

SECOND REGULAR SESSION

# SENATE BILL NO. 886

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WALSH.

Read 1st time January 15, 2020, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4416S.01I

## AN ACT

To amend chapter 320, RSMo, by adding thereto one new section relating to fire-resistant material applicators, with penalty provisions.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 320, RSMo, is amended by adding thereto one new section, to be known as section 320.275, to read as follows:

**320.275. 1. As used in this section, the following terms shall mean:**

**(1) "Fire-resistant material", cementitious or fibrous materials that are sprayed onto a surface to provide fire-resistant protection of the substrate; and**

**(2) "Fire-resistant material applicator", an individual who applies fire-resistant material.**

**2. (1) Every fire-resistant material applicator shall:**

**(a) Undergo training to apply fire-resistant material according to manufacturer specifications; and**

**(b) Annually register with the state fire marshal;**

**(2) When a fire-resistant material applicator satisfactorily completes training and registers with the state fire marshal, the state fire marshal shall issue a certificate which indicates that the fire-resistant material applicator is certified to apply fire-resistant material.**

**3. Any person applying fire-resistant material who does not receive the training, register, and obtain a certificate as required in subsection 2 of this section shall be fined up to two hundred-fifty dollars per violation.**

**4. Any person aggrieved by any order or finding of the state fire**

22 marshal shall have an appeal under chapter 536.

23           5. The state fire marshal shall promulgate rules and regulations  
24 regarding fire-resistant material applicator training and registration  
25 pursuant to subsection 2 of this section. Any rule or portion of a rule,  
26 as that term is defined in section 536.010, that is created under the  
27 authority delegated in this section shall become effective only if it  
28 complies with and is subject to all of the provisions of chapter 536 and,  
29 if applicable, section 536.028. This section and chapter 536 are  
30 nonseverable and if any of the powers vested with the general assembly  
31 pursuant to chapter 536 to review, to delay the effective date, or to  
32 disapprove and annul a rule are subsequently held unconstitutional,  
33 then the grant of rulemaking authority and any rule proposed or  
34 adopted after August 28, 2020, shall be invalid and void.

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Bill

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