

By: Representative Fillingane

To: Insurance; Judiciary A

HOUSE BILL NO. 906

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 or fire, or both, and  
32 discharges water over the fire area. Fire protection sprinkler  
33 systems shall include the following types: wet-pipe systems,  
34 dry-pipe systems, pre-action systems, deluge systems, combined  
35 dry-pipe and pre-action systems, antifreeze systems and  
36 circulating closed loop systems, each as defined and continuously  
37 revised in National Fire Protection Association Pamphlet 13,  
38 entitled "Standard for the 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, 2005.