

1 HB293
2 182323-1
3 By Representatives Faulkner, Lovvorn, Rich, Rowe, Drake,
4 Standridge, Fridy, Hanes and Pettus
5 RFD: Public Safety and Homeland Security
6 First Read: 23-FEB-17

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8 SYNOPSIS: Under existing law, the State Fire Marshal
9 establishes qualifications for issuing a permit for
10 a person to lawfully manufacture a destructive
11 device or bacteriological or biological weapon.

12 This bill would provide that permit fees
13 collected by the State Fire Marshal for a permit to
14 manufacture a destructive device or bacteriological
15 or biological weapon would be deposited in the
16 State Fire Marshal's Fund.

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18 A BILL
19 TO BE ENTITLED
20 AN ACT

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22 Relating to the State Fire Marshal; to amend Section
23 3 of Act 2016-414 of the 2016 Regular Session, now appearing
24 as Section 36-19-2.1, Code of Alabama 1975; to provide that
25 permit fees collected by the State Fire Marshal for a permit
26 for the manufacture of a destructive device or bacteriological

1 or biological weapon would be deposited in the State Fire
2 Marshal's Fund.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 3 of Act 2016-414 (2016 Regular
5 Session), now appearing as Section 36-19-2.1, Code of Alabama
6 1975, is amended to read as follows:

7 "§36-19-2.1.

8 "(a) No person may lawfully manufacture a
9 destructive device or bacteriological or biological weapon
10 without first obtaining a permit from the office of the State
11 Fire Marshal. The office of the State Fire Marshal shall adopt
12 rules as necessary to implement this section including, but
13 not limited to, rules for all of the following:

14 "(1) The form for making application for a permit.

15 (2) The qualifications necessary for obtaining a
16 permit.

17 "(3) Fees for making application, issuance, renewal,
18 reinstatement of a lapsed permit, and other fees deemed
19 necessary by the Fire Marshal relating to a permit.

20 "(b) The office shall have 30 days to investigate
21 and review an application, and either issue or deny a permit.
22 A denial shall state the reasons why the permit was not issued
23 and what corrective action, if any, may be taken.

24 "(c) A permit shall expire one year following the
25 date of its issuance or renewal and shall become invalid,
26 unless renewed by payment of the applicable fee.

1 "(d) All fees collected pursuant to this section
2 shall be deposited in the State Fire Marshal's Fund as
3 provided in Sections 8-17-255 and 34-33-11 and shall be used
4 for the operation of the State Fire Marshal's Office."

5 Section 2. This act shall become effective
6 immediately following its passage and approval by the
7 Governor, or its otherwise becoming law.