

Regular Session, 2010

HOUSE BILL NO. 1053

BY REPRESENTATIVE ARNOLD

FIRE PROTECT/FIRE MARSHAL: Provides relative to the Life Safety and Property Protection Licensing Act

## 1 AN ACT

2 To amend and reenact R.S. 40:1664.2(B) and (D), 1664.3(2), (4), (7), (10), (13), (15), (20),  
3 (26), (28), (36), (37), (39), (42), (43), (47), (49) through (52), (55), and (57),  
4 1664.4(A) and (D), 1664.5(1), (4), (11), and (12), 1664.6(B)(introductory paragraph)  
5 and (2), (E), (F), (G), and (H), 1664.7(B), (C)(introductory paragraph), (D), and (E),  
6 1664.8(G), 1664.9(A) through (D), (I), and (J), 1664.10(3) and (4), 1664.11(A)(1)  
7 and (2)(a), (B)(2) and (3), and (H), 1664.12(3), (8), and (11), 1664.14(A)(5), and  
8 1664.15(A), to enact R.S. 40:1664.3(62) through (69), 1664.5(15), 1664.6(I),  
9 1664.7(F), 1664.10(8), 1664.12(12), and to repeal R.S. 40:1664.3(38), relative to the  
10 Life Safety and Property Protection Licensing Act; to change the phrase "fire  
11 marshal" to "state fire marshal"; to make technical corrections; to provide for  
12 definitions; to repeal the definition of "limited locksmith specialist"; to require a  
13 licence to perform life safety and property protection contracting; to provide for  
14 exemptions; to provide for an application process to obtain a firm license; to provide  
15 for an application process to obtain an individual license; to establish licensing fees;  
16 to provide for the powers and duties of the state fire marshal; to provide for the Life  
17 Safety and Property Protection Advisory Board; to provide for prohibited acts; to  
18 require the return of the lockout, installer, or programming code of a system to the  
19 factory default when a contract for service is cancelled; and to provide for related  
20 matters.

1 Be it enacted by the Legislature of Louisiana:

2 Section 1. R.S. 40:1664.2(B) and (D), 1664.3(2), (4), (7), (10), (13), (15), (20), (26),  
3 (28), (36), (37), (39), (42), (43), (47), (49) through (52), (55), and (57), 1664.4(A) and (D),  
4 1664.5(1), (4), (11), and (12), 1664.6(B) (introductory paragraph) and (2), (E), (F), (G), and  
5 (H), 1664.7(B), (C) (introductory paragraph), (D), and (E), 1664.8(G), 1664.9(A) through  
6 (D), (I), and (J), 1664.10(3) and (4), 1664.11(A)(1) and (2)(a), (B)(2) and (3), and (H),  
7 1664.12(3), (8), and (11), 1664.14(A)(5), and 1664.15(A) are hereby amended and reenacted  
8 and R.S. 40:1664.3(62) through (69), 1664.5(15), 1664.6(I), 1664.7(F), 1664.10(8),  
9 1664.12(12) are hereby enacted to read as follows:

10 §1664.2. Purpose; administration and enforcement

11 \* \* \*

12 B. The state fire marshal shall administer and enforce the provisions of this  
13 Subpart and may issue rules and regulations which he considers necessary to such  
14 administration and enforcement pursuant to the Administrative Procedure Act. In  
15 formulating necessary rules and regulations, the state fire marshal may use  
16 recognized standards, including those of the National Fire Protection Association,  
17 those recognized by federal law or regulation, those published by nationally  
18 recognized standards-making organizations, those industry standards established by  
19 accepted practices or trade associations, or those contained in manufacturers'  
20 installation manuals.

21 \* \* \*

22 D. The Louisiana Life Safety and Property Protection Advisory Board shall  
23 advise the state fire marshal with respect to administration and enforcement of the  
24 provisions of this Subpart and shall exercise those functions specified in this Subpart.

25 §1664.3. Definitions

26 As used in this Subpart, the following terms shall have the meanings  
27 specified in this Section:

28 \* \* \*



1 (15) "Fire detection and alarm systems" means those assemblies of wiring,  
2 electronic transmitting devices, detection devices, and related equipment for the  
3 detection of products of combustion or flammable or poisonous gases, heat and for  
4 alerting occupants, including fire department personnel, of a fire emergency.

5 \* \* \*

6 (20) "Fire protection systems and equipment" means those life safety and  
7 property loss systems, whether commercial or residential, intended to protect a  
8 structure's occupants or property from the risk and dangers of fire or explosion. Fire  
9 protection systems and equipment include but are not limited to portable fire  
10 extinguishers, fire detection and alarm systems, fire suppression systems, fire hoses,  
11 kitchen hood, and duct installation and cleaning. However, the term "fire protection  
12 system and equipment" shall not include a single station smoke or heat detector  
13 installed in a private residence by a fire department, the state fire marshal, a public  
14 agency, a volunteer association, or their designated representatives where no  
15 compensation is received for such installation.

16 \* \* \*

17 (26) "Fixed fire suppression systems technician" means an individual  
18 licensed to certify, inspect, install, integrate, and service fixed fire suppression  
19 systems and kitchen hood and duct systems.

20 \* \* \*

21 (28) "Household fire warning system" means a fire alarm, fire alarm system,  
22 or portion of such an alarm or system intended to detect or warn of smoke, poisonous  
23 gases, or fire and intended for use in a residential one- or two-family dwelling or  
24 wholly within the confines of an individual living unit in a residential multifamily  
25 structure. Household fire warning systems are a subclassification of security.

26 \* \* \*

27 (36) "Kitchen suppression specialist" means an individual licensed to certify,  
28 inspect, install, integrate, and service pre-engineered fire suppression systems and  
29 kitchen hood and duct systems protecting kitchen appliances.



1 and property protection contracting firm corresponding to those performed by those  
2 officers.

3 (43) "Operating location" means a physical address that houses an entity that  
4 performs life safety and property protection contracting. All business records  
5 including but not limited to payroll records, sales invoices, inspection reports, and  
6 service records shall be maintained at the operating location. The operating location  
7 shall be open during normal business hours for the inspection of records. The use of  
8 a storage facility, telephone answering service, or post office box shall not constitute  
9 a location for purposes of this Subpart.

10 \* \* \*

11 (47) "Pre-engineered fire suppression specialist" means an individual  
12 licensed to certify, inspect, install, integrate, and service pre-engineered fire  
13 suppression systems and kitchen hood and duct systems.

14 \* \* \*

15 (49) "Principal" means a person or entity that ~~owns at least five percent of~~  
16 ~~a life safety and property protection contracting firm regardless of the form of~~  
17 ~~organization. "Principal" includes a person or entity entitled to exercise the~~  
18 ~~prerogatives or indicia of ownership or control of a life safety and property~~  
19 ~~protection contracting firm whether by direct action, assignment, or any other kind~~  
20 ~~of substitution or subrogation, to the extent that such person or entity would be~~  
21 ~~entitled to receive at least five percent of the remaining assets of the life safety and~~  
22 ~~property protection contracting firm upon dissolution. "Principal" includes, if the~~  
23 ~~entity is a partnership, each partner, including any general or limited partner.~~  
24 ~~"Principal" includes, if the entity is organized as a corporation, any person or entity~~  
25 ~~who owns or controls five percent or more of the total aggregate number of shares~~  
26 ~~of all types of stock issued by a life safety and property protection contracting firm~~  
27 ~~organized as a corporation or shares of a corporation that owns or controls a life~~  
28 ~~safety and property protection contracting firm. "Principal" includes any member~~  
29 ~~if the entity is organized as a limited liability company~~ has a controlling interest of

1 a life safety and property protection firm regardless of the form of organization.

2 "Principal" includes a person or entity entitled to exercise the prerogatives or indicia

3 of ownership or control of a property protection firm whether by direct action,

4 assignment, or any other kind of substitution or subrogation.

5 (50) "Property protection systems and equipment" means those life safety  
6 and property protection systems intended to protect lives and property from the risk  
7 of theft, unauthorized entry, or other physical harm to a structure's occupants or  
8 property. ~~Security~~ Property protection systems and equipment include, but are not  
9 limited to intrusion alarms, closed circuit television, mechanical locks, and electronic  
10 locks.

11 (51) "Qualifier" means a person who possesses the appropriate training or  
12 experience credentials enabling a firm to obtain a life safety and property protection  
13 license. A qualifier ~~must~~ shall be a paid employee of the firm for which he qualifies  
14 and work a minimum of thirty-two hours per week. A qualifier ~~must provide direct~~  
15 ~~supervision of a firm's operations~~ shall be actively involved in overseeing the life  
16 safety and property protection contracting for the firm for which he qualifies. An  
17 individual may only qualify one firm.

18 (52) "Security sales ~~technician~~ specialist" means an individual licensed to  
19 sell or specify security systems and equipment.

20 \* \* \*

21 (55) "Sell" means to solicit another on behalf of a property protection firm  
22 by any means, including but not limited to telephone or electronic device, public  
23 notice or advertisement, door-to-door or any other type of personal interaction. The  
24 term includes designing property protection systems.

25 \* \* \*

26 (57) "Specialist" means an individual who is trained and certified to perform  
27 life safety and property protection contracting within a specific limited endorsement.

28 \* \* \*

1           (62) "Bank-locking system" means locking systems and equipment within  
2           a financial institution. The term includes but is not limited to safes, vaults, time  
3           locks, safety deposit box locks, combination and electronic locks, key operated  
4           locks, teller under counter equipment, master key systems, interchangeable cores,  
5           cash dispensers, drive-up systems, money tubes, and other commercial bank  
6           furnishings. The scope of work includes selling, installing, and servicing these  
7           systems and equipment. Bank-locking systems are a subclassification of locksmith.  
8           The term does not include special locking or security systems and equipment as  
9           defined in this Subpart.

10           (63) "Builders' hardware" or " architectural hardware" or "door hardware"  
11           means stand alone electro/mechanical locks, latches, exit hardware, closures, and  
12           hinges mounted onto doors intended to operate and secure the door properly. The  
13           term does not include special locking systems.

14           (64) "Detention locking system" means locking systems and equipment  
15           within a penal institution. The term includes but is not limited to doors, frames, high  
16           security locking, and commercial locking systems. The term also includes locks of  
17           various types including pin tumbler-standard and mogul types, lever and wafer  
18           tumbler mechanical locks, electromechanical, full electronic, and pneumatic  
19           controlled locks. Detention locking systems are a subclassification of locksmith. The  
20           term does not include special locking, security, or closed circuit television alarm  
21           systems and equipment as defined in this Subpart.

22           (65) "Kitchen hood and duct cleaning specialist" means an individual  
23           licensed to clean ventilation systems covering commercial kitchen appliances.

24           (66) "Kitchen hood and duct specialist" means an individual licensed to  
25           certify, inspect, install, integrate, and service ventilation systems covering  
26           commercial kitchen appliances.

27           (67) "Kitchen hood and duct system" means a system of devices and  
28           passageways over a kitchen appliance which is designed to capture, direct, and





1 fire sprinkler, fire suppression systems, kitchen hood and duct systems or equipment,  
2 or portable fire extinguishers and fire hoses.

3 \* \* \*

4 (4) A ~~member of the building trades~~ general contractor licensed by the State  
5 Licensing Board for Contractors and his direct employees or a building owner and  
6 his direct employees performing the installation or removal of complete mechanical  
7 ~~locks or locking devices~~ lock sets when doing so in the course of residential or  
8 commercial new construction or remodeling.

9 \* \* \*

10 (11) Any gate manufacturer or merchant that is in the business of installing,  
11 servicing, repairing, rebuilding, reprogramming, or maintaining electronic garage  
12 door devices ~~or gate systems for vehicle traffic~~. This exception from licensure shall  
13 also apply to the employees of the manufacturer or merchant but only as to work  
14 performed by them on behalf of the exempted employer.

15 (12) A firm or person licensed to perform electrical work by the State  
16 Licensing Board for Contractors pursuant to R.S. 37:2156.1 and 2156.2 which  
17 installs wire, conduit, or other wire raceways, its associated boxes or fittings, or  
18 installs fire alarm initiating and notification devices ~~or intrusion alarm systems or~~  
19 ~~closed circuit television systems or special locking systems~~ in either commercial or  
20 residential property. This exception from licensure shall also apply to the employees  
21 of a firm or person exempted by this Subpart, but only as to work performed by them  
22 on behalf of the exempted employer.

23 \* \* \*

24 (15) A mechanical contractor, licensed by the State Licensing Board for  
25 Contractors and holding a statewide mechanical work license classification issued  
26 by that board, who only installs hoods or ducts within a kitchen ventilation system.

27 §1664.6. Application for a firm license; requirements to maintain

28 \* \* \*

1 B. An applicant for a firm license shall submit the following to the state fire  
2 marshal:

3 \* \* \*

4 (2) Documentation that the firm is an entity duly authorized to conduct  
5 business within this state. If the firm is physically located in Louisiana,  
6 documentation shall be in the form of a local or parish occupational license and if  
7 incorporated, registration with the secretary of state. If the firm is physically located  
8 outside of the state, documentation shall be in the form of registration with the  
9 secretary of state as a foreign corporation including the name of the firm's registered  
10 agent of service.

11 \* \* \*

12 E. Each firm as a condition of licensure shall be open for inspection by the  
13 state fire marshal or his designated representative at any reasonable time for the  
14 purpose of observation and collection of facts and data relating to proper  
15 enforcement of this Subpart. No person acting on behalf of the firm shall refuse to  
16 admit the state fire marshal or his designated representative to an operating location.  
17 Firms physically located outside of Louisiana may be charged for the travel expenses  
18 of the state fire marshal to conduct such an inspection.

19 F. As a further condition of licensure, the acceptance of a license by a firm  
20 shall be deemed as consent to submit to the reasonable requests for documentation  
21 by the office of the state fire marshal or his designated representatives and to  
22 cooperate in a lawful investigation by the office of the state fire marshal. Refusal to  
23 cooperate with any lawful investigation by the office of the state fire marshal shall  
24 be subject to any penalty as outlined in this Section, including suspension or  
25 revocation of license.

26 G. Each firm shall clearly display its license in a conspicuous location at its  
27 place of business.



1 §1664.8. Criminal background checks

2 \* \* \*

3 G. The state fire marshal is authorized to order fingerprint analysis or any  
4 other analysis or documents deemed necessary by the state fire marshal for the  
5 purpose of verifying the criminal history of a person or named officer or principal  
6 of a firm applying for a license. The state fire marshal shall have the authority to  
7 conduct criminal history verification on a local, state, or national level. All costs for  
8 verifying criminal history shall be borne by the applicant.

9 §1664.9. Fees; Louisiana Life Safety and Property Protection Trust Fund

10 A. The fire marshal is authorized to assess and collect fees pursuant to this  
11 Subpart. License endorsements are separated into the two general categories of  
12 Property Protection and Life Safety. The Property Protection category is subdivided  
13 into the Technical Endorsements of Locksmith, ~~Special Locking Door Hardware~~, and  
14 Security. The Life Safety category is subdivided into the Technical Endorsements  
15 of Fire Sprinkler, Fire Suppression, Fire Alarm, ~~Fire-Other~~ Portable Fire  
16 Extinguishers and Hoses, and DOT Hydrostatic Testing. Technical endorsements  
17 may further be divided into specialty endorsements. A technical endorsement holder  
18 is authorized to perform all life safety and property protection contracting authorized  
19 by the specialty endorsements within the specific technical endorsement category.  
20 Specialty endorsement holders are limited to only life safety and property protection  
21 contracting authorized by that specialty endorsement.

22 B. The amount of licensing fees for a firm shall be as follows:

	Initial fee	Renewal fee
<del>(1)(a) Technical Endorsement-Locksmith</del>	\$250	\$50
<del>(b) Speciality Endorsement:</del>	\$250	\$50
<del>(i) Limited locksmith</del>	\$250	\$50
<del>(ii) Door hardware</del>	\$250	\$50
<del>(iii) Bank locking</del>	\$250	\$50
<del>(iv) Detention locking</del>	\$250	\$50

1	<del>(2)(a) Technical Endorsement-Security</del>	\$250	\$50
2	<del>(b) Specialty Endorsement</del>		
3	<del>(i) Closed Circuit Television</del>	\$250	\$50
4	<del>(ii) Household fire</del>	\$250	\$50
5	<del>(3) Technical Endorsement-Fire Sprinkler</del>	\$500	\$250
6	<del>(4)(a) Technical Endorsement-Fixed</del>		
7	<del>Fire Suppression</del>	\$350	\$100
8	<del>(b) Specialty Endorsement</del>		
9	<del>(i) Pre-engineered</del>	\$350	\$100
10	<del>(ii) Kitchen suppression</del>	\$350	\$50
11	<del>(5)(a) Technical Endorsement-Fire Alarm</del>	\$350	\$100
12	<del>(b) Specialty Endorsement</del>		
13	<del>(i) Fire alarm (Non-required)</del>	\$350	\$50
14	<del>(ii) Fire alarm owner</del>	\$350	\$50
15	<del>(6) Technical Endorsement-Portable</del>		
16	<del>Fire Extinguishers/Hoses</del>	\$350	\$150
17	<del>(7) Technical Endorsement-DOT</del>		
18	<del>hydrostatic testing</del>	\$350	\$50
19	<u>(1)(a) Technical Endorsement-Locksmith</u>	<u>\$250</u>	<u>\$50</u>
20	<u>(b) Specialty Endorsement:</u>		
21	<u>(I) Bank locking</u>	<u>\$250</u>	<u>\$50</u>
22	<u>(ii) Detention locking</u>	<u>\$250</u>	<u>\$50</u>
23	<u>(2) Technical Endorsement-Door hardware</u>	<u>\$250</u>	<u>\$50</u>
24	<u>(3)(a) Technical Endorsement-Security</u>	<u>\$250</u>	<u>\$50</u>
25	<u>(b) Specialty Endorsement:</u>		
26	<u>(I) Closed Circuit Television</u>	<u>\$250</u>	<u>\$50</u>
27	<u>(ii) Household fire</u>	<u>\$250</u>	<u>\$50</u>
28	<u>(iii) Special Locking</u>	<u>\$250</u>	<u>\$50</u>
29	<u>(4) Technical Endorsement-Fire Sprinkler</u>	<u>\$500</u>	<u>\$250</u>

1	<u>(5)(a) Technical Endorsement-</u>	<u>\$350</u>	<u>\$100</u>
2	<u>Fixed Fire Suppression</u>		
3	<u>(b) Specialty Endorsement:</u>		
4	<u>(I) Pre-engineered</u>	<u>\$350</u>	<u>\$100</u>
5	<u>(ii) Kitchen suppression</u>	<u>\$350</u>	<u>\$50</u>
6	<u>(iii) Kitchen hood and duct cleaning</u>	<u>\$350</u>	<u>\$50</u>
7	<u>(iv) Kitchen hood and duct</u>	<u>\$350</u>	<u>\$50</u>
8	<u>(6)(a) Technical Endorsement-Fire Alarm</u>	<u>\$350</u>	<u>\$100</u>
9	<u>(b) Specialty Endorsement:</u>		
10	<u>(I) Fire alarm (Non-required)</u>	<u>\$350</u>	<u>\$50</u>
11	<u>(ii) Fire alarm owner</u>	<u>\$350</u>	<u>\$50</u>
12	<u>(7) Technical Endorsement-</u>	<u>\$350</u>	<u>\$150</u>
13	<u>Portable Fire Extinguishers/Hoses</u>		
14	<u>(8) Technical Endorsement-</u>	<u>\$350</u>	<u>\$50</u>
15	<u>DOT hydrostatic testing</u>		
16	C. The amount of licensing fees for a person shall be as follows:		
17		Initial fee	Renewal fee
18	<del>(1)(a) Technical Endorsement-Locksmith</del>	\$100	\$50
19	<del>(b) Specialty Endorsement</del>		
20	<del>(i) Limited locksmith</del>	\$100	\$50
21	<del>(ii) Door hardware</del>	\$100	\$50
22	<del>(iii) Bank locking</del>	\$100	\$50
23	<del>(iv) Detention locking</del>	\$100	\$50
24	<del>(2)(a) Technical Endorsement-</del>		
25	<del>Security technician</del>	\$100	\$50
26	<del>(b) Specialty Endorsement</del>		
27	<del>(i) Closed Circuit Television</del>	\$100	\$50
28	<del>(ii) Household fire</del>	\$100	\$50
29	<del>(3) Technical Endorsement-Security sales</del>	\$100	\$50

1	<del>(4) Technical Endorsement-</del>		
2	Fire Sprinkler Qualifier	\$100	\$50
3	<del>(5) Technical Endorsement-</del>		
4	Fire Sprinkler Inspector	\$100	\$50
5	<del>(6)(a) Technical Endorsement-</del>		
6	Fixed Fire Suppression	\$50	\$50
7	<del>(b) Specialty Endorsement</del>		
8	<del>(i) Pre-engineered</del>	\$50	\$50
9	<del>(ii) Kitchen suppression</del>	\$50	\$50
10	<del>(7)(a) Technical Endorsement-Fire Alarm</del>	\$50	\$50
11	<del>(b) Specialty Endorsement</del>		
12	<del>(i) Fire alarm (Non-required)</del>	\$50	\$50
13	<del>(ii) Fire alarm owner</del>	\$50	\$50
14	<del>(8)(a) Technical Endorsement-</del>		
15	Portable Fire Extinguishers/Hoses	\$50	\$50
16	<del>(9) Technical Endorsement-</del>		
17	DOT hydrostatic testing	\$25	\$25
18	<del>(10) Technical Endorsement-Apprentice</del>	\$50	\$50
19	<u>(1)(a) Technical Endorsement-Locksmith</u>	<u>\$100</u>	<u>\$50</u>
20	<u>(b) Specialty Endorsement:</u>		
21	<u>(I) Bank locking</u>	<u>\$100</u>	<u>\$50</u>
22	<u>(ii) Detention locking</u>	<u>\$100</u>	<u>\$50</u>
23	<u>(2) Technical Endorsement-Door hardware</u>	<u>\$100</u>	<u>\$50</u>
24	<u>(3)(a) Technical Endorsement-Security</u>	<u>\$100</u>	<u>\$50</u>
25	<u>(b) Specialty Endorsement:</u>		
26	<u>(I) Closed Circuit Television</u>	<u>\$100</u>	<u>\$50</u>
27	<u>(ii) Household fire</u>	<u>\$100</u>	<u>\$50</u>
28	<u>(iii) Security sales</u>	<u>\$100</u>	<u>\$50</u>
29	<u>(iv) Special Locking</u>	<u>\$100</u>	<u>\$50</u>



1	<u>(4) Technical Endorsement-</u>	<u>\$100</u>	<u>\$50</u>
2	<u>Fire Sprinkler Qualifier</u>		
3	<u>(5) Technical Endorsement-</u>	<u>\$100</u>	<u>\$50</u>
4	<u>Fire Sprinkler Inspector</u>		
5	<u>(6) (a) Technical Endorsement-</u>	<u>\$50</u>	<u>\$50</u>
6	<u>Fixed Fire Suppression</u>		
7	<u>(b) Specialty Endorsement:</u>		
8	<u>(I) Pre-engineered</u>	<u>\$50</u>	<u>\$50</u>
9	<u>(ii) Kitchen suppression</u>	<u>\$50</u>	<u>\$50</u>
10	<u>(iii) Kitchen hood and duct cleaning</u>	<u>\$50</u>	<u>\$50</u>
11	<u>(iv) Kitchen hood and duct</u>	<u>\$50</u>	<u>\$50</u>
12	<u>(7) (a) Technical Endorsement-Fire Alarm</u>	<u>\$50</u>	<u>\$50</u>
13	<u>(b) Specialty Endorsement:</u>		
14	<u>(I) Fire alarm (Non-required)</u>	<u>\$50</u>	<u>\$50</u>
15	<u>(ii) Fire alarm owner</u>	<u>\$50</u>	<u>\$50</u>
16	<u>(8) Technical Endorsement-</u>	<u>\$50</u>	<u>\$50</u>
17	<u>Portable Fire Extinguishers/Hoses</u>		
18	<u>(9) Technical Endorsement-</u>	<u>\$25</u>	<u>\$25</u>
19	<u>DOT hydrostatic testing</u>		
20	<u>(10) Specialty Endorsement-Apprentice</u>	<u>\$50</u>	<u>\$50</u>

21 D. All licenses are valid for one year and ~~must~~ shall be renewed within thirty  
22 days of its expiration date to remain valid. The state fire marshal may create a  
23 prorated fee system to allow employee license renewal dates to coincide with the  
24 firm license renewal date.

25 \* \* \*

26 I. The fees established in this Section shall not be refundable except under  
27 such conditions as the state fire marshal may establish.

28 J.(1) Subject to the exceptions contained in Article VII, Section 9 of the  
29 Constitution of Louisiana, all monies received by the state fire marshal pursuant to

1 this Subpart, including but not limited to fees and fines, shall be deposited  
 2 immediately upon receipt in the state treasury and shall be credited to the Bond  
 3 Security and Redemption Fund. Out of the funds remaining in the Bond Security  
 4 and Redemption Fund after a sufficient amount is allocated from that fund to pay all  
 5 obligations secured by the full faith and credit of the state which become due and  
 6 payable within any fiscal year, the treasurer, prior to placing such remaining funds  
 7 in the state general fund, shall pay an amount equal to the total amount of funds paid  
 8 into the state treasury by the state fire marshal pursuant to this Subpart into a special  
 9 fund which is hereby created in the state treasury and designated as the Louisiana  
 10 Life Safety and Property Protection Trust Fund.

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

19 §1664.10. Powers and duties of state fire marshal

20 The state fire marshal shall:

21 \* \* \*

22 (3) ~~Conduct~~ Have authority to conduct examinations to ascertain the  
 23 qualifications and fitness of applicants for a license pursuant to this Subpart.

24 (4) Issue full or provisional licenses to firms and persons that meet the  
 25 qualifications established by this Subpart.

26 \* \* \*

27 (8) Investigate all written complaints lodged against firms or individuals who  
 28 are alleged to have violated this Subpart and pursue administrative action against the  
 29 firms or individuals.

1 §1664.11. Life Safety and Property Protection Advisory Board

2 A. The Life Safety and Property Protection Advisory Board is hereby created  
3 and placed within the Department of Public Safety and Corrections as further  
4 provided by R.S. 36:409(M) and 919.3. The board shall be composed of ~~twelve~~  
5 thirteen members, as follows:

6 (1)(a) ~~Eleven~~ Twelve members shall be appointed by the governor from a  
7 list of nominees submitted to the governor by the ~~fire marshal~~ the Louisiana Life  
8 Safety and Security Association, the Louisiana Fire Sprinkler Association, and the  
9 Louisiana Automatic Fire Alarm Association.

10 (b) The board shall consist of members representing all aspects of life safety  
11 and property protection. Each of the technical endorsements shall be represented by  
12 at least one board member licensed for such. Members who only have a specialty  
13 endorsement may be appointed if all the technical endorsements have representation.

14 (c) Any person appointed to the board shall be licensed pursuant to this  
15 Subpart and shall have been engaged in life safety and property protection  
16 contracting for a minimum of four years prior to his appointment, except that ~~one~~  
17 ~~member~~ two members may be from an associate industry to life safety and property  
18 protection ~~or end user~~ for which no license is required but shall be legally registered  
19 to do business in Louisiana.

20 (2)(a) One member shall be an employee of the office of the state fire  
21 marshal designated by the state fire marshal.

22 \* \* \*

23 B.

24 \* \* \*

25 (2) The member designated by the state fire marshal shall serve a term  
26 concurrent with the term of the fire marshal making such designation.

27 (3) No member shall serve more than two consecutive terms except the  
28 member designated by the state fire marshal.

29 \* \* \*

1 H. In the absence of an appointed board, the state fire marshal shall  
2 determine and approve licensing equivalencies, written training programs,  
3 examination requirements, and continuing education requirements.

4 §1664.12. Prohibited acts

5 No person or firm shall do any of the following:

6 \* \* \*

7 (3) Certify, inspect, install, integrate, sell, or service life safety and property  
8 protection contrary to plans submitted for review, applicable NFPA codes, standards,  
9 or ~~manufacturers~~ manufacturer's specifications without specific written authorization  
10 from the office of the state fire marshal.

11 \* \* \*

12 (8) Refuse to admit the state fire marshal or his designated representative to  
13 an operating location or refuse to cooperate in the purposes of such admittance as  
14 required by this Subpart.

15 \* \* \*

16 (11) Refuse to cooperate with any lawful investigation by the office of the  
17 state fire marshal.

18 (12) Fail to abide by the administrative rules promulgated pursuant to this  
19 Subpart.

20 \* \* \*

21 §1664.14. Penalties

22 A.

23 \* \* \*

24 (5) In the suit for an injunction, the state fire marshal may demand of the  
25 defendant a penalty of fifty dollars per day for each violation, reasonable attorney  
26 fees, and court costs. Judgment for penalty, attorney fees, and court costs may be  
27 rendered in the same judgment in which the injunction is made absolute.

28 \* \* \*

1 §1664.15. Purchased life safety and property protection system  
 2 A. Each firm engaged in life safety and property protection contracting who  
 3 sells a life safety or property protection system to a consumer shall ~~immediately~~  
 4 return the lockout, installer, or programming code of the system to the factory default  
 5 setting within five business days following notification when the consumer cancels  
 6 the contract with the firm ~~and contracts with another firm~~ provided all original  
 7 contractual obligations are fulfilled.

8 \* \* \*

9 Section 2. R.S. 40:1664.3(38) is hereby repealed in its entirety.

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)]

Arnold

HB No. 1053

**Abstract:** Makes changes to the Life Safety and Property Protection Licensing Act.

Proposed law makes technical corrections.

Proposed law change the phrase "fire marshal" to "state fire marshal".

Present law defines "bank-locking specialist" as an individual licensed to certify, inspect, install, integrate, sell, and service mechanical or electric locks within the confines of a bank, credit union, or other financial institution.

Proposed law retains present law but changes "electric locks" to "electronic locks".

Present law defines "door hardware specialist" as an individual who consults and provides technical advice regarding selection of mechanical locking devices and consults and provides technical advice regarding selection of electrical or electronic locking devices for controlled access to premises, safes, vaults, safe doors, lock boxes, automatic teller machines, or other devices.

Proposed law changes "door hardware specialist" to "door hardware technician" and defines it as an individual licensed to certify, inspect, install, integrate, and service builders' hardware or architectural hardware, including but not limited to stand alone electro/mechanical locks, latches, exit hardware, closures, and hinges mounted onto doors intended to operate and secure the door properly.

Present law defines "employee" as a person who performs services for wages or salary.

Proposed law retains present law and adds the requirement that the person receive a W-2 tax form from his employer.

Present law defines "fire detection and alarm systems" as those assemblies of wiring, electronic transmitting devices, detection devices, and related equipment for the detection

of products of combustion or flammable gases, heat and for alerting occupants, including fire department personnel, of a fire emergency.

Proposed law retains present law but adds that fire detection and alarm systems are also used for the detection of poisonous gases.

Present law defines "fixed fire suppression systems technician" as an individual licensed to certify, inspect, install, integrate, and service fixed fire suppression systems.

Proposed law expands present law to include an individual licensed to certify, inspect, install, integrate, and service kitchen hood and duct systems.

Present law defines "household fire warning system" as a fire alarm, fire alarm system, or portion of such an alarm or system intended to detect or warn of smoke, or fire and intended for use in a residential one- or two-family dwelling or wholly within the confines of an individual living unit in a residential multifamily structure.

Proposed law retains present law but adds that household fire warning systems are also used for the detection of poisonous gases.

Proposed law further provides that household fire warning systems are a subclassification of security.

Present law defines "kitchen suppression specialist" as an individual licensed to certify, inspect, install, integrate, and service pre-engineered fire suppression systems protecting kitchen appliances.

Proposed law expands present law to include an individual licensed to certify, inspect, install, integrate, and service kitchen hood and duct systems.

Present law defines "life safety and property protection contracting" as performing certification, inspection, installation, integration, sale, or service of mechanical locking, special locking, fire sprinkler, fire alarm, fire suppression, or other fire systems and equipment.

Proposed law 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. 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, fire hoses, and kitchen hood and duct systems.

Present law defines "locksmith technician" as an individual who sells, repairs, rebuilds, recodes, services, adjusts, installs, manipulates, or bypasses a special locking system, mechanical locking device or electrical locking devices for controlled access or egress to premises, safes, vaults, safe doors, lock boxes, automatic teller machines, or other devices for safeguarding areas or certifies, inspects, installs, integrates, sells and services closed circuit television alarm systems.

Proposed law retains present law but changes "electrical locking" to "electronic locking".

Present law defines "officer" as the president, vice president, secretary, treasurer, comptroller, or any other person who performs functions for an alarm contracting company or single station fire alarm contracting company, a locksmithing services company or closed circuit television alarm system contracting company corresponding to those performed by those officers.

Proposed law defines "officer" as the president, vice president, secretary, treasurer, comptroller, or any other person who performs functions for a life safety and property protection contracting firm corresponding to those performed by those officers.

Present law defines "operating location" as a physical address that houses an entity that performs life safety and property protection contracting.

Proposed law requires all business records including but not limited to payroll records, sales invoices, inspection reports, and service records to be maintained at the operating location.

Proposed law requires the operating location to be open during normal business hours for the inspection of records.

Proposed law provides that the use of a storage facility, telephone answering service, or post office box shall not constitute a location for purposes of this proposed law.

Present law defines "pre-engineered fire suppression specialist" means an individual licensed to certify, inspect, install, integrate, and service pre-engineered fire suppression systems.

Proposed law expands present law to include an individual licensed to certify, inspect, install, integrate, and service kitchen hood and duct systems.

Present law defines "principal" as a person or entity that owns at least 5% of a life safety and property protection contracting firm regardless of the form of organization. "Principal" includes a person or entity entitled to exercise the prerogatives or indicia of ownership or control of a life safety and property protection contracting firm whether by direct action, assignment, or any other kind of substitution or subrogation, to the extent that such person or entity would be entitled to receive at least 5% of the remaining assets of the life safety and property protection contracting firm upon dissolution. "Principal" includes, if the entity is a partnership, each partner, including any general or limited partner. "Principal" includes, if the entity is organized as a corporation, any person or entity who owns or controls 5% or more of the total aggregate number of shares of all types of stock issued by a life safety and property protection contracting firm organized as a corporation or shares of a corporation that owns or controls a life safety and property protection contracting firm. "Principal" includes any member if the entity is organized as a limited liability company.

Proposed law defines "principal" as a person or entity that has a controlling interest of a life safety and property protection firm regardless of the form of organization. "Principal" includes a person or entity entitled to exercise the prerogatives or indicia of ownership or control of a property protection firm whether by direct action, assignment, or any other kind of substitution or subrogation.

Present law defines "qualifier" as a person who possesses the appropriate training or experience credentials enabling a firm to obtain a life safety and property protection license.

Present law requires that a qualifier must provide direct supervision of a firm's operations for which he qualifies.

Proposed law requires that a qualifier shall be actively involved in overseeing the life safety and property protection contracting for the firm for which he qualifies.

Present law defines "security sales technician" as an individual licensed to sell or specify security systems and equipment.

Proposed law retains present law but changes "security sales technician" to "security sales specialist".

Present law defines "sell" as to solicit another on behalf of a property protection firm by any means, including but not limited to telephone or electronic device, public notice or advertisement, door-to-door or any other type of personal interaction.

Proposed law expands the definition of "sell" to include designing property protection systems.

Present law defines "specialist" as an individual who is trained and certified to perform life safety and property protection contracting within a specific endorsement.

Proposed law retains present law but specifies that the endorsement is a limited endorsement.

Proposed law defines "bank-locking system" as locking systems and equipment within a financial institution. The term includes but is not limited to safes, vaults, time locks, safety deposit box locks, combination and electronic locks, key operated locks, teller under counter equipment, master key systems, interchangeable cores, cash dispensers, drive-up systems, money tubes, and other commercial bank furnishings. The scope of work includes selling, installing, and servicing these systems and equipment. The term does not include special locking or security systems and equipment.

Proposed law provides that bank-locking systems are a subclassification of locksmith.

Proposed law defines "builders' hardware" or "architectural hardware" or "door hardware" as stand alone electro/mechanical locks, latches, exit hardware, closures, and hinges mounted onto doors intended to operate and secure the door properly. The term does not include special locking systems.

Proposed law defines "detention locking system" as locking systems and equipment within a penal institution. The term includes but is not limited to doors, frames, high security locking, and commercial locking systems. The term also includes locks of various types including pin tumbler-standard and mogul types, lever and wafer tumbler mechanical locks, electromechanical, full electronic, and pneumatic controlled locks. The term does not include special locking, security, or closed circuit television alarm systems and equipment.

Proposed law provides that detention locking systems are a subclassification of locksmith.

Proposed law defines "kitchen hood and duct cleaning specialist" as an individual licensed to clean ventilation systems covering commercial kitchen appliances.

Proposed law defines "kitchen hood and duct specialist" as an individual licensed to certify, inspect, install, integrate, and service ventilation systems covering commercial kitchen appliances.

Proposed law defines "kitchen hood and duct system" as a system of devices and passageways over a kitchen appliance which is designed to capture, direct, and ventilate grease-laden vapors and exhaust gases.

Proposed law provides that kitchen hood and duct systems are a subclassification of fire suppression.

Proposed law defines "special locking specialist" as an individual who certifies, design, inspects, installs, integrates, sells, or services a special locking system protecting a controlled access area or egress to premises.

Proposed law defines "state fire marshal" as the Department of Public Safety, office of state fire marshal and its authorized representatives.



Present law defines "limited locksmith specialist" as an individual who sells, repairs, rebuilds, recodes, services, adjusts, installs, manipulates, or bypasses a mechanical locking device for safeguarding areas. The term does not include special locking systems or closed circuit television alarm systems.

Proposed law repeals present law.

Present law provides that life safety and property protection contracting is divided into the three main categories of fire sprinkler, fire protection, and security.

Proposed law repeals present law.

Present law exempts, from the license requirement, an officer or employee of the United States, this state, or any political subdivision of either, while engaged in the performance of his official duties within the course and scope of his employment with the United States, this state, or any political subdivision of either.

Present law provides that no person or entity excepted from licensure shall engage in the certification, inspection, installation, integration, sale, or service of electronic locking, fire detection and alarm, fire sprinkler, fire suppression systems, or portable fire extinguishers.

Proposed law retains present law but changes "electronic locking" to "special locking" and adds that no person or entity excepted from licensure shall engage in the certification, inspection, installation, integration, sale, or service of kitchen hood and duct systems or equipment or fire hoses.

Present law exempts from licensure a member of the building trades or building owner performing the installation or removal of complete locks or locking devices when doing so in the course of residential or commercial new construction or remodeling.

Proposed law exempts a general contractor licensed by the State Licensing Board for Contractors and his direct employees or a building owner and his direct employees performing the installation or removal of complete mechanical lock sets when doing so in the course of residential or commercial new construction or remodeling.

Present law exempts from licensure any gate manufacturer or merchant that is in the business of installing, servicing, repairing, rebuilding, reprogramming, or maintaining electronic garage door devices or gate systems for vehicle traffic.

Proposed law removes the exemption for any gate manufacturer or merchant that is in the business of installing, servicing, repairing, rebuilding, reprogramming, or maintaining gate systems for vehicle traffic.

Present law exempts from licensure a firm or person licensed to perform electrical work by the State Licensing Board for Contractors which installs wire, conduit, or other wire raceways, its associated boxes or fittings, or installs fire alarm initiating and notification devices or intrusion alarm systems or closed circuit television systems or special locking systems in either commercial or residential property.

Proposed law removes exemption for a firm or person licensed to perform electrical work by the State Licensing Board for Contractors which installs intrusion alarm systems or closed circuit television systems or special locking systems in either commercial or residential property.

Proposed law exempts from licensure a mechanical contractor, licensed by the State Licensing Board for Contractors and holding a statewide mechanical work license classification issued by that board, who only installs hoods or ducts within a kitchen ventilation system.

Present law requires an applicant for a firm license to submit documentation to the fire marshal that the firm is an entity duly authorized to conduct business within this state. If the firm is physically located outside of the state, documentation shall be in the form of registration with the secretary of state as a foreign corporation.

Proposed law retains present law but also requires the documentation to include the name of the firm's registered agent of service.

Proposed law provides that, as a further condition of licensure, the acceptance of a license by a firm shall be deemed as consent to submit to the reasonable requests for documentation by the office of the state fire marshal or his designated representatives and to cooperate in a lawful investigation by the state fire marshal.

Proposed law further provides that refusal to cooperate with any lawful investigation by the office of the state fire marshal shall be subject to any penalty as outlined in proposed law, including suspension or revocation of license.

Present law provides that license endorsements are separated into the two general categories of Property Protection and Life Safety.

Present law provides that the Property Protection category is subdivided into the Technical Endorsements of Locksmith, Special Locking, and Security.

Proposed law provides that the Property Protection category is subdivided into the Technical Endorsements of Locksmith, Door Hardware, and Security.

Present law provides that the Life Safety category is subdivided into the Technical Endorsements of Fire Sprinkler, Fire Suppression, Fire Alarm, Fire Other, and DOT Hydrostatic Testing.

Proposed law provides that the Life Safety category is subdivided into the Technical Endorsements of Fire Sprinkler, Fire Suppression, Fire Alarm, Portable Fire Extinguishers and Hoses, and DOT Hydrostatic Testing.

Present law provides that the amount of licensing fees for a firm shall be as follows:

	Initial fee	Renewal fee
(1)(a) Technical Endorsement-Locksmith	\$250	\$50
(b) Speciality Endorsement:	\$250	\$50
(I) Limited locksmith	\$250	\$50
(ii) Door hardware	\$250	\$50
(iii) Bank locking	\$250	\$50
(iv) Detention locking	\$250	\$50
(2)(a) Technical Endorsement-Security	\$250	\$50
(b) Specialty Endorsement		
(I) Closed Circuit Television	\$250	\$50
(ii) Household fire	\$250	\$50

(3) Technical Endorsement-Fire Sprinkler	\$500	\$250
(4)(a) Technical Endorsement-Fixed Fire Suppression	\$350	\$100
(b) Specialty Endorsement		
(I) Pre-engineered	\$350	\$100
(ii) Kitchen suppression	\$350	\$50
(5)(a) Technical Endorsement-Fire Alarm	\$350	\$100
(b) Specialty Endorsement		
(I) Fire alarm (Non-required)	\$350	\$50
(ii) Fire alarm owner	\$350	\$50
(6) Technical Endorsement-Portable Fire Extinguishers/Hoses	\$350	\$150
(7) Technical Endorsement-DOT hydrostatic testing	\$350	\$50

Proposed law provides that the amount of licensing fees for a firm shall be as follows:

	Initial fee	Renewal fee
(1)(a) Technical Endorsement-Locksmith	\$250	\$50
(b) Specialty Endorsement:		
(I) Bank locking	\$250	\$50
(ii) Detention locking	\$250	\$50
(2) Technical Endorsement-Door hardware	\$250	\$50
(3)(a) Technical Endorsement-Security	\$250	\$50
(b) Specialty Endorsement:		
(I) Closed Circuit Television	\$250	\$50
(ii) Household fire	\$250	\$50
(iii) Special Locking	\$250	\$50
(4) Technical Endorsement-Fire Sprinkler	\$500	\$250
(5)(a) Technical Endorsement- Fixed Fire Suppression	\$350	\$100
(b) Specialty Endorsement:		
(I) Pre-engineered	\$350	\$100

(ii) Kitchen suppression	\$350	\$50
(iii) Kitchen hood and duct cleaning	\$350	\$50
(iv) Kitchen hood and duct	\$350	\$50
(6)(a) Technical Endorsement-Fire Alarm	\$350	\$100
(b) Specialty Endorsement:		
(I) Fire alarm (Non-required)	\$350	\$50
(ii) Fire alarm owner	\$350	\$50
(7) Technical Endorsement- Portable Fire Extinguishers/Hoses	\$350	\$150
(8) Technical Endorsement- DOT hydrostatic testing	\$350	\$50

Present law provides that the amount of licensing fees for a person shall be as follows:

	Initial fee	Renewal fee
(1)(a) Technical Endorsement-Locksmith	\$100	\$50
(b) Specialty Endorsement		
(I) Limited locksmith	\$100	\$50
(ii) Door hardware	\$100	\$50
(iii) Bank locking	\$100	\$50
(iv) Detention locking	\$100	\$50
(2)(a) Technical Endorsement- Security technician	\$100	\$50
(b) Specialty Endorsement		
(I) Closed Circuit Television	\$100	\$50
(ii) Household fire	\$100	\$50
(3) Technical Endorsement-Security sales	\$100	\$50
(4) Technical Endorsement- Fire Sprinkler Qualifier	\$100	\$50
(5) Technical Endorsement- Fire Sprinkler Inspector	\$100	\$50
(6)(a) Technical Endorsement- Fixed Fire Suppression	\$50	\$50
(b) Specialty Endorsement		

(I) Pre-engineered	\$50	\$50
(ii) Kitchen suppression	\$50	\$50
(7)(a) Technical Endorsement-Fire Alarm	\$50	\$50
(b) Specialty Endorsement		
(I) Fire alarm (Non-required)	\$50	\$50
(ii) Fire alarm owner	\$50	\$50
(8)(a) Technical Endorsement- Portable Fire Extinguishers/Hoses	\$50	\$50
(9) Technical Endorsement- DOT hydrostatic testing	\$25	\$25
(10) Technical Endorsement-Apprentice	\$50	\$50

Proposed law provides that the amount of licensing fees for a person shall be as follows:

	Initial fee	Renewal fee
(1)(a) Technical Endorsement-Locksmith	\$100	\$50
(b) Specialty Endorsement:		
(I) Bank locking	\$100	\$50
(ii) Detention locking	\$100	\$50
(2) Technical Endorsement-Door hardware	\$100	\$50
(3)(a) Technical Endorsement-Security	\$100	\$50
(b) Specialty Endorsement:		
(I) Closed Circuit Television	\$100	<u>\$50</u>
(ii) Household fire	\$100	\$50
(iii) Security sales	\$100	\$50
(iv) Special Locking	\$100	\$50
(4) Technical Endorsement- Fire Sprinkler Qualifier	\$100	\$50
(5) Technical Endorsement- Fire Sprinkler Inspector	\$100	\$50
(6) (a) Technical Endorsement- Fixed Fire Suppression	\$50	\$50
(b) Specialty Endorsement:		
(I) Pre-engineered	\$50	\$50

(ii) Kitchen suppression	\$50	\$50
(iii) Kitchen hood and duct cleaning	\$50	\$50
(iv) Kitchen hood and duct	\$50	\$50
(7) (a) Technical Endorsement-Fire Alarm	\$50	\$50
(b) Specialty Endorsement:		
(I) Fire alarm (Non-required)	\$50	\$50
(ii) Fire alarm owner	\$50	\$50
(8) Technical Endorsement- Portable Fire Extinguishers/Hoses	\$50	\$50
(9) Technical Endorsement- DOT hydrostatic testing	\$25	\$25
(10) Specialty Endorsement-Apprentice	\$50	\$50

Present law provides that the monies in the Louisiana Life Safety and Property Protection Trust Fund shall be used solely for implementation, administration, and enforcement of present law and only in the amounts appropriated each year by the legislature.

Proposed law retains present law but expands it to provide that the monies shall be used, for fire education or emergency response by the state fire marshal.

Present law provides that the state fire marshal shall conduct examinations to ascertain the qualifications and fitness of applicants for a license.

Proposed law provides that the state fire marshal shall have authority to conduct examinations to ascertain the qualifications and fitness of applicants for a license.

Present law provides that the state fire marshal shall issue licenses to firms and persons that meet the qualifications established by present law.

Proposed law provides that the state fire marshal shall issue full or provisional licenses to firms and persons that meet the qualifications.

Proposed law provides that the state fire marshal shall investigate all written complaints lodged against firms or individuals who are alleged to have violated proposed law and pursue administrative action against the firms or individuals.

Present law creates the Life Safety and Property Protection Advisory Board.

Present law provides that the board shall be composed of 12 members, as follows:

- (1) Eleven members shall be appointed by the governor from a list of nominees submitted to the governor by the fire marshal.
- (2) One member shall be an employee of the office of the state fire marshal designated by the state fire marshal.

Proposed law provides that the board shall be composed of 13 members, as follows:

- (1) Twelve members shall be appointed by the governor from a list of nominees submitted to the governor by the Louisiana Life Safety and Security Association, the Louisiana Fire Sprinkler Association, and the Louisiana Automatic Fire Alarm Association.
- (2) One member shall be an employee of the office of the state fire marshal designated by the state fire marshal.

Present law requires that the board shall consist of members representing all aspects of life safety and property protection. Each of the technical endorsements shall be represented by at least one board member licensed for such.

Proposed law retains present law and adds the restriction that members who only have a specialty endorsement may be appointed if all the technical endorsements have representation.

Present law provides that any person appointed to the board shall be licensed pursuant to present law and shall have been engaged in life safety and property protection contracting for a minimum of four years prior to his appointment, except that one member may be from an associate industry to life safety and property protection or end user for which no license is required.

Proposed law retains present law but increases the permissible number of associate industry members to two and requires the members to be legally registered to do business in Louisiana.

Present law establishes prohibited acts for licensed individuals and firms.

Proposed law prohibits a licensed individual from refusing to cooperate with any lawful investigation by the office of the state fire marshal.

Present law requires each firm engaged in life safety and property protection contracting who sells a life safety or property protection system to a consumer to immediately return the lockout, installer, or programming code of the system to the factory default setting when the consumer cancels the contract with the firm and contracts with another firm provided all original contractual obligations are fulfilled.

Proposed law retains present law but changes the requirement that the system be returned to the factory default setting immediately to within five business days following notification and removes the requirement that the consumer contracts with another firm.

(Amends R.S. 40:1664.2(B) and (D), 1664.3(2), (4), (7), (10), (13), (15), (20), (26), (28), (36), (37), (39), (42), (43), (47), (49)-(52), (55), and (57), 1664.4(A) and (D), 1664.5(1), (4), (11), and (12), 1664.6(B)(intro. para.) and (2), (E), (F), (G), and (H), 1664.7(B), (C)(intro. para.), (D), and (E), 1664.8(G), 1664.9(A)-(D), (I), and (J), 1664.10(3) and (4), 1664.11(A)(1) and (2)(a), (B)(2) and (3), and (H), 1664.12(3), (8), and (11), 1664.14(A)(5), and 1664.15(A); Adds R.S. 40:1664.3(62)-(69), 1664.5(15), 1664.6(I), 1664.7(F), 1664.10(8), 1664.12(12); Repeals R.S. 40:1664.3(38))