The original instrument and the following digest, which constitutes no part of the
legislative instrument, were prepared by Alden A. Clement Jr.

DIGEST

SB 211 Original                    2017 Regular Session                    Gary Smith

<u>Present law</u> defines "life safety and property protection contracting" as performing certification,
inspection, installation, integration, sale, or service of systems and equipment designed to protect
life and property. <u>Present law</u> further provides that life safety and property protection systems and
equipment include, but is not limited to, mechanical or electronic locks, special locking systems and
equipment, security systems and equipment, fire sprinkler systems and equipment, fire detection and
alarm systems and equipment, fire suppression systems and equipment, and portable fire
extinguishers, and fire hoses. <u>Present law</u> further provides that life safety and property protection
contracting includes but is not limited to the sale, lease, rent, planning with the intent to prewire,
prewiring, hydrostatic testing, maintenance, repair, testing, modification, improvement, or alteration
of life safety systems and equipment; holding oneself or one's firm out for hire to perform any such
task; or otherwise offering to perform any such task for compensation, either directly or indirectly.

<u>Proposed law</u> retains <u>present law</u>.

<u>Present law</u> provides that no person or firm can engage in life safety and property protection
contracting without holding a current and valid license issued by the state fire marshal.

<u>Proposed law</u> provides that it is unlawful for any person to engage in the business of life safety and
property protection contracting, as defined in <u>present law</u>, unless he holds an active license as
required by <u>present law</u>. <u>Proposed law</u> further provides that it is sufficient for the indictment,
affidavit, or complaint to allege that the accused unlawfully engaged in life safety and property
protection contracting without authority from the office of state fire marshal.

<u>Proposed law</u> provides that any person who violates the provisions of <u>proposed law</u> will be guilty
of a misdemeanor and, upon conviction, is to be imprisoned for not more than 90 days, fined not
more than $500 per day of the violation, or both.

<u>Proposed law</u> provides that notwithstanding any action taken by the office of state fire marshal, any
person who does not possess a license as required by <u>present law</u>, and who violates any provision
of <u>proposed law</u> and causes harm or damage to another in excess of $500, upon conviction, is to be
imprisoned, with or without hard labor, for between six months and five years, fined between $500
and $5,000, or both. <u>Proposed law</u> further provides that any fine assessed and collected pursuant to
<u>proposed law</u> is to be remitted to the La. Life Safety and Property Protection Trust Fund provided
for in <u>present law</u>.

<u>Present law</u> provides that the fire marshal, the first assistant fire marshal, each deputy fire marshal,
certified local authorities, and state or municipal arson investigators, while engaged in the
performance of their duties as such, have the authority to investigate and cause the arrest of

individuals suspected of having committed various enumerated <u>present law</u> crimes.

<u>Proposed law</u> adds the <u>proposed law</u> crime of engaging in life safety and property protection contracting without authority to this list.

<u>Proposed law</u> provides that the fire marshal, the first assistant fire marshal, and each deputy fire marshal has the authority to investigate and cause the arrest of any person suspected of having committed any offense connected to the investigation of any of the offenses enumerated in the <u>present law</u> list, or connected to the investigation of a burn injury report submitted to the office of state fire marshal in accordance with <u>present law</u>.

Effective August 1, 2017.

(Amends R.S. 40:1563.1(A)(20) and (C), (D), and (E); adds R.S. 14:206.1 and R.S. 40:1563.1(A)(21) and (F))