

## Session 124 - (2021-2022)

### **S\*0460 (Rat #0171, Act #0170 of 2022) General Bill, By Alexander**

#### **Summary:** State Fire Marshal

AN ACT TO AMEND SECTION 23-9-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER OF THE OFFICE OF STATE FIRE MARSHAL TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION AND THE STATE FIRE MARSHAL'S DUTIES AND RESPONSIBILITIES, SO AS TO DELETE CERTAIN OBSOLETE LANGUAGE, MAKE TECHNICAL CHANGES, AND PROVIDE THE DIVISION OF FIRE AND LIFE SAFETY SHALL BE REFERRED TO AS STATE FIRE AND ESTABLISH ITS PROGRAM AREAS; TO AMEND SECTION 23-9-20, RELATING TO THE DUTIES OF THE STATE FIRE MARSHAL, SO AS TO PROVIDE HE HAS STATEWIDE JURISDICTION AND PROVIDE ADDITIONAL RESPONSIBILITIES; TO AMEND SECTION 23-9-25, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, SO AS TO PROVIDE THE PEER-REVIEW PANEL SHALL HAVE AUTHORITY TO ESTABLISH FUNDING PRIORITIES COMMUNICATED THROUGH AN ANNUAL NOTICE OF FUNDING OPPORTUNITY, TO MAKE TECHNICAL CHANGES, TO ALLOW CERTAIN GRANT RECIPIENTS WHO HAVE GRANT FUNDS AVAILABLE AFTER COMPLETING THE APPROVED SCOPE OF WORK PRIOR TO THE END OF THE PERFORMANCE PERIOD TO CONTINUE OR EXPAND CERTAIN ACTIVITIES WITHOUT SUBMITTING AN APPLICATION TO AMEND THEIR GRANT REQUESTS OR SUBMIT APPLICATIONS TO AMEND GRANT REQUESTS, TO REDIRECT REMAINING FUNDS TO ANOTHER ELIGIBLE PROJECT, AND TO PROVIDE THREE PERCENT OF THE FUNDS COVERED BY THIS SECTION SHALL BE USED TO FUND COSTS ASSOCIATED WITH THE ADMINISTRATION OF THIS PROGRAM; TO AMEND SECTION 23-9-30, RELATING TO CERTAIN DUTIES THAT MAY BE DELEGATED TO THE CHIEFS OF ORGANIZED FIRE DEPARTMENTS, COUNTY FIRE MARSHALS, OR DEPUTY STATE FIRE MARSHALS BY THE STATE FIRE MARSHAL, SO AS TO PROVIDE CERTAIN DUTIES RELATING TO INVESTIGATIONS, INSPECTIONS, AND ENFORCEMENT MAY BE DELEGATED TO CERTAIN PERSONS BY THE STATE FIRE MARSHAL AND PROVIDE THE STATE FIRE MARSHAL HAS AUTHORITY TO PROMULGATE CERTAIN REGULATIONS; TO AMEND SECTION 23-9-45, RELATING TO THE ISSUANCE OF CLASS D FIRE EQUIPMENT PERMITS, SO AS TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL CLASSES OF LICENSES AND PERMITS, PROVIDE APPLICANTS OF THESE LICENSES AND PERMITS MUST MEET CERTAIN REQUIREMENTS SET FORTH IN REGULATION, AND ARE ABLE TO MEET THE MAINTENANCE AND PERFORMANCE STANDARDS AND CODES ADOPTED BY THE SOUTH CAROLINA BUILDING CODES COUNCIL, TO MAKE TECHNICAL CHANGES, TO DELETE THE PROVISION THAT ALLOWS THE STATE FIRE MARSHAL TO ESTABLISH LICENSE AND PERMIT FEES; TO AMEND SECTION 23-9-50, RELATING TO THE STATE FIRE MARSHAL'S AUTHORITY TO INSPECT CERTAIN BUILDINGS OR PREMISES, SO AS TO REVISE THE CIRCUMSTANCES UPON WHICH HE MAY ENTER BUILDINGS AND PREMISES TO INCLUDE WHEN AN EXPLOSION HAS OCCURRED, OR UNDER CERTAIN CIRCUMSTANCES WHEN A FATALITY OR SERIOUS INJURY HAS OCCURRED; BY ADDING SECTION 23-9-125 SO AS TO PROVIDE THE AUTHORITY OF THE STATE BOARD OF PYROTECHNIC OR THE REGULATION OF FIREWORKS ARE NOT AFFECTED BY THESE PROVISIONS; TO AMEND CHAPTER 10, TITLE 26, RELATING TO THE SOUTH CAROLINA FIRE ACADEMY, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-49-120, RELATING TO THE SOUTH CAROLINA FORESTRY COMMISSION'S ACCEPTANCE OF DONATIONS OF FIRE EQUIPMENT, SO AS TO PROVIDE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION DIVISION OF FIRE AND LIFE SAFETY ALSO MAY ACCEPT DONATIONS OF EQUIPMENT; TO AMEND SECTION 40-80-30, RELATING TO FIREFIGHTERS REGISTERING WITH THE STATE FIRE MARSHAL, SO AS TO REVISE THE COSTS AND PROCESS OF OBTAINING FIREFIGHTER RECORDS; TO REPEAL SECTIONS 23-9-35, 23-9-40, 23-9-60, 23-9-110, AND 23-9-130 ALL RELATING TO CERTAIN DUTIES OF THE STATE FIRE MARSHAL; AND TO AMEND SECTION 23-9-25, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, SO AS TO PROVIDE IT IS NOW WITHIN THE DIVISION OF THE STATE FIRE MARSHAL, REMOVE THE LIMITATION PLACED ON THE MAXIMUM DOLLAR AMOUNT OF GRANTS IT MAY OFFER, TO DELETE THE TERM "CHARTERED" AS IT IS USED TO IDENTIFY VARIOUS FIRE DEPARTMENTS, TO PROVIDE FIRE DEPARTMENTS MAY BE AWARDED ONE GRANT ANNUALLY, TO REVISE THE PURPOSES FOR WHICH FIRE DEPARTMENTS MAY USE GRANT MONEY, TO PROVIDE THE PEER-REVIEW PANEL SHALL OVERSEE THE ISSUANCE AND COMPLIANCE WITH THE PRESCRIBED INTENT OF THE GRANTS, TO DELETE THE PROVISIONS THAT RELATE TO JUSTIFICATIONS THAT MUST BE INCLUDED IN GRANT APPLICATIONS AND CRITERIA TO EVALUATE GRANT APPLICATIONS, TO PROVIDE INSTANCES THAT WOULD MAKE FIRE DEPARTMENTS INELIGIBLE TO BE AWARDED FUTURE GRANTS, TO PROVIDE RECIPIENTS MAY USE A CERTAIN AWARD AMOUNT TO CONTINUE OR EXPAND ACTIVITIES WITHOUT SUBMITTING APPLICATIONS TO AMEND GRANT REQUESTS, TO PROVIDE AWARD RECIPIENTS CAN SUBMIT APPLICATIONS TO HAVE GRANT FUNDS REDIRECTED TO ANOTHER ELIGIBLE PROJECT, TO PROVIDE THE STATE FIRE MARSHAL ADDITIONAL DUTIES, TO PROVIDE HE

MAY RETAIN CERTAIN FUNDS TO DEFRAY CERTAIN ADMINISTRATIVE COSTS, AND PROVIDE GRANT FUNDS MAY BE CARRIED FORWARD TO THE NEXT FISCAL YEAR AND USED FOR THE SAME PURPOSE. - ratified title

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| 01/13/21 | Senate | Introduced and read first time (Senate Journal-page 4)  |
| 01/13/21 | Senate | Referred to Committee on Labor, Commerce and Industry (Senate Journal-page 4)                   |
| 02/16/22 | Senate | Committee report: Favorable with amendment Labor, Commerce and Industry (Senate Journal-page 4) |
| 02/17/22 |        | Scrivener's error corrected   |
| 02/22/22 | Senate | Committee Amendment Adopted (Senate Journal-page 17)  |
| 03/10/22 | Senate | Read second time (Senate Journal-page 13)   |
| 03/10/22 | Senate | Roll call Ayes-42 Nays-0 (Senate Journal-page 13)   |
| 03/15/22 | Senate | Read third time and sent to House (Senate Journal-page 18)                                      |
| 03/29/22 | House  | Introduced and read first time (House Journal-page 33)  |
| 03/29/22 | House  | Referred to Committee on Labor, Commerce and Industry (House Journal-page 33)                   |
| 04/28/22 | House  | Committee report: Favorable Labor, Commerce and Industry (House Journal-page 5)                 |
| 05/04/22 | House  | Debate adjourned (House Journal-page 110)   |
| 05/05/22 | House  | Amended   |
| 05/05/22 | House  | Read second time  |
| 05/05/22 | House  | Roll call Yeas-108 Nays-0   |
| 05/10/22 | House  | Read third time and returned to Senate with amendments (House Journal-page 17)                  |
| 05/11/22 | Senate | Concurred in House amendment and enrolled (Senate Journal-page 86)                              |
| 05/11/22 | Senate | Roll call Ayes-39 Nays-0 (Senate Journal-page 86)   |
| 05/12/22 |        | Ratified R 171  |
| 05/16/22 |        | Signed By Governor  |
| 05/31/22 |        | Effective date 05/16/22   |
| 05/31/22 |        | Act No. 170   |