

RÉSUMÉ DIGEST

ACT 166 (HB 565)

2026 Regular Session

McMakin

Existing law provides that the fire marshal shall not conduct or supervise certain inspections within the jurisdiction of any local governing authority in which a fire prevention bureau has been properly established with certain exceptions.

New law adds existing law to the exceptions.

New law adds to the existing law to clarify that the fire marshal is responsible for early learning centers and child day care centers and the applicable federal and state life safety codes shall be the codes applying to these facilities.

New law provides that the fire marshal enforces only those fire safety requirements expressly provided for in adopted state or federal codes and shall not impose any additional requirements through policy, guidance, or interpretation.

New law establishes that fire safety requirements for early learning or child day care centers are proportional to the size, occupancy, and risk levels of those facilities and are not applied consistent with a commercial or industrial occupancy unless required by the applicable code.

New law provides that the use of standard residential appliances does not require commercial ventilation or fire suppression systems unless required by the applicable code.

New law requires the fire marshal to provide written notice of any violation or required corrective action including a citation to the applicable code provision.

New law allows any person aggrieved by a determination of the fire marshal regarding fire safety requirements for an early learning center or child day care to appeal to the division of administrative law within 15 days, with enforcement actions or penalties to be stayed pending final disposition of appeals.

New law provides that the fire marshal bears the burden of proving that the requirement is expressly authorized by the applicable life safety codes.

Effective August 1, 2026.

(Amends R.S. 40:1563(C)(1) and (4))