the state treasury and shall be credited to the Bond
24 Security and Redemption Fund. Out of the funds remaining in the Bond Security
25 and Redemption Fund after a sufficient amount is allocated from that fund to pay all
26 obligations secured by the full faith and credit of the state which become due and
27 payable within any fiscal year, the treasurer, prior to placing such remaining funds
28 in the state general fund, shall pay an amount equal to the total amount of funds paid
29 into the state treasury by the state fire marshal pursuant to this Subpart into a special

1 fund which is hereby created in the state treasury and designated as the Louisiana
2 Life Safety and Property Protection Trust Fund.

3 (2) The monies in the Louisiana Life Safety and Property Protection Trust
4 Fund shall be used solely for implementation, administration, and enforcement of
5 this Subpart, and thereafter, for fire education or emergency response by the state fire
6 marshal and only in the amounts appropriated each year to the state fire marshal or
7 the board by the legislature. Any surplus monies and interest remaining to the credit
8 of the fund on June thirtieth of each year after all such appropriations of the
9 preceding fiscal year have been made shall remain to the credit of the fund, and no
10 part thereof shall revert to the state general fund.

11 * * *

12 §1664.11. Life Safety and Property Protection Education Board

13 * * *

14 B.(1) Each appointed member shall serve a term of ~~two~~ four years.

15 * * *

16 Section 2. R.S. 40:1646(B) is hereby amended and reenacted to read as follows:

17 §1646. State fire marshal; owners; life safety systems and equipment inspections;
18 penalties; exceptions

19 * * *

20 B.(1) Except as provided in Paragraph (2) of this Subsection, ~~The~~ the owner
21 of any building containing a life safety system and equipment, or the owner's
22 designated representative, shall cause at a minimum an annual inspection and
23 certification to be made of the life safety system and equipment in that building to
24 assure compliance with applicable safety standards and to determine whether
25 structural changes in the building or in the contents of the building mandate
26 alteration of a system.

27 ~~(2)(a) The provisions of this Subsection shall not apply to the owner of a~~
28 ~~building with two stories occupied by a single tenant wherein employees of the~~
29 ~~tenant are regularly inside of the building. The building described in this Paragraph~~

Present law exempts the owner of a building with two stories occupied by a single tenant wherein employees of the tenant are regularly inside of the building from the annual inspection and certification requirements of life safety systems and equipment of the building.

Proposed law repeals the exemption provided by present law.

Present law requires the owner of a building with two stories occupied by a single tenant wherein employees of the tenant are regularly inside of the building to have at a minimum, a safety test of the building's conveyance device in five-year intervals, effective July 1, 2024.

Proposed law retains present law.

Present law provides that licensure requirements do not apply to a firm or person licensed by the State Licensing Board for Contractors to perform certain electrical work.

Proposed law retains present law but prohibits electrical contractors from certifying, inspecting, or servicing any life safety and property protection system or equipment.

Present law provides that with respect to applicants for a property protection license, a conviction, plea of guilty or nolo contendere to, or receipt of a first-time offender pardon of a felony charge, if not a certain crime of violence enumerated in present law (R.S. 14:2(B)), a sex offense as defined in present law (R.S. 15:541(24)(a)) with certain exceptions (R.S. 14:92(A)(7) and 14:80), or certain felony crimes against property enumerated in present law (R.S. 14:51- 62.8), shall not constitute an automatic disqualification if 10 or more years have elapsed between the date of application and the successful completion or service of any sentence, deferred adjudication, period of probation or parole.

Proposed law retains present law and clarifies that a felony conviction includes a conviction for an equivalent offense under the laws of another state, or military, territorial, foreign, tribal, or federal law.

Proposed law removes a statutory reference to a repealed section of law (R.S. 14:62.9).

Proposed law provides that the state fire marshal shall issue a conveyance device mechanic license to a person who, through his licensed conveyance firm submits an application on or before July 1, 2025, with either of the following:

- (1) A notarized affidavit attesting that the person seeking licensure has worked as a conveyance device mechanic for not less than four years and 6,000 hours within the last five years, without immediate or direct supervision
- (2) A notarized affidavit attesting that the person seeking licensure has worked as a conveyance device mechanic for not less than two years and 3,000 hours within the last three years, without immediate or direct supervision and that the person has received a nationally accepted certification or is enrolled in a nationally accepted program.

Proposed law provides that the state fire marshal may issue a temporary conveyance device mechanic license upon receipt of either of the following from the requesting licensed conveyance device mechanic firm:

- (1) A notarized affidavit attesting that there is an insufficient number of licensed conveyance mechanics needed to perform or that there is an imminent increase in conveyance device mechanic activities.

- (2) A notarized affidavit attesting that the person who seeks temporary licensure has an acceptable combination of documented experience and education to perform conveyance device mechanic activities without direct or immediate supervision.

Further, proposed law provides that the temporary conveyance device mechanic license is valid for 180 days from the date of issuance and only valid for work performed for the requesting licensed conveyance device mechanic firm.

Proposed law provides that the office of the state fire marshal may renew the temporary license when the requesting conveyance mechanic firm provides a notarized affidavit attesting that there continues to be an insufficient number of licensed conveyance mechanics needed to perform or that there is an imminent increase in conveyance device mechanic activities. However, the office may refuse to renew the temporary license for a person that the office determines has had adequate opportunity to obtain a license.

Present law provides that the initial fee for a conveyance device mechanic license is \$100 and the renewal fee is \$50.

Proposed law retains present law and applies the same fees for the temporary license.

Proposed law provides that the state fire marshal may issue an emergency conveyance device mechanic license when the president of the U.S. or the governor declares an emergency in this state due to a natural disaster or there is a major work stoppage.

Proposed law provides that the state fire marshal may issue an emergency conveyance device mechanic license upon receipt of a notarized affidavit from the requesting licensed conveyance device mechanic firm attesting to each of the following:

- (1) The number of licensed conveyance device mechanics in the state is insufficient to cope with the emergency or work stoppage, creating a shortage.
- (2) The shortage of licensed conveyance device mechanics jeopardizes the safety of the public.
- (3) The person who seeks emergency licensure has an acceptable combination of documented experience and education to perform conveyance device mechanic activities without direct or immediate supervision.

Further, proposed law provides that the emergency conveyance device mechanic license is valid for 60 days from the date of issuance and only valid for work performed for the requesting licensed conveyance device mechanic firm.

Proposed law provides that the emergency license may be extended for a period not to exceed 365 days from the date of the initial issuance. The emergency license may be extended past 365 days of the initial issuance when there are mitigating circumstances recognized by the state fire marshal regarding the emergency declaration or work stoppage.

Present law provides that the initial fee for a conveyance device mechanic license is \$100 and the renewal fee is \$50.

Proposed law retains present law and applies the same fees for the emergency license.

Present law provides for the 15-member Life Safety and Property Education Board which develops and approves all training, certification, examination, and continuing education requirements for individuals licensed or who seek licensure in life safety and property protection. Present law provides that each member of the Life Safety and Protection Education Board serve for a two-year term.

Proposed law changes present law to a four-year term.

(Amends R.S. 40:1646(B), 1664.8, 1664.9(D)(3), (K), and (L), and 1664.11(B)(1); Adds R.S. 40:1664.5.1 and 1664.9(D)(4), (M), and (N); Repeals R.S. 40:1664.5(A)(12))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Clarify that Section 2 of this Act becomes effective when the provisions of Section 5 of Act No. 598 of the 2018 Regular Session of the Legislature become effective.
2. Provide other technical amendments.