

By: Representatives McMillan, Varner, Waldo

To: Public Health and Human Services

HOUSE BILL NO. 1289

1 AN ACT TO REQUIRE THE LICENSING OF BUSINESSES ENGAGED IN THE
 2 SALE, INSTALLATION, OR MAINTENANCE OF COMMERCIAL
 3 FIRE-EXTINGUISHING EQUIPMENT AND HOOD SYSTEMS FOR COOKING
 4 OPERATIONS; TO PROVIDE FOR THE ADMINISTRATION OF SUCH LICENSING BY
 5 THE STATE FIRE MARSHAL; TO MANDATE COMPLIANCE WITH THE NATIONAL
 6 FIRE PROTECTION ASSOCIATION STANDARDS AND THE INTERNATIONAL FIRE
 7 CODE; TO AUTHORIZE THE STATE FIRE MARSHAL TO ESTABLISH RULES AND
 8 REGULATIONS FOR LICENSING; TO REQUIRE LICENSES BY JULY 1, 2025,
 9 FOR PERSONS, COMPANIES OR CORPORATIONS INVOLVED IN THESE
 10 ACTIVITIES, EXCLUDING THE SALES AND MAINTENANCE OF PORTABLE FIRE
 11 EXTINGUISHERS; TO ESTABLISH APPLICATION REQUIREMENTS INCLUDING
 12 CERTIFICATION OF COMPLIANCE AND PASSING A COMPETENCY TEST; TO
 13 AUTHORIZE THE STATE FIRE MARSHAL TO IMPOSE A LICENSE FEE NOT
 14 EXCEEDING \$400 FOR ADMINISTRATION AND ENFORCEMENT; TO EMPOWER THE
 15 STATE FIRE MARSHAL TO ISSUE CEASE-AND-DESIST ORDERS FOR VIOLATIONS
 16 AND PRESCRIBE PENALTIES FOR NONCOMPLIANCE, INCLUDING LICENSE
 17 REVOCATION; AND FOR RELATED PURPOSES.

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

19 **SECTION 1.** In the interest of public safety, any person,
 20 company or corporation who engages in the sale, installation or
 21 maintenance of commercial fire-extinguishing equipment and hood
 22 systems for cooking operations shall comply with all appropriate
 23 standards of the National Fire Protection Association and the
 24 requirements of the International Fire Code as published by the
 25 International Code Council, as revised or amended.



26 **SECTION 2.** The State Fire Marshal shall promulgate such
27 rules and regulations as are necessary to carry out the provisions
28 and licensure requirements for all persons, companies or
29 corporations engaged in the sale, installation or maintenance of
30 commercial fire suppression systems for cooking operations.

31 **SECTION 3.** (1) After July 1, 2025, every person, company or
32 corporation who engages in the sale, installation and maintenance
33 of commercial fire-extinguishing equipment and hood systems for
34 cooking operations within the State of Mississippi shall apply for
35 and obtain a license from the State Fire Marshal before engaging
36 in such activity. Activities related solely to the sales and
37 maintenance of portable fire extinguishers are excluded from the
38 provisions of this act.

39 (2) The applicant shall certify in the application to the
40 State Fire Marshal that the applicant is able to comply with all
41 requirements of the National Fire Protection Association Standards
42 and International Fire Code, as may be revised or amended, as they
43 relate to the installation, service and maintenance of commercial
44 fire-extinguishing equipment and hood systems for cooking
45 operations.

46 (3) A license shall be issued to persons, companies or
47 corporations who have satisfactorily met the minimum experience
48 requirements and completed and passed a competency test as
49 established and administered by the State Fire Marshal.



50 (4) The State Fire Marshal shall administer this act and may
51 set or charge the amount for the license fee as may be necessary
52 for the administration and enforcement of this act. Such fee
53 shall not exceed Four Hundred Dollars (\$400.00).

54 **SECTION 4.** (1) The State Fire Marshal may issue and deliver
55 an order to cease and desist to any persons, companies or
56 corporations who he has reason to believe is or has been in
57 violation of this act. Whoever fails to comply with any order
58 issued under this section shall be subject to the penalties as
59 prescribed in Section 45-11-111. Violation of this act or failure
60 to comply with an order to cease and desist shall also constitute
61 cause for revocation of the license.

62 (2) Any persons, companies or corporations that knowingly
63 and willfully fail to obtain the applicable license under this act
64 and who are required to obtain such license under this act and who
65 may knowingly and willfully violate any provision of this act or
66 any rules and regulations made hereafter with respect to the sale,
67 installation or maintenance of commercial fire-extinguishing
68 equipment and hood systems for cooking operations shall be subject
69 to the penalties as prescribed in Section 45-11-111.

70 **SECTION 5.** This act shall take effect and be in force from
71 and after July 1, 2025.

