

2022 Regular Session

HOUSE BILL NO. 565

BY REPRESENTATIVE BACALA

FIRE PROTECT/FIRE MARSHAL: Provides relative to duties of the fire marshal

1 AN ACT

2 To amend and reenact R.S. 40:1563.1(C), relative to fire marshals; to provide relative to the  
3 authority and powers of the fire marshal, first assistant fire marshal, and deputy fire  
4 marshals; to provide for a restriction; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

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

7 §1563.1. Authority to make arrests and carry firearms; arson task force

8 \* \* \*

9 C.(1) The fire marshal, the first assistant fire marshal, and each deputy fire  
10 marshal shall have the authority to investigate and cause the arrest of any person  
11 suspected of having committed any offense connected to the investigation of any of  
12 the offenses enumerated in Subsection A of this Section, ~~or~~ connected to the  
13 investigation of a burn injury report submitted to the office of state fire marshal in  
14 accordance with R.S. 14:403.4, or connected to any inspection for which the fire  
15 marshal, the first assistant fire marshal, and each deputy fire marshal have the  
16 authority to conduct an investigation.

17 (2) Upon the request of any regular law enforcement agency of this state, the  
18 fire marshal, the first assistant fire marshal, and each deputy fire marshal shall  
19 prevent and detect crime, apprehend criminals, enforce the criminal laws of the state,

1 keep the peace and good order in the enforcement of the state's police powers, and  
2 perform any other related duties imposed upon them by the legislature.

3 (3) Additionally, while on special assignment during any riot, insurrection,  
4 or any declared disaster; the fire marshal, the first assistant fire marshal, and each  
5 deputy fire marshal shall possess all of the powers and authority of regular law  
6 enforcement officers of this state.

7 (4) No fire marshal, first assistant fire marshal, or deputy fire marshal shall  
8 enforce any provision of Title 32 of the Louisiana Revised Statutes of 1950.

9 \* \* \*

---

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)]

---

HB 565 Engrossed

2022 Regular Session

Bacala

**Abstract:** Provides relative to the authority and powers of the fire marshal, the first assistant fire marshal, and deputy fire marshals.

Present law provides that the fire marshal, first assistant fire marshal, and each deputy fire marshal shall have the authority to investigate and arrest any person suspected of committing any offense connected to the investigation of any of the offenses enumerated in present law (R.S. 40:1563.1), or connected to the investigation of a burn injury report submitted to the office of state fire marshal in accordance with present law (R.S. 14:403.4).

Proposed law amends present law to provide that the fire marshal, first assistant fire marshal, and each deputy fire marshal shall have the authority to investigate and cause the arrest of any person connected to any inspection which the fire marshal, first assistant fire marshal, and each deputy fire marshal have the authority to conduct an investigation.

Proposed law provides that upon the request of any regular state law enforcement agency, the fire marshal, first assistant fire marshal, and each deputy fire marshal shall prevent and detect crime, apprehend criminals, enforce the criminal laws of the state, keep the peace and good order in the enforcement of the state's police powers, and perform any other related duties imposed upon them by the legislature.

Proposed law provides that the fire marshal, the first assistant fire marshal, and each deputy fire marshal shall possess all of the powers and authority of regular state law enforcement officers while on special assignment during any riot, insurrection, or any declared disaster.

Proposed law provides that no fire marshal, first assistant fire marshal, or deputy fire marshal shall enforce any provision of present law (Title 32 of the La. Revised Statutes of 1950).

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

Summary of Amendments Adopted by House

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

1. Make technical changes.