**A** **BILL**

TO AMEND SECTION 23‑9‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE STATE FIRE MARSHAL, SO AS TO REQUIRE THE STATE FIRE MARSHAL TO PUBLISH A POLICIES AND PROCEDURES MANUAL; AND TO AMEND SECTION 23‑9‑157, RELATING TO NOTICE REQUIREMENTS FOR VIOLATIONS OF CERTAIN LAWS AND THE FIRE CODE, SO AS TO AUTHORIZE THE STATE FIRE MARSHAL TO ISSUE FINES FOR VIOLATIONS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 23‑9‑20 of the 1976 Code is amended to read:

“Section 23‑9‑20. The State Fire Marshal shall:

(1) supervise enforcement of the laws and regulations of the Liquefied Petroleum Gas Board and the South Carolina Hydrogen Permitting Program; ~~and~~

(2) ~~shall~~ employ and supervise personnel necessary to carry out the duties of his office; and

(3) create and biennially update a policy and procedures manual that, at a minimum, must include:

(a) information retention policies for data collected related to fires or violations of applicable laws or fire codes;

(b) preventative maintenance schedules for facilities, fire alarm systems, and fire extinguishing equipment;

(c) the certification process for the personnel authorized to enforce applicable laws and fire safety codes;

(d) data collection procedures regarding violations of state laws committed by instructors certified by the South Carolina Fire Academy;

(e) the procedures and guidelines developed by the South Carolina Firefighter Mobilization Oversight Committee pursuant to the provisions of Chapter 49, Title 23; and

(f) physical fitness requirements for firefighters within this State.”

SECTION 2. Section 23‑9‑157 of the 1976 Code is amended to read:

“Section 23‑9‑157. (A) The State Fire Marshal or any of his authorized agents, when inspecting buildings or structures for compliance with applicable provisions of law or fire codes and finding violations of the same, must inform the owner of the building or structure in writing of the nature of the violation and a specific citation as to the particular statutory provision of law or provision of the applicable fire code on which the violation is based before any changes in the building or structure may be required or before any penalties authorized by law may be assessed.

(B) The State Fire Marshal or any of his authorized agents may issue a fine for the violation of applicable provisions of law or fire codes or the failure to correct a violation within a time frame as prescribed by regulation. The Division of the State Fire Marshal is authorized to promulgate regulations to set the fee structure that must be charged for violations.”

SECTION 3. This act takes effect upon approval by the Governor.

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