2020 Second Extraordinary Session

SENATE BILL NO. 41

BY SENATOR JOHNS

FEES/LICENSES/PERMITS. Provides relative to provisional licenses issued by the state fire marshal. (gov sig) (Item #32)

1   AN ACT

2   To enact R.S. 40:1664.8(I), relative to the state fire marshal; to provide for the provisional

3   licensure of certain applicants; to provide for the revocation of a provisional license;

4   to provide for terms, conditions, and procedures; and to provide for related matters.

5   Be it enacted by the Legislature of Louisiana:

6   Section 1. R.S. 40:1664.8(I) is hereby enacted to read as follows:

7   §1664.8. Criminal background checks; provisional license

8   *   *   *

9   **I.(1) The state fire marshal may issue a provisional license to a property**

10   **protection applicant for a period not to exceed sixty days from the date of**

11   **issuance while verification of the applicant's criminal history is pending. The**

12   **issuance of this provisional license is contingent upon the applicant's attestation**

13   **that he has never been convicted of a felony, received a first-time offender**

14   **pardon for a felony, or entered a plea of guilty or nolo contendre to a felony**

15   **charge. Any person with a provisional license issued pursuant to this Subsection**

16   **shall work under the direct supervision and accompaniment of a technician who**

17   **is licensed to the same firm and holding a valid license to perform the same acts.**

Coding: Words which are ~~struck through~~ are deletions from existing law;
words in **boldface type and underscored** are additions.

1   **(2) The fire marshal shall revoke the provisional license issued pursuant**

2   **to Paragraph (1) of this Subsection if the applicant fails to pass the criminal**

3   **background check or is in violation of R.S. 14:133.**

4   Section 2. The provisions of this Act shall become effective upon signature by the

5   governor or, if not signed by the governor, upon expiration of the time for bills to become

6   law without signature by the governor, as provide by Article III, Section 18 of the

7   Constitution of Louisiana. If vetoed by the governor and subsequently approved by the

8   legislature, the provisions of this Act shall become effective on the day following such

9   approval.

The original instrument was prepared by Beth O'Quin. The following digest,
which does not constitute a part of the legislative instrument, was prepared
by Jeanne Johnston.

DIGEST
SB 41 Reengrossed   2020 Second Extraordinary Session   Johns

Present law provides relative to the Life Safety and Property Protection Act.

Present law provides for the licensure and regulation of a person or firm engaged in life
safety and property protection contracting by the state fire marshal.

Present law provides for criminal background checks on persons applying for a property
protection license.

Proposed law retains present law and authorizes the state fire marshal to issue a provisional
license to a property protection applicant for a period not to exceed 60 days from issuance
while verification of their criminal history is pending. Proposed law provides that to be
issued a provisional license, the applicant must attest that he has never been convicted of a
felony, received a first-time offender pardon for a felony, or entered into a plea of guilty or
nolo contendre to a felony charge and the work under the direct supervision and
accompaniment of a technician who is licensed to the same firm and holds a valid license
to perform the same acts.

Proposed law requires the fire marshal shall revoke the provisional license if the applicant
fails to pass the criminal background check or files a false public record.

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

(Adds R.S. 40:1664.8(I))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer
Protection, and International Affairs to the original bill

1.   Makes technical corrections.

2.   Requires the fire marshal revoke the provisional license if the applicant fails to pass the criminal background check or files a false public record.

Senate Floor Amendments to engrossed bill

1.   Make technical corrections.

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