**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 7 TO CHAPTER 9, TITLE 23 SO AS TO PROVIDE FOR THE TRAINING, REGISTRATION, AND CERTIFICATION OF FIRE‑RESISTANT MATERIAL APPLICATORS BY THE STATE FIRE MARSHAL.

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

SECTION 1. Chapter 9, Title 23 of the 1976 Code is amended by adding:

“Article 7

Fire‑Resistant Material Applicators

Section 23‑9‑710. As used in this article:

(1) ‘Fire‑resistant material’ means cementitious or fibrous materials that are applied onto a surface to provide fire‑resistant protection to the substance.

(2) ‘Fire‑resistant material applicator’ means an individual certified to apply fire‑resistant material by the State Fire Marshal pursuant to the provisions of this article.

Section 23‑9‑720. It is unlawful for a person to engage in business as a fire‑resistant material applicator in this State without being certified by the State Fire Marshal as provided in this article and otherwise complying with the provisions of this article. A person who violates the provisions of this article must be fined up to two hundred and fifty dollars for each violation.

Section 23‑9‑730. The State Fire Marshal:

(1) shall develop and implement a certification and certification renewal process for fire‑resistant material applicators and a registry of persons certified pursuant to this article;

(2) shall develop requirements for training in applying fire‑resistant material according to manufacturer specifications for persons seeking certification as a fire‑resistant materials applicator; and

(3) may charge a certification fee and certification renewal fee for persons seeking certification under the provisions of this article; and

(4) shall promulgate regulations and develop rules necessary to implement the provisions of this article.

Section 23‑9‑740. (A) A person seeking certification as a fire‑resistant material applicator successfully shall complete training to apply fire‑resistant material according to manufacturer specifications. This training must meet the requirements Section 23‑9‑730(2) in the judgement of the State Fire Marshal.

(B) When a person satisfactorily completes the training provided in subsection (A), the State Fire Marshal shall issue him a certificate indicating he is certified to apply fire‑resistant material.

(C) Registration as a fire‑resistant material applicator annually must be renewed.

Section 23‑9‑750. The State Fire Marshal shall develop a list of grounds for revocation of certification as a fire‑resistant material applicator. He may investigate allegations of actions that constitute grounds for such revocation and may revoke certification if in his determination a violation has occurred. The State Fire Marshal also may impose fines for persons who violate the provisions of this article as provided in Section 23‑9‑720.”

SECTION 2. This act takes effect upon approval by the Governor.

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