HOUSE BILL NO. 223

AN ACT TO REQUIRE THE LICENSING OF COMMERCIAL FIRE
SUPPRESSION SYSTEMS FOR COOKING OPERATIONS AND PORTABLE FIRE
EXTINGUISHERS; TO PROVIDE FOR THE ADMINISTRATION OF SUCH LICENSING
BY THE STATE FIRE MARSHAL; TO ESTABLISH A PENALTY FOR VIOLATING
THE LICENSING PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. In the interest of public safety, any person,
company or corporation who engages in the sale, installation or
service of commercial fire suppression systems for cooking
operations and portable fire extinguishers shall comply with all
appropriate standards of the National Fire Protection Association
and the requirements of the International Fire Code as published
by the International Code Council in corporation with the Southern
Building Code Congress International, Inc., Birmingham, Alabama,
as revised or amended.

SECTION 2. The State Fire Marshal shall promulgate such
rules and regulations as are necessary to carry out the provisions
and licensure requirements for all persons, company or
corporations for commercial fire suppression systems for cooking
operations and portable fire extinguishers.

SECTION 3. After July 1, 2003, every person, company or
corporation who engages in the sale, installation and service of
commercial fire suppression systems for cooking operations and
portable fire extinguishers within the State of Mississippi shall
apply for and obtain a license from the State Fire Marshal. All
funds received by the State Fire Marshal shall be deposited in a
special fund account in the State Treasury to be credited to the
Department of Insurance.
(1) The applicant shall certify in the application to the State Fire Marshal that the applicant is able to comply with all requirements of the National Fire Protection Association Standards as they relate to the installation, service and maintenance of commercial fire suppression systems for cooking operations and portable fire extinguishers.

(2) License shall be issued to persons, companies or corporations who have satisfactorily met the minimum experience requirements and completed and passed a competency test administered by the State Fire Marshal.

(3) The State Fire Marshal shall administer this act and may set or charge the amount of the license fee as may be necessary for the administration and enforcement of this act. Such fee shall not exceed One Hundred Dollars ($100.00).

SECTION 4. The State Fire Marshal may issue and deliver an order to cease and desist to any persons, companies or corporations who he has reason to believe is or has been in violation of this act. Whoever fails to comply with any order issued under this section shall be assessed a civil fine of not more than One Thousand Dollars ($1,000.00) for each day of such violation. Violation of this act or failure to comply with an order to cease and desist shall also constitute cause for revocation of the license.

Any persons, companies or corporations that knowingly and willfully fail to obtain the applicable license under this act and who are required to obtain such license under this act and who may knowingly and willfully violate any provision of this act or any rules and regulations made hereafter with respect to the commercial fire suppression systems for cooking operations and portable fire extinguishers are guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than One Thousand Dollars ($1,000.00) or imprisoned not more than one (1) year, or both.
SECTION 5. This act shall take effect and be in force from and after July 1, 2003.