

By: Representative Fillingane

To: Insurance

HOUSE BILL NO. 819

1 AN ACT TO REQUIRE THE REGISTRATION OF CERTAIN FIRE PROTECTION
2 SPRINKLER CONTRACTORS; TO PROVIDE FOR THE ADMINISTRATION OF SUCH
3 REGISTRATION BY THE STATE FIRE MARSHAL; TO ESTABLISH PENALTIES FOR
4 VIOLATING THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** For the purposes of this act, the following words
7 and phrases shall have the meanings ascribed to them in this
8 section:

9 (a) "Fire protection sprinkler contractor" means an
10 individual, partnership, corporation, association or joint venture
11 engaged in the business of the installation, repair, alteration,
12 addition, maintenance or inspection of fire protection sprinkler
13 systems. This term does not include local building officials,
14 fire inspectors or insurance inspectors when acting in their
15 official capacity.

16 (b) "Registered fire protection sprinkler contractor"
17 means a fire protection sprinkler contractor who has registered
18 with the State Fire Marshal.

19 (c) "Fire protection sprinkler system" means a system
20 of overhead piping designed in accordance with fire protection
21 engineering standards that is supplied from a reliable, constant
22 and sufficient water supply such as a gravity tank, fire pump,
23 reservoir, pressure tank or connection by underground piping to a
24 city main. The portion of the sprinkler system above ground shall
25 be considered the fire protection sprinkler system for purposes of
26 this act and is a network of specially sized or hydraulically
27 designed piping installed in a building, structure or area,
28 generally overhead, and to which sprinklers are connected in a

29 systematic pattern. The system includes a controlling valve and
30 device for activating an alarm when the system is in operation.
31 The system is usually activated by heat and/or fire and discharges
32 water over the fire area. Fire protection sprinkler systems shall
33 include the following types: wet-pipe systems, dry-pipe systems,
34 pre-action systems, deluge systems, combined dry-pipe and
35 pre-action systems, antifreeze systems and circulating closed loop
36 systems, each as defined and continuously revised in National Fire
37 Protection Association Pamphlet 13, entitled "Standard for the
38 Installation of Sprinkler Systems."

39 **SECTION 2.** The State Fire Marshal is authorized to
40 promulgate rules and regulations necessary to carry out the
41 purposes of this act.

42 **SECTION 3.** It is unlawful for any fire protection sprinkler
43 contractor to engage in the planning, sale, installation, repair,
44 alteration, addition, maintenance or inspection of a fire
45 protection sprinkler system in this state except in conformity
46 with this act.

47 **SECTION 4.** Any fire protection sprinkler contractor desiring
48 to engage in the planning, sale, installation, repair, alteration,
49 addition, maintenance or inspection of fire protection sprinkler
50 systems in new construction projects that cost in excess of Fifty
51 Thousand Dollars (\$50,000.00) shall register with the State Fire
52 Marshal on standard forms provided by the State Fire Marshal
53 supplying all the required information on the person designated to
54 be registered. A registration fee of One Hundred Dollars
55 (\$100.00) shall be paid when making the application.

56 **SECTION 5.** (1) The registration shall expire at midnight on
57 each June 30. At least thirty (30) days before expiration, the
58 fire protection sprinkler contractor must submit a renewal
59 application for registration. A renewal fee of One Hundred
60 Dollars (\$100.00) must be submitted with the renewal application.

61 (2) Failure to renew the registration before the expiration
62 shall cause the registration to be void as of the expiration date,
63 and it shall be unlawful under this act for any fire protection
64 sprinkler contractor to engage in planning, selling, installing,
65 repairing, altering, adding, maintaining or inspecting a fire
66 protection sprinkler system in new construction projects that cost
67 in excess of Fifty Thousand Dollars (\$50,000.00) without a valid
68 registration.

69 **SECTION 6.** If shop drawings are required to be submitted and
70 approved by any county or municipal governing authority, the state
71 or any political subdivision of the state, the plans shall bear
72 the registration numbers of the registered fire protection
73 sprinkler contractor.

74 **SECTION 7.** This act also applies to any fire protection
75 sprinkler contractor performing work for any county or municipal
76 governing authority or the state. Officials of any county,
77 municipality or the state are required to determine compliance
78 with this act, if the provisions of this act meet the applicable
79 building code, before awarding any contracts for the installation,
80 repair, alteration, addition or inspection of a fire protection
81 sprinkler system in new construction projects that cost in excess
82 of Fifty Thousand Dollars (\$50,000.00). Bids for such work shall
83 be accompanied by a copy of a valid registration.

84 **SECTION 8.** All funds collected under this act shall be
85 deposited to the credit of the State Fire Marshal's Fund, which is
86 created in the State Treasury. The State Fire Marshal is
87 authorized to expend monies in accordance with legislative
88 appropriation from the State Fire Marshal's Fund for the
89 administration and enforcement of this act.

90 **SECTION 9.** (1) The State Fire Marshal may issue and deliver
91 an order to cease and desist to any individual, partnership,
92 corporation, association or joint venture who he has reason to
93 believe is or has been violating the provisions of this act or any

94 rules and regulations promulgated hereunder. Whoever fails to
95 comply with any order issued under this section shall be assessed
96 an administrative fine as provided in Section 45-11-111.

97 (2) Violations of this act or any rules and regulations
98 promulgated hereunder or failure to comply with an order to cease
99 and desist shall also constitute cause for revocation of the
100 registration.

101 **SECTION 10.** This act shall take effect and be in force from
102 and after July 1, 2004.