
DIGEST

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HB 522 Original

2026 Regular Session

Fontenot

Abstract: Provides relative to the authority of the state fire marshal to make arrests and carry firearms.

Present law authorizes the state fire marshal, his employees, certified local authorities, and state or municipal arson investigators, while engaged in the performance of their duties, to investigate and arrest individuals suspected of committing certain criminal offenses.

Present law also authorizes these officials to seize contraband subject to forfeiture as described in present law (R.S. 14:54.4).

Present law authorizes the state fire marshal and his employees to investigate and arrest any person suspected of having committed any offense connected to the investigation of any of the offenses provided in present law, or connected to the investigation of a burn injury report submitted to the office in accordance with present law (R.S. 14:403.4).

Present law requires the state fire marshal to issue a commission to any state arson investigator who qualifies as P.O.S.T. certified to carry firearms allowing him to carry and use firearms and to arrest individuals suspected of committing the crimes provided in present law.

Present law permits each governing authority of a political subdivision to authorize the chief of each fire protection district, each fire department, and each volunteer fire department within that political subdivision to issue a commission to any local arson investigator allowing him to carry and use firearms and to arrest individuals suspected of committing the crimes provided in present law.

Present law provides for conditions and requirements relative to the issuance of commission, the powers and authority granted by those commissions, and the use of firearms by the persons to whom those commissions are issued.

Present law provides relative to the membership and rulemaking of the multi-jurisdictional arson task force.

Proposed law removes these provisions of present law

Proposed law authorizes the state fire marshal and his employees to do all of the following while engaged in the performance of their duties:

- (1) Investigate and cause the arrest of individuals.
- (2) Enforce the laws of the state.
- (3) Perform any other related duties imposed upon them by law.

Proposed law authorizes the state fire marshal and his employees to carry weapons concealed or exposed while in the performance of their duties. Further vests these individuals with the same authority and powers as those of regular law enforcement officers of the state.

Proposed law provides that the state fire marshal and his employees shall have all immunities and defenses in any suit brought against them as a consequence of acts performed in the course and scope of their employment.

Proposed law requires the state fire marshal to issue a commission to any state arson investigator who is P.O.S.T. certified to carry firearms. Further permits a commissioned state arson investigator to carry and use firearms and to arrest individuals suspected of committing any criminal offenses.

Proposed law provides that the governing authority of a political subdivision may authorize the chief of each fire protection district and each fire department to issue a commission to any local arson investigator that allows the investigator to carry and use firearms and to arrest individuals suspected of committing any criminal offenses.

Proposed law provides for conditions and requirements relative to the issuance of commission, the powers and authority granted by those commissions, and the use of firearms by the persons to whom those commissions are issued.

Proposed law defines the term "P.O.S.T. firearm credentials".

Proposed law shall become effective upon signature of governor or lapse of time for gubernatorial action and shall become null and void on June 30, 2028.

Beginning on June 30, 2028:

Proposed law provides that the state fire marshal and his employees, while engaged in the performance of their official duties, are authorized to investigate and cause the arrest of individuals suspected of having committed certain criminal offenses.

Proposed law authorizes the state fire marshal and his employees to seize contraband subject to forfeiture as described in present law (R.S. 14:54.4).

Proposed law authorizes the state fire marshal and his employees to investigate and arrest any person suspected of having committed any offense connected to the investigation of any of the offenses provided in proposed law, or connected to the investigation of a burn injury report submitted to the office in accordance with present law (R.S. 14:403.4).

Proposed law requires the state fire marshal to issue a commission to any state arson investigator who is P.O.S.T. certified to carry firearms, allowing him to carry and use firearms and to arrest individuals suspected of committing the crimes provided in proposed law.

Proposed law permits each governing authority of a political subdivision to authorize the chief of each fire protection district and each fire department within that political subdivision to issue a commission to any local arson investigator allowing him to carry and use firearms and to arrest individuals suspected of committing the crimes provided in proposed law.

Proposed law provides for conditions and requirements relative to the issuance of commission, the powers and authority granted by those commissions, and the use of firearms by the persons to whom those commissions are issued.

Proposed law defines the term "P.O.S.T. firearm credentials".

Proposed law (R.S. 40:1563.1) becomes effective upon signature of the governor or lapse of time for gubernatorial action

Proposed law (R.S. 40:1563.1) is repealed on June 30, 2028.

Proposed law (R.S. 40:1563.1.1) becomes effective on June 30, 2028.

(Amends R.S. 40:1563.1; Adds R.S. 40:1563.1.1; Repeals R.S. 40:1563.1)