

2016 Regular Session

HOUSE BILL NO. 1015

BY REPRESENTATIVE BERTHELOT

ADMINISTRATION: Changes the designation of rule making authority relative to the state fire marshal and the Department of Health and Hospitals

1 AN ACT

2 To amend and reenact R.S. 40:1563(L)(2), relative to certain rule making authority of the
3 Department of Health and Hospitals; to redesignate such rule making authority from
4 the Department of Health and Hospitals to the state fire marshal; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1563(L)(2) is hereby amended and reenacted to read as follows:

8 §1563. Powers and duties generally; use of deputies; responsibilities of local
9 governing authorities with fire prevention bureaus; open structures and
10 process structures; fees

11 * * *

12 L.

13 * * *

14 (2) In consultation with the ~~state fire marshal~~, the Department of Health and
15 Hospitals, the state fire marshal shall develop and promulgate rules in accordance
16 with the Administrative Procedure Act to implement the provisions of this
17 Subsection. The rules shall be applicable to both public and private entities.

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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 1015 Original

2016 Regular Session

Berthelot

Abstract: Redesignates certain rule making authority from the Department of Health and Hospitals (DHH) to the state fire marshal (fire marshal).

Present law provides the fire marshal with authority to conduct reviews for plans or specifications of a facility licensed, certified, or seeking licensure or certification by DHH. Proposed law retains present law.

Present law requires DHH, in consultation with the fire marshal, to develop and adopt rules to implement the process for the fire marshal to conduct such reviews as provided in present law. Requires such rules to apply to both public and private entities.

Proposed law changes present law to redesignate the rule making authority from DHH to the fire marshal and provides for the fire marshal to develop and adopt rules in consultation with DHH.

Proposed law otherwise retains present law.

(Amends R.S. 40:1563(L)(2))