

2026 Regular Session

HOUSE BILL NO. 799

BY REPRESENTATIVE FONTENOT

FIRE PROTECT/FIRE MARSHAL: Provides relative to boilers

1 AN ACT

2 To amend and reenact R.S. 36:408(D)(1)(d) and to enact Subpart D-4 of Part III of Chapter  
3 7 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S.  
4 40:1664.21 through 1664.33 and to repeal Part II of Chapter 1 of Title 23 of the  
5 Louisiana Revised Statutes of 1950, comprised of R.S. 23:41 through 49, and Part  
6 III of Chapter 5 of Title 23 of the Louisiana Revised Statutes of 1950, comprised of  
7 R.S. 23:531 through 546, relative to the inspection of boilers; to establish the  
8 authority of the state fire marshal; to provide for rulemaking and regulatory  
9 authority; to provide for duties of the fire marshal; to provide for licensing of boiler  
10 inspectors; to provide for inspections of boilers; to provide for inspection certificates;  
11 to provide for fees; to provide for penalties; to provide boiler installation procedures;  
12 to provide for exemptions; to provide for examinations; to provide for an effective  
13 date; and to provide for related matters.

14 Be it enacted by the Legislature of Louisiana:

15 Section 1. R.S. 36:408(D)(1)(d) is hereby amended and reenacted to read as follows:

16 §408. Offices; purposes and functions

17 \* \* \*

18 D.(1) The office of state fire marshal, code enforcement and building safety,  
19 shall perform generally the functions of the state relating to the protection of life and  
20 property from the hazards of fire and of panic which may arise from fire or from the  
21 threat of fire or explosion, including but not necessarily restricted to:

22 \* \* \*

1 (d) Exclusive power to investigate and to make and prescribe rules and  
 2 regulations for the proper construction, installation, repair, use, operation, and safety  
 3 of boilers in the state, ~~the city of New Orleans excepted~~ to license boiler inspectors,  
 4 and to issue general or special orders for the enforcement of such rules and  
 5 regulations as well as any provision of law affecting boilers. The rules and  
 6 regulations ~~so formulated~~ shall conform ~~as nearly as practicable~~ to the boiler  
 7 construction code of the American Society of Mechanical Engineers, ~~as~~ as specified  
 8 in ~~R.S. 23:531 through 542~~ Subpart D-4 of Part III of Chapter 7 of Title 40 of the  
 9 Louisiana Revised Statutes of 1950.

10 \* \* \*

11 Section 2. Subpart D-4 of Part III of Chapter 7 of Title 40 of the Louisiana Revised  
 12 Statutes of 1950, comprised of R.S. 40:1664.21 through 1664.33, is hereby enacted to read  
 13 as follows:

14 SUBPART D-4. BOILERS

15 §1664.21. State fire marshal; authority to make rules; investigations

16 A. The state fire marshal has the exclusive power to investigate, and to  
 17 promulgate rules and regulations, in accordance with the Administrative Procedure  
 18 Act, for the proper construction, installation, repair, use, operation, and safety of  
 19 boilers in this state and to issue orders for the enforcement of rules and regulations  
 20 as well as any provisions of law affecting boilers.

21 B. The rules and regulations shall conform to the boiler construction code  
 22 of the American Society of Mechanical Engineers (ASME). Boilers requiring  
 23 ASME Code stamping by the owner, user, or fabricator in shop or field fabrication,  
 24 assembly, modification, or repair shall be inspected in accordance with the ASME  
 25 Code and national board standards.

26 §1664.22. Duties of fire marshal

27 The fire marshal may do all of the following:

1           (1) Employ and compensate, with the approval of the governor, inspectors  
2           and other assistants and employees as are necessary for the exercise of the powers  
3           and the performance of the duties prescribed in this Subpart.

4           (2) Have free access to any premises in the state where a boiler is being  
5           constructed, installed, or operated, for the purpose of investigating whether that  
6           boiler is built, repaired, installed, or operated in accordance with the provisions of  
7           this Subpart.

8           (3) Prosecute all violators of the provisions of this Subpart.

9           (4) Issue, suspend, or revoke installation permits for boilers and operating  
10          certificates allowing boilers to be operated, as provided in this Subpart.

11          (5) Draw upon the state treasurer for funds necessary to meet any expense  
12          authorized by this Subpart which, in addition to the salaries of employees, shall  
13          include necessary traveling expenses and the expenses incident to the maintenance  
14          of any offices required in the state.

15          (6) Enforce the laws governing the use of boilers and to enforce the rules and  
16          regulations of the fire marshal.

17          (7) Keep a complete record of the type, dimensions, age, condition, pressure  
18          allowed upon, location, and date of the last inspection of all boilers to which this  
19          Subpart applies.

20          §1664.23. Licensed boiler inspectors

21           A. The fire marshal may license inspectors to inspect boilers in this state in  
22           accordance with all of the following:

23           (1) The current edition of the National Board Inspection Code published by  
24           the National Board of Boiler and Pressure Vessel Inspectors.

25           (2) The current standards for Controls and Safety Devices for Automatically  
26           Fired Boilers, also known as CSD-1, published by the American Society of  
27           Mechanical Engineers (ASME).

28           (3) All applicable sections of the ASME codes.

1           B. A licensed inspector shall receive no salary from nor shall any of his  
2           expenses be paid by the state except as provided in R.S. 40:1664.22(1). A licensed  
3           inspector shall do all of the following:

4           (1) Hold an in-service inspector's commission from the National Board of  
5           Boiler and Pressure Vessel Inspectors.

6           (2) Maintain employment with a company that is all of the following:

7           (a) Accredited by the National Board of Boiler and Pressure Vessel  
8           Inspectors as an authorized inspection agency performing inservice inspection  
9           activities as published in NB-369.

10          (b) Authorized by the fire marshal to inspect boilers in this state.

11          (3)(a) For an insured boiler, inspect that boiler within thirty days of the  
12          expiration date on the operating certificate of that boiler, whether the inspector is  
13          employed by or under contract with the insurance company.

14          (b) For an uninsured boiler, or for a boiler with an operating certificate that  
15          has been expired for more than thirty days, that boiler may be inspected by any  
16          licensed inspector holding a current and valid inspector commission in this state.

17          (4) Submit a report of every boiler inspection to the fire marshal within  
18          fifteen calendar days from the date of the inspection, unless otherwise approved by  
19          the fire marshal. Failure to submit the report within this time period may result in the  
20          fire marshal's rejection of the report.

21          C. The fire marshal may do all of the following:

22          (1) Revoke an inspector's license for cause and only after an administrative  
23          hearing.

24          (2) Promulgate rules and regulations through the Administrative Procedure  
25          Act as may be deemed necessary for the implementation of the provisions of this  
26          Section.

27          §1664.24. Inspection of boilers; periods; extensions

28          A. An external inspection of each power boiler or high-temperature, high-  
29          pressure water boiler in this state shall be conducted annually by a licensed boiler

1 inspector while the boiler is under normal operating conditions, except as provided  
2 in R.S. 40:1664.27.

3 B. An internal inspection of each power boiler or high-temperature, high-  
4 pressure water boiler in this state shall be conducted annually by a licensed boiler  
5 inspector, except as provided in R.S. 40:1664.27 or in this Subsection as follows:

6 (1)(a) A power boiler, the operation of which is an integral part of or  
7 necessary adjunct to other continuous operations, shall be inspected internally and  
8 issued operating certificates at intervals as are permitted by planned or scheduled  
9 shutdown of the processing operation of five days or more in duration occurring after  
10 three years have elapsed since the last inspection of the boiler, but not exceeding five  
11 years between such intervals.

12 (b) A power boiler shall undergo at least one internal inspection before the  
13 owner or operator may apply for a three to five year operating certificate extension.

14 (c) If the owner or operator of a power boiler submits a written and signed  
15 statement to the fire marshal affirming that the boiler is an integral part of or  
16 necessary adjunct to other continuous operations, the fire marshal may grant an  
17 extension of the interval between internal inspections of that boiler up to a maximum  
18 of five years.

19 (2) The fire marshal may extend the interval between internal inspections of  
20 stationary boilers for a period not to exceed twenty-four months and issue an  
21 operating certificate extension if the owner or operator of that boiler submits a  
22 written and signed statement to the fire marshal affirming the following:

23 (a) Continuous water treatment under competent and experienced  
24 supervision has been in effect since the last internal inspection for the purpose of  
25 controlling and limiting corrosion and deposits.

26 (b) Accurate and complete records are available showing that since the last  
27 internal inspection samples of boiler water have been taken at regular intervals not  
28 greater than twenty-four hours of operation and that the water condition in the boiler  
29 is satisfactorily controlled.

1           (c) Accurate and complete records are available showing the dates, if any,  
2           that the boiler has been out of service and the reasons for the service disruption since  
3           the last internal inspection, and such records shall include the nature of all repairs to  
4           the boiler, the reasons for those repairs, and by whom the repairs were made.

5           (d) The last internal and current external inspection of the boiler indicates  
6           the inspection period may be safely extended.

7           C.(1) Low-pressure boilers shall receive inspections in accordance with the  
8           following schedule:

9           (a) Steam or vapor boilers shall have an external inspection and an internal  
10          inspection every two years where construction permits.

11          (b) Hot water heating and hot water supply boilers shall have an external  
12          inspection every two years and where construction permits, an internal inspection at  
13          the discretion of the inspector.

14          (c) Potable water boilers shall have an external inspection every two years.

15          (2) Inspections shall include the functions of all controls and devices. If at  
16          any time a hydrostatic test is deemed necessary to determine the safety of a boiler,  
17          the test shall be made by a licensed inspector or at the discretion of the fire marshal.

18          §1664.25. Operating certificates; fees; issuance and suspension

19          A.(1) If, upon inspection, a boiler is found to be suitable and to conform to  
20          the rules and regulations of the fire marshal, the fire marshal shall issue to the owner  
21          or operator of that boiler an operating certificate specifying the maximum pressure  
22          which the boiler may be allowed to carry.

23          (2) A one hundred fifty dollar fee shall be collected by the fire marshal for  
24          the issuance or reinstatement of any operating certificate and for any extension of  
25          internal inspection.

26          (3) The internal and external operating certificates shall be prominently  
27          posted on the boiler or in the room containing the boiler.

28          B.(1) The fire marshal or a licensed inspector may suspend an operating  
29          certificate if he reasonably believes the boiler for which it was issued cannot

1 continue to be operated safely or in accordance with the fire marshal's rules and  
2 regulations. The suspension of an operating certificate shall continue in effect until  
3 the boiler has been made to conform to the fire marshal's rules and regulations  
4 regarding boilers and until the fire marshal has reinstated the operating certificate.

5 (2) If the fire marshal or a licensed inspector finds that a boiler is operating  
6 unsafely or that the boiler constitutes an imminent hazard, the licensed inspector  
7 shall immediately order the boiler to be shut down, and shall notify the fire marshal  
8 of his findings within twenty-four hours. The shutdown shall be carried out in  
9 accordance with applicable safety standards and established safe shutdown  
10 procedures, and shall be consistent with documented operating and safety  
11 procedures, including appropriate coordination, isolation of energy sources, and any  
12 required internal or external notifications.

13 C. The operating certificate fee provided for in this Section is intended to  
14 cover the cost of the issuance of those operating certificates and shall be retained and  
15 disbursed by the fire marshal.

16 §1664.26. Operation of boiler without operating certificate; penalty

17 A. The operation of a boiler without an operating certificate or with a  
18 suspended or expired operating certificate shall be penalized as follows:

19 (1) If the fire marshal or a licensed inspector finds that the owner has failed  
20 to comply with the provisions of this Section, or receives a report from a licensed  
21 inspector that a boiler is not in compliance with applicable safety standards, he shall  
22 issue a written order to the boiler's owner or operator to have the boiler brought into  
23 compliance with applicable safety standards and to have a satisfactory inspection  
24 conducted before the boiler may be returned to operation.

25 (2) If the fire marshal finds that the owner has failed to comply with his  
26 warning, the fire marshal shall issue a second order and may impose a fine of no  
27 more than two hundred fifty dollars per day against the owner or operator for failure  
28 to comply with this Section.

1           (3) The fire marshal may promulgate rules and regulations in accordance  
2           with the Administrative Procedure Act to implement provisions of this Section.

3           B. Each day of unlawful operation shall constitute a separate offense.

4           §1664.27. Installation of boilers

5           No boiler shall be installed after six months following the date on which the  
6           rules and regulations promulgated by the fire marshal governing new installations  
7           become effective unless that boiler conforms to the newly-promulgated rules and  
8           regulations.

9           §1664.28. Exemptions from provisions

10           A. The provisions of this Subpart shall not be construed as in any way  
11           preventing the use or sale of boilers which have been installed or in use in this state  
12           prior to July 7, 1938, and which have been made to conform to the rules and  
13           regulations of the fire marshal governing existing installations, as provided in R.S.  
14           40:1664.26.

15           B. The provisions of this Subpart are not applicable to any of the following:

16           (1) Boilers subject to inspection by any department or agency of the federal  
17           government.

18           (2) Air tanks located on vehicles used for transporting passengers or freight.

19           (3) Boilers of steam fire engines brought into the state for temporary use in  
20           times of emergency.

21           (4) Portable boilers used for agricultural purposes only.

22           (5) Steam heating boilers carrying not more than fifteen pounds pressure  
23           used exclusively for noncommercial purposes located in any private home.

24           (6) Potable water boilers below one hundred twenty gallon capacity and less  
25           than two hundred thousand BTUs (British Thermal Units).

26           (7) Hot water heating and supply boilers used exclusively for  
27           noncommercial purposes located in any private home.

28           (8) Boilers located in any private home.

1        §1664.29. Fees for operating certificates

2                A. The owner or operator of a boiler required by this Subpart to be inspected  
3        by a licensed inspector shall pay to the fire marshal a fee of one hundred fifty dollars  
4        for every operating certificate.

5                B. Failure to pay operating certificate fees within thirty days following the  
6        date of the inspection may subject the owner, operator, or person requesting the  
7        special inspection to fines and penalties according to the fire marshal's rules and  
8        regulations.

9                C. The fees for inspection provided for in this Section are intended to defray  
10       the cost of employment of the office of state fire marshal and shall be retained and  
11       disbursed by the fire marshal for this purpose.

12               D. The provisions of this Section do not apply to commercial potable-water  
13       boilers of less than one hundred twenty gallons and two hundred thousand BTU  
14       capacity.

15        §1664.30. Installation, moving, or reinstallation of power boilers, steam heating,  
16        water supply, potable water, or hot water boilers; licensing; examination; fees

17               A. Any installation, moving, or reinstallation of power boilers, steam  
18       heating, water supply, potable water, or hot water heating boilers in this state shall  
19       be supervised by an installer licensed by the fire marshal to perform that work.

20               B. The initial fee for an installer license is one hundred dollars payable to  
21       the fire marshal prior to issuance of that license. The annual renewal fee for an  
22       installer's license is fifty dollars payable on or before January thirty-first of each  
23       year.

24               C. Each person applying to be licensed for the installation, moving, or  
25       reinstallation of power boilers, steam heating, water supply, potable water, or hot  
26       water heating boilers shall obtain a score of seventy percent or more on an  
27       examination administered by the fire marshal or his designated representative before  
28       an installer license is issued by the fire marshal.

1           D. The fee for the installer's license examination is one hundred fifty dollars,  
2           payable at the time of examination.

3           §1664.31. Application for installation, moving, or reinstallation of a boiler; fee

4           A. All boilers in this state shall be installed, moved, or reinstalled under the  
5           supervision of a licensed installer and that licensed installer shall submit a signed  
6           permit application to the fire marshal before the beginning of work. The application  
7           shall list all of the following:

8                   (1) The location of the boiler.

9                   (2) The date installation is to be completed.

10                  (3) The trade name of the boiler.

11                  (4) The type of boiler.

12                  (5) The manufacturer's and National Board's identifying number, and ASME  
13           Stamp.

14           B. This application for permit to install, move, or reinstall a boiler shall be  
15           accompanied by an installation permit fee of one hundred fifty dollars and shall be  
16           signed by the licensed installer.

17           §1664.32. Penalties

18           No boiler in this state shall be installed, moved, or reinstalled without a  
19           permit issued to a licensed installer by the fire marshal or his designated  
20           representative. Whoever fails to comply with the provisions of R.S. 40:1664.30 and  
21           1664.31 may be fined not more than two hundred fifty dollars per day.

22           §1664.33. Disposition of fees

23           All fees collected pursuant to this Subpart shall be used exclusively for the  
24           operation and maintenance of the office of the state fire marshal.

25           Section 3. Part II of Chapter 1 of Title 23 of the Louisiana Revised Statutes of 1950,  
26           comprised of R.S. 23:41 through 49, and Part III of Chapter 5 of Title 23 of the Louisiana  
27           Revised Statutes of 1950, comprised of R.S. 23:531 through 546, are hereby repealed in their  
28           entirety.

29           Section 4. This Act shall become effective on January 1, 2027.

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**DIGEST**

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 799 Reengrossed

2026 Regular Session

Fontenot

**Abstract:** Provides relative to boilers.

Present law provides for the regulation of boilers by the state fire marshal in present law (Title 23 of the Louisiana Revised Statutes of 1950).

Proposed law updates the language of these statutes to modern standards, and moves provisions to proposed law (Part III of Chapter 7 of Title 40).

Present law provides for the purposes and functions of offices within the Dept. of Public Safety and Corrections, including the office of state fire marshal.

Proposed law amends present law regarding the purpose and function of the office of state fire marshal to reflect the changes being made in proposed law but otherwise retains present law.

Present law provides for the La. State Bd. of Boiler Examiners and its membership, powers, and duties, and provisions regarding examinations, certificates of competency, and revocation of certificates.

Proposed law repeals provisions of present law relative to the La. State Bd. of Boiler Examiners.

Present law provides for the authority of the assistant secretary of office of state fire marshal to investigate and promulgate rules and regulations regarding construction, installation, repair, use, operation, and safety of boilers in this state.

Proposed law grants the authority to the state fire marshal and amends the language for greater clarity and readability but otherwise maintains the provisions of present law.

Present law provides that the fire marshal's rules and regulations conform as nearly as practicable to the boiler construction code of the American Society of Mechanical Engineers.

Proposed law provides that the fire marshal's rules and regulations shall conform to the boiler construction code of the American Society of Mechanical Engineers but otherwise maintains the provisions of present law.

Present law provides that the assistant secretary shall do the following:

- (1) Employ and compensate, with the approval of the governor, inspectors and other assistants and employees as he may deem necessary for the exercise of the powers and the performance of the duties prescribed in proposed law.
- (2) Have free access for himself or authorized representatives to any premises in the state where a boiler is being constructed, installed, or operated, for the purpose of ascertaining whether such boiler is built, repaired, installed, or operated in accordance with the provisions of proposed law.
- (3) Prosecute all violators of the provisions of proposed law.

- (4) Issue, suspend, or revoke inspection certificates allowing boilers to be operated, as provided in proposed law.
- (5) Draw upon the state treasurer for funds necessary to meet any expense authorized by this Part which, in addition to the salaries of employees, shall include necessary traveling expenses and the expenses incident to the maintenance of any offices required in the state.
- (6) Enforce the laws governing the use of boilers and to enforce the rules and regulations of the assistant secretary.
- (7) Keep a complete record of the type, dimensions, age, condition, pressure allowed upon, location, and date of the last inspection, of all boilers to which proposed law applies.

Proposed law provides that the fire marshal shall do all of the provisions provided in present law.

Present law provides that the assistant secretary may, upon the request of any company authorized to insure against loss from explosion of boilers in this state, appoint the boiler inspectors of the company as special inspectors, who shall serve at his pleasure, provided that each such inspector holds a certificate of competency as an inspector of boilers from the National Board of Boiler and Pressure Vessel Inspectors.

Present law provides that special inspectors shall inspect all boilers insured by their respective companies, and the owners or users of such insured boilers shall be exempt from the payment of inspection fees required in present law. Each company employing such special inspectors shall, within thirty days following each annual internal inspection made by them, file a report of such inspection with the assistant secretary upon appropriate forms as promulgated by the American Society of Mechanical Engineers.

Proposed law provides that the fire marshal may license inspectors to inspect boilers in this state in accordance with the National Board Inspection Code published by the National Board of Boiler and Pressure Vessel Inspectors, the Controls and Safety Devices for Automatically Fired Boilers published by the American Society of Mechanical Engineers (ASME), and all applicable sections of the ASME codes.

Proposed law provides that licensed inspectors shall not be compensated by the state, and shall do all of the following:

- (1) Hold an in-service inspector's commission from the National Board of Boiler and Pressure Vessel Inspectors.
- (2) Maintain employment with a company both authorized by the fire marshal to inspect boilers in this state and accredited by the National Board of Boiler and Pressure Vessel Inspectors as an authorized inspection agency performing in-service inspection activities as published in NB-369.
- (3) For an insured boiler, inspect that boiler within thirty days of the expiration date on the operating certificate of that boiler, whether the inspector is employed by or under contract with the insurance company. However, for an uninsured boiler, or for a boiler with an operating certificate that has expired for more than thirty days, such a boiler may be inspected by any licensed inspector holding a current and valid inspector commission in this state.
- (4) Submit a report of every boiler inspection to the fire marshal within fifteen calendar days from the date of the inspection, unless otherwise approved by the fire marshal.

Failure to submit the report within this time period may result in the fire marshal's rejection of the report.

Present law provides separate procedures for the appointment of boiler inspectors for the city of New Orleans.

Proposed law provides one procedure for the entire state.

Present law provides that the assistant secretary may:

- (1) Revoke inspector recognition for cause and only after an administrative hearing.
- (2) Monitor inspection activities by the special inspectors for the city of New Orleans.
- (3) Follow up on overdue repair reports with the New Orleans inspection agency.
- (4) Promulgate rules and regulations through the Administrative Procedure Act as may be deemed necessary for the implementation of the provisions of present law.

Proposed law provides that the fire marshal may do all of the following:

- (1) Revoke an inspector's license for cause and only after an administrative hearing.
- (2) Promulgate rules and regulations through the Administrative Procedure Act as may be deemed necessary for the implementation of the provisions of proposed law.

Present law provides for the inspection schedule for power boilers, high-pressure and high-temperature water boilers, stationary boilers, and low-pressure boilers.

Proposed law requires a written and signed statement by the owner or operator of a power boiler or a high-pressure, high-temperature water boiler affirming that the boiler is an integral part of or necessary adjunct to other continuous operations to apply for a 3 to 5 year extension of internal operating certificate inspection, but otherwise updates language and retains the provisions of present law.

Present law provides for inspection certificates, and fees of \$20 for the issuance of inspection certificate and \$40 for extensions of internal inspection, and \$200 for issuance of inspection certificate for a period not to exceed 5 years. Present law requires inspection certificates to be posted under glass in the room containing the boiler. In the case of a potable boiler, the certificate shall likewise be posted in a metal container fastened to a machine or tool box accompanying the boiler, and that no inspection certificate issued for a boiler inspected by a special inspector is valid after the boiler for which it was issued ceases to be insured by an authorized insurance company.

Proposed law provides that a \$150 fee shall be collected by the fire marshal for the issuance or reinstatement of any operating certificate and for any extension of internal inspection, and that the internal and external operating certificates shall be prominently posted on the boiler or in the room containing the boiler.

Present law provides that the assistant secretary may at any time suspend an inspection certificate if the boiler for which it was issued cannot be operated safely, and that the suspension of an inspection certificate shall continue in effect until the boiler has been made to conform to the rules and regulations of the assistant secretary governing the use of boilers, and until the inspection certificate has been reinstated.

Proposed law provides that the fire marshal or a licensed inspector may suspend an operating certificate when he reasonably believes the boiler for which it was issued cannot continue to be operated safely or in accordance with the fire marshal's rules and regulations. The

suspension of an operating certificate continues in effect until the boiler has been made to conform to the fire marshal's rules and regulations regarding boilers and until the fire marshal has reinstated the operating certificate. If the fire marshal or a licensed inspector finds that a boiler is operating unsafely or that the boiler constitutes an imminent hazard, the licensed inspector shall immediately order the boiler to be shut down, and shall notify the fire marshal of his findings within twenty-four hours. Proposed law provides that any shutdown shall be carried out in accordance with applicable safety standards and established safe shutdown procedures, and shall be consistent with documented operating and safety procedures, including appropriate coordination, isolation of energy sources, and any required internal or external notifications.

Present law provides that the operation of a boiler without an inspection certificate, or at a pressure exceeding that specified in such inspection certificate constitutes a misdemeanor on the part of the owner, user, or operator thereof punishable by a fine of not less than \$25 nor more than \$500, or imprisonment for not less than 10 days, nor more than 90 days, or both. Each day of such unlawful operation constitutes a separate offense.

Proposed law provides for a warning and civil penalty system as follows:

- (1) When the fire marshal or a licensed inspector finds that the owner has failed to comply with the provisions of proposed law, or receives a report from a licensed inspector that a boiler is not in compliance with applicable safety standards, he shall issue a written warning and order to have the boiler repaired and reinspected.
- (2) If the fire marshal finds that the owner has failed to comply with his warning, the fire marshal shall issue a second order and may impose a fine of no more than \$250 per day against the owner or operator for failure to comply with proposed law.

Present law provides that no boiler shall be installed after six months from the date upon which the rules and regulations formulated by the assistant secretary governing new installations shall have become effective, unless the boiler conforms to such rules and regulations and that boilers installed and ready for use, or being used, before the six months shall have elapsed, shall be made to conform to the rules and regulations of the assistant secretary governing existing installations, and the formulas therein prescribed shall be used in determining the maximum allowable working pressure therefor.

Proposed law updates language to modern standards but otherwise retains these provisions of present law.

Present law provides for which types of boilers are exempt from present law.

Proposed law retains the same provisions as present law.

Present law provides the following fee schedule for boiler inspections:

- (1) Potable-water boilers \$ 15.00
- (2) Heating boilers \$ 35.00
- (3) Power boilers
 

	External	Internal
(a) 100 sq. ft. or less		
heating surface	\$ 20.00	\$ 50.00
(b) Over 100 sq. ft. and		

	not exceeding 1000		
	sq. ft. heating surface	\$ 35.00	\$75.00
(c)	Over 1000 sq. ft. heating surface	\$ 70.00	\$150.00
(4)	Electric boilers	\$ 30.00	\$50.00
(5)	Coil-type steam generators	\$ 50.00	
(6)	Special inspections		
(a)	\$300.00 and expenses for up to one-half day		\$ 250.00*
(b)	\$600.00 and expenses for one day		\$ 500.00*
(7)	Quality control program reviews		
(a)	Boiler and pressure vessel manufacturers and repair organizations		
(1)	\$250.00 and expenses for up to one-half day		
(2)	\$400.00 and expenses for one day		
(b)	Safety valve assembly and repair organizations		
(1)	\$250.00 and expenses for up to one-half day		
(2)	\$400.00 and expenses for one day		
(8)	Nuclear surveys		
(a)	\$250.00 and expenses for up to one-half day		
(b)	\$500.00 and expenses for one day		

Proposed law provides a fee of \$150 for any boiler inspection.

Present law provides that the manufacturer of a boiler or pressure vessel required by present law to be inspected shall pay to the assistant secretary an inspection fee for the ASME, or National Board of Boiler and Pressure Vessel Inspectors “Shop Reviews for Certificate of Authorization”, or both, in the amount of \$1500 per location review.

Proposed law repeals this shop review fee.

Present law further provides that provisions of present law regarding operating certificate fees are not applicable to commercial potable-water boilers of 50-gallon capacity or less.

Proposed law amends the application of that exemption, from commercial potable-water boilers of 50-gallon capacity or less to boilers with less than 120 gallons capacity and less than 200,000 BTU capacity.

Present law provides that the assistant secretary may in his discretion require any employee to furnish a bond conditioned upon the faithful performance of his duties and upon a true account of moneys handled by him. The cost of these bonds shall be paid by the assistant secretary as a necessary administrative expense.

Proposed law repeals this provision.

Present law provides that every person, firm, or corporation engaged in the installation, moving, or reinstallation of power boilers, steam heating, or hot water heating boilers in this state shall be licensed by the assistant secretary to perform such work.

Proposed law provides that any of this work shall be supervised by a licensed installer.

Present law provides that licensed installers or movers shall pay a \$75 annual license fee.

Proposed law provides for a \$100 fee for installer license issuance and a \$50 annual renewal fee.

Present law provides that every person, firm, or corporation shall pass a written examination administered by the chief boiler inspector before licensure.

Proposed law maintains this requirement but provides that a passing score is one of 70% or greater.

Present law provides for a \$50 exam fee.

Proposed law raises this fee to \$150.

Present law provides that when any boiler in this state, the city of New Orleans excepted, is to be installed, moved, or reinstalled, the installer must be licensed by the assistant secretary to perform such work and shall submit an application to the chief boiler inspector.

Proposed law removes the exception for the city of New Orleans and provides that the work be supervised by a licensed installer who shall submit a signed permit application to the fire marshal before beginning the work.

Present law provides the application shall list the location of the boiler, the date installation is to be completed, the trade name of the boiler, the type of boiler, and the manufacturer's and National Board's identifying number.

Proposed law maintains this requirement of present law.

Present law provides an installation or moving permit fee of \$25.

Proposed law raises this fee from \$25 to \$150.

Present law provides that no boiler in this state, the city of New Orleans excepted, shall be installed, moved, or reinstalled without a permit issued to a licensed person by a chief boiler inspector.

Proposed law removes the exemption for the city of New Orleans.

Present law provides that whoever fails to comply with the provisions of present law regarding installation or moving boilers shall be fined not more than \$1000 or imprisoned for not more than one year, or both. Each violation hereunder shall constitute a separate offense.

Proposed law provides that there shall be a \$250 per day fine and removes the imprisonment penalty.

Present law provides that all inspection certificate and installation permit fees collected shall be used exclusively for the operation and maintenance of the boiler section within the office of the state fire marshal, code enforcement and building safety.

Proposed law provides that these fees shall be maintained for the operation and maintenance of the office of state fire marshal.

Effective Jan. 1, 2027.

(Amends R.S. 36:408(D)(1)(d); Adds R.S. 40:1664.21-1664.33; Repeals R.S. 23:41-49 and 531-546)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Make technical changes.
2. Provide that the fire marshal may license inspectors in accordance with current codes and standards published by the National Board of Boiler and Pressure Vessel Inspectors and the American Society of Mechanical Engineers.
3. Provide that a licensed inspector shall maintain employment with a company both authorized by the fire marshal to inspect boilers in this state and accredited by the National Board of Boiler and Pressure Vessel Inspectors as an authorized inspection agency performing inservice inspection activities as published in NB-369.
4. Provide for duties of a licensed inspector relative to insured boilers, uninsured boilers, and boilers with an operating certificate expired for more than 30 days.
5. Provide that any boiler shutdown ordered by the fire marshal or a licensed inspector be conducted in accordance with applicable safety standards and documented procedures.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.