

Regular Session, 2011

HOUSE BILL NO. 226

BY REPRESENTATIVE ST. GERMAIN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

FIRE PROTECT/FIRE MARSHAL: Authorizes state and local law enforcement officials to issue citations for violation of a burn ban issued by the fire marshal

1 AN ACT

2 To enact R.S. 40:1602, relative to the state fire marshal; to authorize state and local law
3 enforcement agencies to enforce burn bans issued by the state fire marshal; to
4 authorize state and local law enforcement agencies to issue civil citations for
5 violations; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1602 is hereby enacted to read as follows:

8 §1602. Burn ban; authority of state and local law enforcement

9 When the state fire marshal has issued an order to cease and desist or limit
10 the private outdoor burning of materials in an area of this state, any state or local law
11 enforcement agency shall have the authority to enforce the order and to issue a
12 citation for violation in accordance with R.S. 40:1563.4.

13 Section 2. This Act shall become effective upon signature by the governor or, if not
14 signed by the governor, upon expiration of the time for bills to become law without signature
15 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
16 vetoed by the governor and subsequently approved by the legislature, this Act shall become
17 effective on the day following such approval.

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)]

St. Germain

HB No. 226

Abstract: Authorizes state and local law enforcement agencies to enforce burn bans issued by the state fire marshal and issue civil citations for violations of the burn ban.

Proposed law authorizes any state or local law enforcement agency to enforce an order by the state fire marshal to cease and desist or limit the private outdoor burning of materials in an area of this state and to issue a civil citation for violation.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 40:1602)